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The EU "partnership principle" revisited: A critical appraisal of its integrationist potential as a governance device interconnecting multiple administrative arenas

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# **Gemeinschaftsgüter: Recht, Politik und Ökonomie**

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2001/13

**—The EU ‘Partnership Principle’ Revisited—**  
**A Critical Appraisal of its Integrationist Potential as a Governance Device**  
**Interconnecting Multiple Administrative Arenas**

von  
Michael W. Bauer

## —The EU ‘Partnership Principle’ Revisited—

### A Critical Appraisal of its Integrationist Potential as a Governance Device Interconnecting Multiple Administrative Arenas<sup>1</sup>

#### Abstract

This article analyses the ‘partnership principle’—which is of particular importance for multilevel governance interpretations of European integration—as it evolved in EU regional policy-making. After sketching the crucial analytical lines of the current debate on ‘partnership’ on the example of the implementation of the EU structural policy in Germany, I examine how it functions. A closer look at two important sub-fields of ‘partnership’—‘societal participation’ and ‘policy evaluation’—reveals that theoretical expectations regarding its transforming potential, in terms of pitting supranational and subnational actors against central state authority and thereby circumventing the latter, have not materialised. On the contrary, recently rising resentment and out and out conflict between the European Commission and regional authorities so far point to theoretically unexpected limitations of ‘partnership’, calling into question whether it is an appropriate and sustainable inter-administrative co-ordination device—at least when viewed from the perspective of the multilevel governance thesis. In the light of the reported insights into the practice of ‘partnership’, this ‘new mode of EU governance’ thus needs to be reassessed.

**Keywords:** European Union – Partnership Principle – Administrative Interaction – Governance Across Multiple Arenas – EU Structural Funds – Regional Policy – Policy Evaluation – Societal Participation

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## 1. Introduction

This article analyses the ‘partnership principle’ as it organises actor relationships across administrative arenas in EU policy-making. The particular focus lies on the implementation of EU structural policy in Germany. In the light of more than 12 years of operation, the question raised is whether ‘partnership’ has indeed transformed administrative interaction as expected by the advocates of the multilevel governance thesis.

This article starts by pointing to the tremendous success of the ‘partnership principle’ as it is now applied in an increasing number of EU policy areas (section 2.1.). It is then shown how the partnership principle has been welcomed among integration scholars and has been taken as empirical evidence that advances the multilevel governance explanation of day-to-day policy-making in the European Union (section 2.2.). Most scholars have focused on the partnership’s potential for regional mobilisation and subsequently on the distributional conflict between the Commission and member states’ sub-national authorities, on the one hand, and member state national authorities, on the other. In reality, however, the relationship between sub-national administrative authorities and the Commission is far from being a relationship between ‘natural allies’. Quite to the contrary—as the empirical investigation into the implementation of structural funds in Germany shows (sections 3.1. and 3.2.)—distributional conflicts between the Commission and sub-national actors may have as important an effect on outcomes as do conflicts between the Commission and central member state authorities. The fact that EU multilevel governance approaches have failed to account for such supranational-regional conflict may be a result of the enthusiasm of many scholars for the central-state circumventing capacity (and thus the supposed pro-integrationist potential) of EU multilevel policy-making, which may have blinded them to what is actually going on in reality.

Opening up a way to correct this shortcoming, section 4 puts the empirical results from the implementation of structural funds in Germany back into the context of the theoretical discussions of partnership governance. Finally, the article concludes by offering some practical ways to exit, showing how the partnership principle could be reorganised in order to enhance its effectiveness and avoid conflict.

In other words, one may say that the presuppositions about governance theory have diverted European integration scholars’ attention from empirical evidence regarding disturbing counter-productive actor interaction in the practice of structural fund policy-making. The main conclusion of this article is thus that this bias (through further theoretical conceptualisations and more empirical research) has to be corrected if a realistic understanding of the possibilities and limits of the new partnership mode is to be reached.

## 2. Partnership on the Rise

Forms of ‘partnership’, as devices to interlock layers of government and organised social interests across multiple arenas in order to prepare and implement supranational policies, have emerged as ubiquitous modes of co-operative governance in the European Union (Hooghe 1996a,b; Kohler-Koch 1998b; Scott 1998; Héritier 1999, 2001). Originating from the 1988 reform of the structural funds, derivatives of ‘partnership’ have, for example, spread quickly to areas as diverse as research and development, social policy and environmental policy.

In the 1990s, social scientists analysed ‘partnership’ in terms of its potential to change territorial politics, patterns of interest intermediation and national regional development approaches—to name but a few areas. The great appeal of ‘partnership’ seemed to be at least partly due to the fact that it offered an empirical testing ground for competing sets of hypotheses derived from various theoretical corners of the discipline.

More precisely, ‘partnership’ came to be taken as the tangible expression of a trend that was seen as transforming European Union politics into a system of multilevel governance (Allen 2000: 259). It was hoped that it would be possible to offer an empirically informed explanation of day-to-day integration in the tradition of neofunctionalism that would be able to compete with—or rather ‘co-exist’ with—liberal-intergovernmentalist research agendas (Marks 1992, 1993; Hooghe 1996a; Marks, Hooghe and Blank 1996; Pollack 2001; Moravcsik 1993). Hence the focus of the multilevel governance literature on how EU policy-making, via ‘partnership’, mobilises subnational governmental and societal actors and whether they may be able to take some decision-making clout away from central governments.

