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## Macro-regional strategies as a catalyst for the further development of the European multi-level governance system?

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Raymond Saller

## MACRO-REGIONAL STRATEGIES AS A CATALYST FOR THE FURTHER DEVELOPMENT OF THE EUROPEAN MULTI-LEVEL GOVERNANCE SYSTEM?

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### Abstract

Since the establishment of the partnership principle within EU regional policy in 1988, the role of cities in the European multi-level governance system has been progressively strengthened. Today, the cities of Europe are central actors with key functions in the implementation of EU regional policy. In parallel to the associated cross-border cooperation, the explicit recognition of local and regional self-government in the European basic treaties (Treaty of Lisbon, Pact of Amsterdam) politically strengthened the role of cities in the European multi-level governance system. This made it officially possible for European municipalities to cooperate with the European Commission and representatives of member states to draw up strategic position papers for future legislative initiatives. At the same time the establishment of macro-regions introduced a framework for the sectoral and geographical adaptation of policies to suit the regions in question. A key role in cross-border cooperation was thus assigned to the cities in the macro-regions. If European cities actively pursue these opportunities they have a chance to establish themselves as the fourth level in the European multi-level governance system and to strengthen their position within the national states and the European institutional framework. The adaptation of intra-state structures is seen as the most important precondition for the municipalities to be able to better express their interests as actors in the political multi-level governance system and thus to gain more influence in the EU. The City of Munich provides an example of how urban policy is, however, often slow to grasp the opportunities offered by the Urban Agenda and macro-regional strategies for European cities.

## Keywords

Macro-regional strategy – cross-border cooperation – EU regional policy – role of the cities – Urban Agenda – Munich – Europe of the cities

## 1 The growing importance of cities in the European multi-level governance system

The increased significance of the role of the cities in the course of European integration can be seen in a number of circumstances. Firstly, the cities were increasingly involved in the planning and implementation of European regional policy. This began with the introduction of the partnership principle for the implementation of European structural policy (cf. Poth-Mögele 1993) and was brought to a provisional conclusion with the Barca Report of the European Parliament (Barca 2009), which attributed a prominent role to the cities in the successful implementation of the EU's regional and cohesion policies (cf. also Servillo/Atkinson/Russo 2011: 351). The Committee of the Regions<sup>1</sup> was founded in response to intensifying European integration with the Maastricht Treaty of 1992, and allowed the cities and regions of the continent to participate in EU policy for the first time – even if only in an advisory role (cf. Saller 1999: 200 et seq.). In the Treaty of Lisbon (2007) the cities were mentioned as important actors in the basic treaties of the EU for the first time.<sup>2</sup> Nonetheless, little has changed in terms of institutional anchoring in the European multi-level governance system since the establishment of the Committee of the Regions. Since 2009 the establishment of macro-regions (cf. Ahner 2016: ix) has given cities more options for participation and influence, as presented in Section 3.1. With the Pact of Amsterdam (2016) and the implementation of the Urban Agenda, municipalities were for the first time invited by the European Commission and the member states of the EU to contribute to further developing European integration in 12 strategic fields. This process is further discussed in Section 3.2. This also provided historic opportunities for political participation, which should be utilised. This is considered in more detail in Section 3.3.

In addition it can be seen that cities have become more important through globalisation, whereby they make an important contribution to economic development as *globalising cities* (cf. Amen/Toly/McCarney et al. 2011: 1). However, this shall not be discussed any further here.

Attention now turns to the partnership principle in the context of EU structural policy. This is followed by an analysis of institutional changes, which reveals the new opportunities and latitude such changes open up for cities. Building on this analysis, the two new policy initiatives – forming macro-regions and the Urban Agenda – are outlined and conclusions for the further development of the institutional framework are developed. The European Commission relies on forums in which all the relevant regional actors work together to implement the macro-regional strategies. Both

1 Referred to hereafter as the CoR (Committee of the Regions).

2 Since the Treaty of Lisbon the cities of the EU have been explicitly mentioned in the European basic treaties. At the same time the Directorate-General has established 'regional' urban policy as an independent policy area.

approaches give the cities an important role in cross-border cooperation that would not have been conceivable in earlier years (European Commission 1997: 17 et seq.). The example of the City of Munich clearly demonstrates that the role of the cities in the multi-level governance system can only be strengthened if cities use this historical opportunity and become actively involved in the political process.