Making the quality and effects of subnational mobilisation—as brought about by partnership arrangements—the centre of attention makes heuristic sense if studying the emergence of a *multilevel* system is the aim. However, in this article it is argued that such a selective focus, though having provided us with seminal work, has led to a neglect of other components of ‘partnership’ that are no less important. Therefore (and given that the ‘multilevel governance vs. liberal intergovernmentalism’ debate has run out of steam<sup>2</sup>) it is perhaps time to look for alternative yardsticks in order to assess ‘partnership’ as a currently trendy mode of EU governance.

In this context one may wish to refocus another promise of the partnership approach—namely, the promise, due to the re-organisation of administrative interactions, to optimise the planning and execution of EU programmes among *interdependent*, but sufficiently *independent*, territorially dispersed actors (Schmitter 2000: 5).<sup>3</sup> Hence, this article contends that the best way to re-

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2 The ‘state of the art’ may be summarised as follows: ‘subnational actors have indeed been mobilised successfully without however substituting central government actors as overall gatekeepers’ (Bache 1999; Hooghe and Marks 2001).

3 One may object that subnational mobilisation also relates closely to that issue. This is true, but although the two areas overlap, they do not coincide completely—and the former appears to be much harder to gauge empirically.

consider ‘partnership’ is to put inter-administrative relationships back at the centre of analysis (Marks 1993: 402-3).

## 2.1. The ‘Partnership Principle’ in EU Structural Policy and Beyond

‘Partnership’ was formally introduced with the 1988 reform of the structural funds. Next to the other catchy innovations such as ‘concentration’ (on target zones), ‘additionality’ (EU funding was to supplement not replace national development aid) and ‘programming’ (pluri-annual programmes instead of one-shot projects), ‘partnership’ did not just have a managerial meaning, it was presented by the Commission as the guiding principle of the whole reform undertaking—not least of all since it was meant to apply to all stages of the policy-making process, i.e. the preparation, financing, monitoring and assessment.

Article 4 of the 1988 framework regulation defined ‘partnership’ as “close consultations between the Commission, the Member State concerned and the competent authorities designated by the latter at the national, regional, local or other level, with each party acting as a partner in pursuit of a common goal.” In practice, ‘partnership’ established an administrative process whereby the involved public authorities (and later other societal actors) at the various levels worked out regional development plans (‘community support frameworks’), operationalised them (in ‘operational programmes’) and monitored their implementation (in special committees).<sup>4</sup>

Since 1988, EU structural policy has gone through two major revisions (1993, 1999). In the academic literature there is much disagreement about whether and to what extent these revisions diminished the role of the European Commission and re-intergovernmentalised EU structural policy-making after Community institutions—indisputably—gained great procedural and decisional influence in 1988 (Marks 1993; Hooghe and Keating 1994; Pollack 1995; Allen 1996, 2000; Hooghe 1996a, 1996b; Sutcliffe 2000; Hooghe and Marks 2001).

Regardless how one assesses the details of the post-1988 changes, by now two trends seem clearly discernible. First, the member state governments made sure that they retained the ultimate authority to decide who qualifies as a ‘partner’—though they have to remain inside the logic of “national rules and current practices” (framework regulation 1993). Recent clarifications about the member state’s primacy in implementing programmes are to be viewed in the same vein. It is doubtful whether such adjustments amount to an intergovernmental “clawing back” of competences aimed at cutting the Commission down to size. For the time being, rather than omitting the Commission from policy implementation, the recent revisions seem to streamline administrative procedures and clarify competences (Bauer 2001). In other words, there has been no ‘big bang’ in terms of a re-nationalisation, and the effectiveness of the revisions will have to be as-

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4 For the discussion below it is important to note that although the Commission had suggested this, the 1988 regulations made no reference to any kind of participation of the social partners. Only the Commission’s—legally non-binding—‘guide’ to the reform stated that ‘official’ or ‘vertical’ partnership between the administrative levels could be ‘fruitfully’ complemented horizontally with non-governmental associations (Smith 1995: 52), since “Community structural action depends, for its implementation, not only on the national and regional authorities but also on the various economic and social partners (chamber of commerce, industry and agriculture, trade unions, employers, etc.)” (Commission 1989: 15).

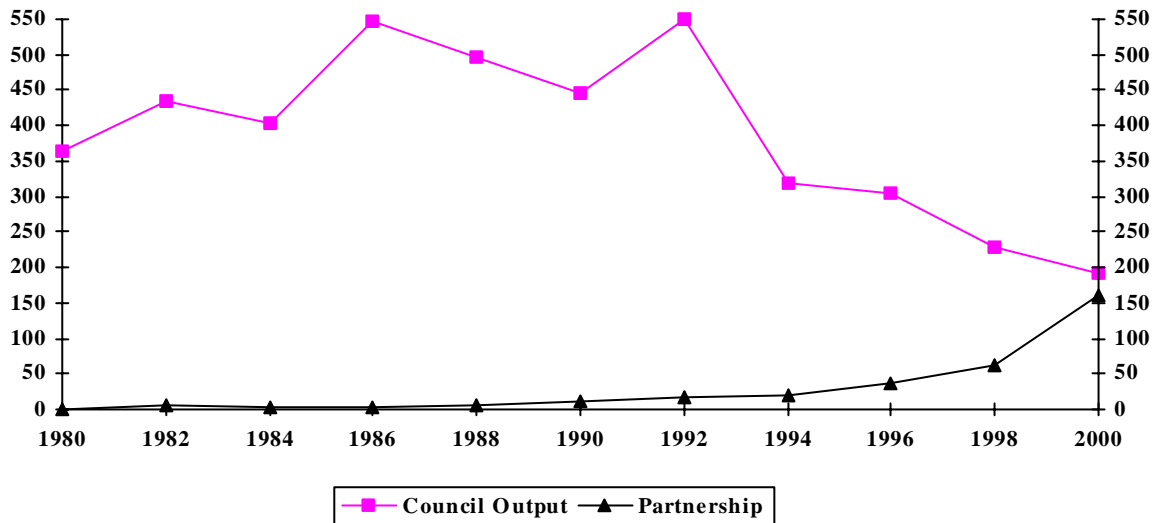
sessed on the basis of their implementation on the ground (Begg 1997; Sutcliffe 2000; Bollen, Hartwig and Phedon 2000; Bollen 2001). But this is arguable. What is more worrisome, from an integrationist perspective, is that the EU structural funding will decline in real terms. Together with its acknowledged patchy character (Marks 1996a)—likely to increase due to further ‘concentration’ of most needy areas—this can be seen as the best assurance against creeping supranational power expansion.

The second, contrasting trend regards the change of participatory structures in the management of ‘partnership’. The Commission was able to expand the circle of groups included in the partnership process to include economic and social partners (1993) and, most recently, even to include environmental and gender groups. True, there is no outright requirement to include such societal interests (and in any case the central authorities retain the right to select!). However, in practice the relevant authorities will find it very hard to keep such interest groups out—especially since, by relying on endogenous potential, regional development theory delivers a strong intellectual argument for such inclusive policy-making.

The point, however, is that while the concrete form of national partnership may be a matter of domestic political struggle, it is now generally accepted as a method of multilevel steering within the EU structural funds. ‘Partnership’ can be understood as a policy-making device that allows public authorities and societal actors to trade access, information and commitment, based on an ‘multilevel administrative core’ that stresses local ‘executive’ involvement and that, in particular, requires the participation of the Commission in all policy stages and its presence at all policy-relevant layers of government during implementation.

Moreover, partnership is no longer an exclusive phenomenon of EU structural policy. As often, lessons learnt in one area of EU policy-making spread elsewhere (Tömmel 2001). The most prominent field to which ‘partnership’ has been exported is perhaps EU environment policy. With the 1992 Fifth Environmental Action Program, ‘shared responsibility’—as partnership is here called—became a guiding mode of multilevel policy steering (Collier, Golub and Kreher 1997; Heinelt 2001). Other examples can be found in the areas of research and development and in social policy undertakings such as the social exclusion programmes (Hooghe 1996a: 7). While there may be differences in details about what exactly is to be understood as ‘partnership governance’ in the various policy areas, its impressive expansion seems real (see graph 1 below). Furthermore, recently ‘partnership’ has stopped being discussed merely as a means for optimising intra-policy co-ordination across multiple arenas, and has been viewed as a structural principle for “shaping the New Europe”, offering “a network arrangement, with all levels of governance shaping, proposing, implementing and monitoring policy together” (Prodi 2000a: 4; Commission 2001).

Graph 1: Partnership on the Rise?<sup>5</sup>



## 2.2. The Partnership Principle within the Debates on Multilevel Governance

In EU structural policy ‘partnership’ is certainly multifunctional. First, there is the positively loaded—almost ideological—value that the term ‘partnership’ carries. Given this, it seems to be deliberately employed to sort of legitimise multilevel co-operative policy-making. One should not underestimate how using a notion like ‘partnership’, which resonates with ‘doing things together’ and communicates the image of consensual action, commands great appeal in our societies and thus makes it relatively hard for national critics to oppose it. This, in fact, may have facilitated the second and more practical task of partnership, namely to initiate the reorganisation of the management of EU structural policy towards a governance arrangement based on multilevel administrative interaction—with the side effect of securing participation and co-decision rights for the supranational level.

This second, managerial analysis of the ‘partnership principle’ was present in the academic literature in the early 1990s (Tömmel 1992, 1994; Ridinger 1992; Poth-Mögele 1992; Ryan 1995). With the upcoming multilevel governance debate, however, the interest in the vertical dimension of partnership faded into the background. Instead, issues of subnational mobilisation and later

5 I searched the database EUR-Lex for the word ‘partnership’. Therefore, governance modes that figure under other notions such as ‘shared responsibility’ are not counted, while other forms of EU action such as ‘partnership agreements’ are unfortunately included. While a more systematic enquiry is desirable, the graph still seems to give a valid first impression about the current inflationary recourse to ‘partnership’ in EU policy-making.



horizontal participative expansion provoked “the great deal of excitement” (Allen 1996: 227), which helped social scientists to focus their minds and research agendas.

Though early expectations about ‘partnership’ have recently become more moderate, there is still a debate between those who believe in its transformation potential and those who see EU politics as only mildly affected by it (Bache 1999; Smith 1997, 1998; Benz and Eberlein 1999; Christiansen 1999; Hooghe and Marks 2001). Without being able to replicate the ramified discussions here, it may be helpful to distinguish between mobilisation, subsidiarity and effectiveness, as the three crucial concerns underlying the debate.