## 1.1 The EU partnership principle

Generally speaking, the institutions of the European Union are obliged to adhere to the principle of non-interference in intra-state structures (cf. Saller 1999: 251).<sup>3</sup> The European Commission first diverged from this principle in 1988 with the introduction of the partnership principle (cf. Poth-Mögele 1993) in the context of the implementation of EU structural policy. By involving regional and local partners the European Commission attempted to overcome the divide between the various political levels for the local implementation of European policy (cf. Charbit/Michalun 2009). With the partnership principle the European Commission curtails the freedom of the member states by stipulating that regional and local actors must be involved in the planning and implementation of the EU Structural Fund (European Commission 2012: 3). This particularly restricts the ability of central states to autonomously implement European regional policy according to national standards.<sup>4</sup> In a study of various Hungarian regions, Huszak (2010: 78) demonstrated that the interaction of national, regional and local authorities largely determines the extent to which regions can profit from diverse European funding. In this way the partnership principle contributes to the successful implementation of European regional policy and to the uptake of European funding. The increased efficiency that results from the involvement of local actors legitimates the interference of the European Commission in the hierarchy of the member states: 'While predicated on the argument that partnerships would improve policy effectiveness, the partnership principle challenged established hierarchical relationships between central and subnational governments' (Bache 1998: 141). This also involves the decentralisation of what had been central state tasks (cf. Marks 1996: 392). However, the principle is not implemented in an identical way in all the member states. The European Commission tried to establish basic principles with a 'code of conduct' (European Commission 2016), but the enforcement of this has so far been limited to authorising the operational programmes. It is thus not surprising that even within Germany the federal states responsible for the operational programmes inter-

3 The principle of respecting the sovereignty of the member states is also emphasised in the pertinent publications of the European Commission, for instance in the 'European Governance' White Paper (European Commission 2001: 10); cf. also Keating (2008: 634).

4 There is no legal entitlement to participation and the principle is also not always stringently implemented. However, the operational programmes necessary for the Structural Fund must be presented to the European Commission for approval. In the course of the approval process the Commission often acts as an advocate for regional and municipal actors and calls for them to be given greater consideration. For example, the operational programmes of the European Regional Development Fund (ERDF) for the Free State of Bavaria initially failed to include any funding for the Munich region, but was subsequently reworked after intervention by the European Commission. In the final version actors from Munich could then also submit project proposals for reducing CO<sub>2</sub> emissions.

preted the partnership principle in very different ways. There is no recognised standard for the participation of municipalities in the implementation of EU structural policy.

Parallel to strengthening the role of the cities in the implementation of EU regional policy, the Maastricht Treaty (1994) strengthened the consultative powers of Europe's municipalities vis-à-vis the EU institutions by establishing the CoR. The European Commission thus gradually developed closer informal contacts with municipalities. This is a basis upon which the Urban Agenda can build. Since 2017 the Urban Agenda has allowed municipalities and regions to work on an equal footing with member states and the European Commission to develop political strategies for selected policy areas.<sup>5</sup>

## 1.2 The differing institutional anchoring of the sub-national territorial authorities

Europa is characterised by different state structures and administrative cultures that have developed through history. A good overview of the current situation is provided by the compilation (CEMR 2016) issued by the Council of European Municipalities and Regions (CEMR). Thus countries with cities that possess far-reaching competences, such as Germany with its federal system, can be distinguished from countries with centralised state systems, such as Croatia, where the municipalities rather resemble decentralised administrative entities. As well as all the differences between the member states, recent decades have seen a gradual tendency for intra-state structures to become more similar, as Ladner/Keuffer/Baldersheim (2015: 61 et seq.) have discussed. In particular, between 1990 and 2014 the new EU member states<sup>6</sup> have strengthened their sub-national political system and thus their regions and cities. The European Commission also speaks of an alignment of intra-state structures: 'EU member states have generally increased their decentralisation in recent decades – and this is also true of traditionally centralised countries' (European Commission 2012: 165). East European cities have especially benefited from this and have been able to extend their competences and resources. The decentralisation of intra-state structures is stipulated by the European Commission in accession negotiations. Thus the *acquis communautaire*, Chapter 22, stipulates minimum standards for intra-state structures so that European regional policy can be implemented in the new member states from the beginning of their membership.<sup>7</sup> In addition the candidate countries have to define territorial boundaries<sup>8</sup> and establish corresponding administrative entities that are in line with the European guidelines. The use of consistent specifications is intended to facilitate successful applications by member states for funding from the European Structural Fund, in line with EU guidelines – for example by

5 Cf. <https://ec.europa.eu/futurium/en/urban-agenda> (20 April 2017).

6 This refers to the countries accepted into the EU from east and south-east Europe since 2004, which are characterised by their centralised state structure.