**Mobilisation.** Its potential for subnational mobilisation, as has been elaborated above, is the key to understanding the academic struggle surrounding ‘partnership’. Subnational participation “alongside member state representatives and the Commission in preparing, implementing and monitoring development programmes” (Marks 1993: 396) was seen as an expression of the not-so-hidden agenda of the Commission to change territorial politics via ‘partnership’. But it soon became evident that the Commission’s “vehicle for enforcing subnational levels” (Hooghe 1996a) was limited by enduring regional institutional variation that prevented an identical application and thus reduced the value of ‘partnership’ as a looming EU steering mode (Marks 1996; Kohler-Koch 1998b; Grote 1998; Benz and Eberlein 1999: 342). Not everybody would go so far as to qualify ‘partnership’ as “blown completely out of proportion in the literature” and deny it any “centrifugal effect” (Tsoukalis 1997: 208). However, member states’ unwillingness to cede much decision-making power to the partnership arrangements and growing governmental resistance to the Commission’s strategy to include ever more societal actors ensured that the effects of mobilisation remained largely under member state control.

**Subsidiarity.** It was the Commission that claimed early on that ‘partnership’ was a way of applying subsidiarity (Commission 1989: 15). Most scholars followed that interpretation taking partnership as “a variation on the theme of subsidiarity” (Hooghe and Marks 2001: 114; Bache 1998: 75). Admittedly, there are different interpretations of the subsidiarity principle, and the Commission certainly has a point here, since partnership may indeed enforce neglected regional and local capacities. But it is still surprising that there was little objection to the Commission’s particular ‘partnership’ interpretation of subsidiarity, given that, by all measurement, subsidiarity signifies an enforcement or reconstitution of the ability to act at the lowest possible layer of government *in terms of autonomy* rather than the constitution of co-operative network steering *in terms of pooling participatory and decisional resources across political arenas*, as the structural funds partnership actually attempted.<sup>6</sup>

Given that the political environment is becoming increasingly distrustful of Community action and the Maastricht Treaty has proclaimed ‘subsidiarity’ a basic principle of integration, the Commission certainly had good reasons to maintain that its ‘partnership’ goes along well with

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6 It could well be that for the German case it is possible to connect the magnitude of national/subnational resistance to ‘partnership’ with the regionally prevailing interpretation of ‘subsidiarity’ in terms of its ‘autonomy preserving’ or ‘coordination enhancing’ features (see Knodt 1998, 2000).

subsidiarity. However, this seems far from self-evident. Even less so since there is evidence that the Commission took recourse in ‘partnership’ precisely because it wanted ‘to stay in business’, despite mounting calls for re-nationalisation fed by the subsidiarity debate, which threatened the position it had reached with the 1988 reform (interview 1).<sup>7</sup>

**Effectiveness.** Not even as much academic analysis has been undertaken to seriously verify whether it enhances the efficacy of the execution of regional development programmes as has been conducted regarding whether ‘partnership’ matches subsidiarity. The effectiveness issue, i.e. the question concerning how good partnership is in achieving results, has been almost completely surrendered to a growing evaluation industry surrounding the EU structural funds. This is not to say that consultants and professional evaluators do a bad job. However, they have a different focus and time horizon, and they concentrate on single projects or regional CFSs rather than criticising the meta-framework within which the policy is prepared and executed (similar Viinamäki 2001: 7). It would certainly be of great value if more political research looked at actual policy outputs to determine the effectiveness question (given the limitations of most research budgets, it is perhaps unrealistic to ask for).

However, for the argument pursued in this article what is important to note is that the preconceptions about ‘governance’ seem to have prevented scholars from paying the necessary attention to emerging conflicts between supranational authorities and policy implementers at regional and local levels. Such conflict may be compatible with the governance approach as properly conceived. However, it becomes problematic if—as in the case of the EU governance approach—inclusive forms of executive policy-making across various arenas are embedded in the ‘zero-sum’ expectation that direct supranational-regional interaction will cause national actors to lose out.

This raises the suspicion that social scientists may be barred, by the assumptions derived from their notion of ‘governance’, from detecting (and drawing conclusions) about the (sub-)optimality of partnership governance regarding EU policies.

The point is that the currently dominating ‘governance’ perspective rests on a fundamental doubt about the hierarchical steering ability of government. One can identify various intellectual ‘roots’ of ‘governance theory’, such as planning theory, resource exchange approaches and transaction costs economics (Mayntz 1998; cf. O’Toole 1993; Cook 1977; Aldrich and Pfeffer 1976; Williamson 1988). Governance thus stands for a conceptual shift from hierarchical to network steering, i.e. the expansion of co-operative modes of government where state and non-state actors participate in mixed public-private networks. This conceptual shift, in turn, is itself justified on grounds of the (presumed) effectiveness-enhancing quality of these new arrangements in the real world (Mandell 1988; Kenis and Schneider 1991; March and Rhodes 1992). Hence, the heuristic

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7 Tellingly is also Wulf-Mathies (1995) ‘interpretation’ of subsidiarity: “The Member States seem to hide the fact that they want to exclude the Commission from the execution of the structural funds behind the shield of the subsidiarity principle. [...] Subsidiarity as a guiding principle for the Union means, as I understand it, above all transparency and participation; and I will therefore especially support closer involvement of the regional and local authorities and the social partners in program planning and implementation.”

difficulty of tracing the procedural inefficiency potential of network arrangements that stem at least partly from the chosen ‘lens’, as embedded in a governance approach.

In brief, what is to be focused on in order to correct for such ‘bias’ are the working relationships between the crucial administrative players within a partnership. This will make it possible to find out whether there is indeed conflict and whether conflict has been rising or declining over the last years. The point is that if the present supranational-regional conflict is not distinguishable from supranational-national, then EU governance theory may have to be respectively adapted, and pro-integrationist hopes connected with partnership may well have to be considerably scaled down.

### **3. Insights From Policy Implementation: The Limits of ‘Partnership’**

The assessment of ‘partnership’ is aggravated by the fact that influence patterns change according to the stages of the policy-making process, i.e. whether the policy is prepared, decided upon, executed or evaluated. To compound matters further, it is challenging to disentangle how the two crucial procedural components of partnership—vertical-administrative and horizontal-societal co-ordination—inter-relate at each policy stage to shape policy outcomes (Smith 1995, 1997). As elaborated above, in the following I will therefore concentrate on administrative interaction (cf. Wessels 1990), i.e. the relationship between the European Commission and the regional administrators who actually implement EU structural programmes. This relationship is investigated in two pertinent areas: first, regarding social actors involvement in ‘partnership’ policy-making and, second, regarding the impact of the establishment of policy evaluation.

#### **3.1. Societal Participation**

The idea of closer co-operation with the social partners—in order to ‘balance’ the inter-executive core of partnership—dates back to the origins of European regional policy, but only when the Commission incorporated ‘societal participation’ into its broader reform agenda of 1988 did systematic consultation with labour and employer associations in the context of EU regional aid slowly become reality. To put it mildly, institutionalising horizontal forms of ‘partnership’ met with little enthusiasm on part of most member states. And it was only near the end of the second programming period (1994-1999) and after great efforts on the part of the Commission and in particular by the then commissioner in charge, Wulf-Mathies, that the member states could be pushed and cajoled into engaging in dialogues with the social partners that were worthy of the name (Wulf-Mathies 1995; Bauer 2001, chapter 6).

In the run-up to the 1999 revision, the Commission opened another round of ‘societal expansion’ by suggesting the inclusion of additional groups, namely those promoting gender equality and environmental protection. This tendency of the Commission to continuously redefine the participatory patterns of ‘partnership’ has not only alienated national and subnational administrators

but also already ‘established’ societal partners. In this context, it is hardly surprising that, in particular, national administrators complain about the lack of expertise on part of the societal partners, the burdens of organising the dialogue in practice and the societal partner’s focus on ‘particular’ interests, i.e. getting money for their respective ‘clientele’ (as opposed to the public service, which aims at the ‘general’ interest). However, it is highly interesting that established societal partners and administrators alike highlight the effects of further participatory expansion in terms of the alternating resource redistributive effects—which are generally seen as enforcing the Commission’s position in the networks (Conzelmann 1995: 139).

According to the results of interviews in five German Länder, the Commission benefits from enhanced societal participation in at least three significant ways. First, the inclusion of a greater number of partners increases the transparency of policy implementation, not least of all, because additional (non-administrative!) points of view are communicated to the European level. Second, if these partners are interested in changing policy interventions in much the same way as the Commission, this is welcome support. Thirdly, and most importantly, the familiarity with the regional and local situations makes involved societal actors, who are organisationally separate from national administrations, valuable observers of policy implementation, willing and able to raise the alarm if EU rules are inappropriately applied.

Already the bold moves of Wulf-Mathies—who before coming to Brussels was herself a leader of a great German trade union—provoked irritations. She set out to make it possible to fund the social partners from the structural funds, in particular from the technical-assistance budget; she also pressured Länder governments to include them in the regional implementation-cum-monitoring committees (interview 8; similar in particular interviews 7 and 11). While this provoked irritations, the proposals for expanding the ‘partnership’ to environmental and gender groups, however, triggered outright hostility. In a position paper on the Commission’s reform proposal, the federal deputy ministers for European affairs complained that “the obligation for far-reaching participation rights intrudes far too much upon the institutional authority of the Member States and their democratically accountable governments” (Europastaatssekretäre 1998: 6). This is similar to the interviews conducted at regional levels, where the participatory expansion was seen as a Commission strategy to “open the administration” or even as an attempt to “by-pass” national authorities.<sup>8</sup> The logic behind the participatory expansion, as perceived at regional level, is expressed by the two following quotations.

The Commission’s interest [in expanding participation] is certainly not driven by altruism [... It] is a question of power. If one is able to approach the regional governments through the federal level, and can put pressure on regional governments through regional interest organisations—as *a counterweight to the administration*—then this certainly serves the interests of the Commission. (Interview 2; emphasis added; see also Smyrl 1998: 93; Kohler-Koch 1998a: 25)

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<sup>8</sup> Tellingly, also the new White Paper on European Governance pushes for more ‘participation’ in order to “open up the policy-making process” (Commission 2001: 11).

If I include more players in a co-ordination process, this is going to increase the number of hurdles to be crossed in order to reach a consensus. [...] Suppose the Commission wanted, among other things, to maximise its influence. Then it could make selective use of certain arguments raised by particular interest groups. This would help it push for certain decisions. Let's take 'sustainability' as an example. If environmental interests are particularly strongly represented and the Commission wants to push for 'sustainability' then it might stress those arguments. [...] This can certainly be applied as an instrument to justify and to pressure for certain decisions. (Interview 3)

All of the 20 or so regional administrators interviewed would describe their experience with societal participation in the context of 'partnership' as an irksome duty. Sure, there were different 'shades'—usually officials from ministries headed by the left were slightly more positive about 'participation', especially of trade unions—but in general resistance seems to be on the rise.<sup>9</sup> Interestingly, a diffuse partnership between the administrative levels seemed to enjoy very high esteem among the officials. At the same time, however, this particular form of 'partnership' was highly contested, especially the role the Commission played therein.

This is not to say that the Commission is able to or deliberately intends to systematically exploit societal participation to enhance its transnational steering potential. (Although incidents have been reported that would suggest such a 'bureaucratic politics' reading, a more sophisticated research design would be needed to establish such a claim.) The point here is that—in the eyes of the national and regional officials—the Commission's engineering of 'partnership' plays into the hands of those at the supranational level. Whether this is true or not, or whether it is in practice realistic to expect that the Commission could take advantage of societal participation, is of secondary importance compared to the potential damage done to the relationship of Commission-national administrations if the latter think the Commission is actually engaging in such a strategy. For example, a trade unionist happily reported how 'partnership' via the participation in the regional monitoring committees provided him with privileged access to the Commission and thus gave him a stage where he could bring up the trade union's deviant opinion (in this case to the regional administration that proposed the development strategy; interview 610). This left the regional administrators "quite a bit irritated"—most likely because of the sudden threat of having to better justify the development choice of the regional government.

This was not a singular case. However, even more important than empirical validation is the fact that, for the assessment of 'partnership' as a governance mode, this means that—in spite of what a governance-theory-inspired interpretation of the partnership principle would have us to believe—inclusive policy-making does not always facilitate co-ordination but may lead to serious mistrust and 'irritation' among the partners.

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9 We find the same picture in the case of 'policy evaluation' as discussed in the following section.

10 "And Mr. ... [senior official in DG XVI] always has an open ear for our complaints. [...] And after examining our paper he encouraged us to approach him later, because he interpreted the situation similarly and seemed convinced he would be able to support our positions. [...] This provoked quite a bit of irritation in the economic ministry, since we suddenly seemed to be closer to the Commission's position than they were. (interview 6)

If in a multilevel political system such as the EU, whose politics are far from ‘stable’, the major supranational policy-making layer, the European Commission, is to gain the reputation as strategically exploiting the redefinition of participatory patterns, this is not just counter-productive in regard to the acceptance of potentially valuable new ‘partners’, it damages the very core of the emerging governance arrangement: the mutual trust and understanding of the administrative partners across the various levels.

However, participatory expansion is not the only area of the EU ‘partnership’ mode of governance that recently seems to have provoked mistrust and misunderstanding.

### **3.2. Policy Evaluation**

The 1988 reform also introduced an assessment strategy aimed at systematically gauging the efficiency (impact compared to invested resources) and effectiveness (achievements of results) of European structural action. The significance attached to ‘evaluation’—as this policy quality measurement device is usually referred to—was highlighted, among other things, by the fact that the provisions for ‘monitoring and assessment’ officially make up part of the ‘partnership’ as defined by Article 4 of the framework regulation.

Evaluation was conceived in terms of ex-ante, monitoring and ex-post components, i.e. the national administrations were encouraged to think about the quantifiable targets, collect suitable indicators and work together with professional ‘evaluators’ who would report on the efficiency, success and weaknesses of regional and local policy implementation at mid-term and at the end of the EU structural interventions. The regional monitoring committees were likewise of crucial importance for the emerging evaluation system. After 1989 the basic evaluation concepts became continuously clarified, improved and—if one believes national administrators—expanded.

To put it bluntly, evaluation within the structural funds owes its existence to the fact that rich member states wanted to make sure that the main receiver of EU structural aid would do something reasonable with the money—in particular since the 1988 reform considerably increased the redistributive dimension and the budget of EU structural funding. Moreover and similar to ‘partnership’ itself, policy evaluation, although not meeting with a lot of enthusiasm among many national officials who had to apply it, was difficult to oppose, since it was advocated as a general ‘enlightened’ policy instrument focused on improving the efficiency of interventions. Tellingly, in the 1989-93 support period, evaluation got something like a ‘cold application’ as it was formally executed, but its results only insufficiently fed back into the policy process. Things improved in the following programming phase (1994-99) but, as the Commission underlined, evaluation was still far from being optimally applied.

As fascinating as the technicalities and the details of the recent history of the structural funds evaluation efforts are (Toepel 1996; Frankenfeld 1997; Bauer 2001; Viinamäki 2001), the interesting question is how they actually influence the relationship between Commission and national

administrators. Perhaps unsurprisingly, evidence from the interviews suggests that national and regional administrators are increasingly wary of EU policy evaluation measures. The national officials emphasise less its enlightenment function in optimising policies than its potential as a supranational instrument for controlling policy implementation.<sup>11</sup> In particular, national as well as regional administrators complain about the red-tape involved with the structural funds' approach to evaluation; they also doubt the scientific reliability of many evaluation exercises; and they criticise the Commission's desire for regular and voluminous implementation reports<sup>12</sup> and quantifiable results (once referred to as 'number fetishism'—interview 4).

Similarly to what could be observed in the context of societal participation, 'policy evaluation' is not objected to as such but 'only' in its present form, as engineered by the European Commission; and one finds a similar variety of 'rejection' to that described above in the case of participation expansion.

At any rate, a vast majority of the interviewed *Länder* administrators were resentful about the EU policy evaluation efforts. The resistance was defended on grounds that the results of EU policy evaluation would—in the perception of the national officials—not justify the great administrative efforts needed to produce them. However, it was also connected to the behaviour of the European Commission, which continuously raised the stakes and intensified the evaluation requirements.

First, these are 'proposals'; and the next time the proposals are seen they are evaluation 'guidelines'; guidelines which the Commission is going to apply *ex cathedra* throughout the Member States and which it uses to skilfully circumvent the regulation texts. [...] Because one doesn't find the word 'guideline' in the Treaty. This is something which is autonomously adopted by the Commission where it gives its version of how to understand the regulations. [...] I could object that I interpret the regulations differently, and I could eventually go to the European Court of Justice. However, then the support period would in all likelihood already be over; and the guidelines only apply for this time. [...] What the Commission asks us to do, is not, as I see it, always covered by the regulations. (Interview 11)

The following complaint is to be understood in the same vein.

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11 That national administrators may have a point here is shown by the following quotation from a Commission official: "Evaluation is most useful for us here in Brussels, since we are further away from the actual implementation [...] and we do not have the 'feeling' about what exactly goes on there. With evaluation we get access to information from which we are usually cut off. Especially since we are not always on the same mental [...] 'wavelength' with the national administrations—which often creates a kind of information filter in our relations to them. For improving our program conceptions and program steering evaluation proved to be of a very particular value. They are far from telling us everything." (interview 9)

12 An often encountered view is well expressed by the following quotation: "[...] with respect to the reporting duties, or rather, reporting absurdity, I have the impression that we are permanently producing reports. There are the 'last-tranche' reports, the annual reports, the reports that have to be attached to the requests for changing the implementation priorities in order to re-allocate not used EU funding. [...] One is usually not able to allocate the money for five or six years exactly, so there are a lot of requests for such changes. [...] And moreover, each time the monitoring committee meets, that is, once every six months, we have to report about the 'state of the art'. (interview 7)

It's in the nature of the Commission to say harmlessly, 'it would be very nice if we had this kind of information or if it were possible to do this in this way'. After talking three times with you about this, the thing becomes a matter of fact, then, it has to be done. [...] The Commission wants something, and asks [for it] very cautiously, but within one or two years this becomes a demand. And sometime later you'll find it in a regulation. (Interview 5; similar interview 7)

The defining moment for what could be called the national administrators' aversion to policy evaluation, however, appears to have been the Commission's push for the 'mid-term evaluation' in the context of the 1993 revision. Then, the Commission proposed to introduce a new obligatory policy assessment device in the form of a substantive evaluation half-way through the intervention period, the 'mid-term evaluation.' This, it is argued was to provide early information on the success and appropriateness of the adopted measures and thus optimise resource reallocation or other management decisions.

The Council opposed the idea because it was seen as a superfluous new "*charge technocratique de travail*" (interview 10). The Commission finally dropped it, and the revised 1993 regulations were adopted without any reference to a mid-term evaluation (Bachtler and Michie 1994: 794).

However, the Commission did not want to give up her mid-term evaluation, and thus it wrote a respective requirement into the standard clauses of the CSFs—which had to be agreed on in 'partnership' between the national authorities and herself. This caused very bad blood [...] because the Commission reintroduced, through the backdoor, what the Council earlier had disapproved. [...] The DG XVI was most active here. In the negotiations for the CFSs of objective 1 they said that they would not accept the national proposals if the other side would not agree to the mid-term evaluation. This conduct was very bold and politically somewhat questionable. However, it brought the mid-term evaluation back in. And because this conflict was there, everybody understood that the world had changed and that the Commission would attach much more value to evaluation and would push for it much harder than in the period from 1989–1993. (Interview 9)

Even today, this episode stamps the Commission's reputation among German public servants as an 'evaluation advocate'. In the run-up to the 1999 revision, the sensitivity to the issue was one reason that the Commission's new evaluation projects met with increased and better-coordinated German resistance. This holds particularly regarding the Commission's attempt to introduce the 'performance reserve'<sup>13</sup> as another innovative evaluation tool which, if adopted according to the Commission's original proposal, would have added an important systematic aspect to supranational policy steering ability by establishing further positive incentives next to negative pressure (Vanheukelen 1998).

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13 Programs classified as 'worthy' on the basis of extended evaluations would obtain a specified quota (10% of their budget as originally proposed by the Commission) of funding already allocated to the program in question but 'on reserve' until 'good management', i.e. good performance, was proved. Poorly functioning programs ran the risk of seeing their originally 100% budget cut respectively. Eventually a very mild form of 'performance reserve' was established by the 1999 revisions.



The point here is not whether or not policy evaluation is an efficient instrument for improving the quality of EU structural interventions. Appropriately applied and executed in true ‘partnership’, it probably really is (Pollitt 1998). However, as evaluation theory argued long ago, in fragmented political systems it is difficult, if not impossible, to optimise policy evaluation—i.e. to lead lower levels to reveal all the necessary information and guarantee that, in the policy process, crucial actors remain ‘open’ to new and, in terms of their critical potential, sometimes challenging results—against or in opposition to those who are responsible for the direct implementation of policies (Weiss 1972).

If the latter buy into the interpretation that ‘policy evaluation’ is less a policy improvement than a threatening control instrument—in the hands of more central players—resentment and declining enthusiasm for co-operation will be the effect. In the German cases, the overall loyalty of civil servants who implement EU structural policy towards structural policy-making can still be taken for granted. However, the interviews revealed the tangible danger of upcoming ‘cracks’ in the system. The attitude of the national administrators towards the 1999 revision of the structural funds regulation—regarding evaluation—brought to light rising national dissatisfaction with the working rules of the funds and, especially, misgivings about the prominent status that evaluation enjoys in this context (*Europastaatssekretäre* 1998).

To be sure, this is not to deny that, in regard to evaluation matters, the Commission itself is perhaps being pushed more than it is pushing (Commission 2001: 18). In respect to implementation results, one only has to remember information requests from the Council, the European Parliament, the Court of Auditors and the interested public. However, even if putting transnational verification pressure (originating outside the Commission) was the cause for ever higher European evaluation requirements (I actually doubt that this is the case, but this debate still has to take place), the Commission should perhaps carefully consider whether persistently increasing evaluation requirements might not actually erode governance rather than improve it. This is indeed possible since—as we have seen—evaluation may well damage crucial parameters of the inter-administrative partnership on which the whole policy process is built. The results of the *Länder* studies that have been conducted can be taken as a case in point.

#### **4. Conclusions**

It is extremely interesting, and indeed quite alarming, that after more than 12 years of applying ‘partnership’ in the area of the structural funds, mistrust and misgivings among the involved actors about the perceived strategies of the administrative and societal ‘partners’ are so apparent. Even worse, as far as the German cases are concerned, such ‘malfunctioning’ seems to be on the rise, and major players such as the regional public officials, are increasingly suspicious of the procedural effects ‘partnership’ has as power is redistributed when participation is expanded and evaluation is toughened.

Therefore, as the case studies show, conflict between the European Commission, on the one hand, and national implementers of EU structural programmes, on the other, is nothing exceptional; and what is worse, it has been recently on the rise. This result is empirically striking; and the very fact that it has been able to remain ‘theoretically unnoticed’ for so long points to a serious insufficiency of the multilevel governance accounts of this policy area in particular and of emerging forms of EU multilevel steering modes in general.

The currently dominating branch of EU governance literature has been focusing too exclusively on sub-national mobilisation issues (on the presumed costs of central authorities), and it has neglected the weakness of the coalition between sub-national authorities and the Commission. Therefore, if our explanatory tools are to be improved and if a more appropriate theory about governance across multiple arenas in Europe is the target, the capacities of such an administrative coalition for efficient policy-making have to be specified, and, if possible, thresholds have to be indicated for when exactly certain levels of conflict will start eating away the very cooperation gains partnership is supposed to yield.

There seems reason to believe that doing this will lead to a much more pessimistic assessment of the co-ordination value of partnership across multiple arenas. One important reason for this is that the magnitude of conflict—as observed in the case studies—questions the long-term viability of the multilevel policy arrangement in its current form and points to problems which are a far cry away from generating the co-ordination surplus expected by governance theories and, indeed, promised by the Commission.

The point to be made here is that precisely because, in the next couple of years, ‘partnership’ is to become an even more widespread form of EU policy-making than it already is—as its prominent position in the Commission’s White Paper on European Governance as well as many speeches of Prodi suggest (Commission 2001; Prodi 2000a,b,c)—more attention is to be drawn to its shortcomings and weaknesses, also in order to improve theoretical explanations of current European integration.

In sum, this article has demonstrated that persisting patterns of conflict among main actors in EU structural policy-making are real, and they constitute a theoretical challenge to the multilevel governance approach of day-to-day integration and question the sustainability of the partnership arrangements in EU administrative practice.

A concluding question remains: what are the available short-term possibilities for correcting the apparent drift of the partnership principle towards multi-arena management deadlock? Basically there seem to be two ways of re-organising partnership that may considerably minimise conflict as reported in the case studies. First, since a continuous source of national and regional disenchantment with the way the Commission is handling partnership is related to the double role of the Commission as ‘partner’ *and* controlling EU institution at the same time, it should be possible, by consequently delegating evaluation powers to an independent third agency, to improve the supranational-national managerial partnership in day-to-day policy implementation. Second,

the Commission could also retreat from the program implementation phase and leave this task entirely to national and regional administrations. This is not to be misunderstood as re-nationalising EU structural policy; rather, it would help the Commission to re-focus on tasks that are genuinely better fulfilled at the Union level, i.e. co-planning, the spreading innovations and expertise on general regional development strategies. This is especially clear in view of Eastern enlargement and the increasingly invoked subsidiarity principle, which may actually be the only way to keep the Commission and, with it, the EU in the regional structural policy business anyway—in particular since the financial resources of EU structural funds and thus the member states' enthusiasm for proactive supranational guidance are bound to decrease significantly in the middle-term. However, in order to follow such a concept consequently, it is crucial to shield the Commission from EU-level peer pressure regarding substantive policy verification duties, which seem to have been a major force pulling the Commission into the management of the implementation of structural funds.

## Interviews

The empirical part of the article is based on over 30 interviews that were conducted between 1997 and 1999. Interview partners have been regional (from 5 German *Länder*: Baden-Württemberg, Hessen, Rheinland-Pfalz, Sachsen-Anhalt, and Thüringen) and national administrators as well as Commission officials from DG XVI and DG V and from various business and trade union associations. In the following I list only those interviews—in anonymous form—from which material has been directly quoted in the text.

Interview 1, senior official, DG XVI, Brussels, 14.4.1997.

Interview 2, official, Federal Ministry for Labour and Social Affairs, Bonn, 30.9.1998.

Interview 3, official, Deutscher Industrie- und Handelstag, Bonn, 6.10.1998.

Interview 4, senior official, Ministry of the Economy, Hessen, 18.2.1999.

Interview 5, official, Ministry of the Economy, Hessen, 24.2.1999.

Interview 6, official, German Trade Union Federation, Thüringen, Erfurt, 26.2.1999.

Interview 7, official, Ministry for Labour and Social Affairs, Rheinland-Pfalz, 4.3.1999.

Interview 8, senior official, UNICE; Brussels, 29.4.1999.

Interview 9, official, DG V, Brussels, 29.4.1999.

Interview 10, senior official, DG XVI, Brussels, 30.4.1999.

Interview 11, official, Ministry for Labour and Social Affairs, Baden-Württemberg, Stuttgart, 7.5.1999.

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