7 Cf. [https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership/chapters-of-the-acquis\\_en](https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership/chapters-of-the-acquis_en) (04 May 2018).

8 In line with the Nomenclature of Territorial Units for Statistics (NUTS).

applying the partnership principle (cf. Elias 2008: 484). Both those member states affected (usually the states with structural challenges) and the European Commission have a fundamental interest in the successful implementation of EU structural policy. In the case of non-payment of EU funds then they are credited to the net contributor countries and are thus no longer available to the intended target group.

This does not lead to automatic alignment but it does give rise to political pressure as both political and administrative instances are often judged by their take up of European funds.<sup>9</sup> Despite the tendency towards decentralisation observed by Ladner/Keuffer/Baldersheim (2015) with their local autonomy index, it is not possible to speak of a general alignment of intra-state structures (cf. Hooghe/Keating 1994: 383). The differences continue to outweigh the similarities. According to Olsen (2007: 81 et seq.) there 'has been no revolutionary change in any of the national systems and no significant convergence towards a common institutional model [...]', as the EU guidelines are largely compatible with the individual national structures.

The limited assimilation of intra-state structures may also be due to the lack of penetration of European law to the regional and local levels. Jacques Delors, the former president of the European Commission, spoke of almost 80% of national laws having a European background (cited in König/Mäder 2008: 439). However, based on an analysis of German laws, König and Mäder (2008: 459) concluded that the influence of EU legislation on national regulations tended to decline after the Maastricht Treaty, with the evidence suggesting a share of 25% at most.

In addition, trends that run counter to the general decentralisation of public tasks can also be identified. Bußjäger (2010) thus points out that clear trends towards centralisation can be noted in Austria.

In the meantime, the effects of European integration have been established as an independent branch of research in political science; this research into 'Europeanisation' subsumes many different approaches (for an overview cf. Olsen 2002; Axt/Milososki/Schwarz 2007). According to Hamedinger and Wolffhardt (2011: 11), Europeanisation leads to 'generating new opportunities for local policy actors', a notion that should be further explored.

## 2 The influence of cities on European integration

Even in federal countries like Germany the federal states act as 'custodians of municipal interests' (Saller 1999: 42). Neither the Basic Law (*Grundgesetz, GG*) nor the constitutions of the federal states include an explicit regulation giving municipalities competences in the area of foreign affairs. Article 32 of the Basic Law divides competences in the area of foreign affairs exclusively between the federal and state levels. The cities are left with limited options to exercise influence on federal and state

<sup>9</sup> The European Commission provides national political actors with a basis for argumentation here by regularly publishing the take-up rates and referring to successful examples of projects financed by the EU; cf. [https://ec.europa.eu/regional\\_policy/en/](https://ec.europa.eu/regional_policy/en/) (06 May 2021).

policy; their interests are primarily communicated to the German federal parliament and federal government or to state parliaments and federal state governments by their respective associations (Association of German Cities [*Deutscher Städtetag*] or the associations on the level of the federal states) (cf. Arthenstaedt 2011: 17).

This contrasts with the situation on the European level. Despite the aforementioned heterogeneity of intra-state structures in the EU member states, the cities have more options to get involved in European politics. Europe's cities celebrated the Maastricht Treaty (1992) as a historic success, as this was the first time they were mentioned as actors in a treaty and were able to officially submit their opinions through the Committee of the Regions (CoR) to the European institutions. Nonetheless the Committee of the Regions (CoR) should not be overrated; indeed, Isensee (1993: 103) described it as a 'folkloric showcase'. Since its foundation in 1994 it has failed to develop its position in the European institutional landscape. The differing constitutions of the members of the CoR helps explain its relatively weak position. It includes representatives of the German federal states – which have a status equivalent to that of nation states – but also representatives of cities, which are no more than decentralised administrative entities with no independent competences. The committee thus has little scope for a dedicated representation of the unique interests of cities with resources and competences (Saller 1999: 250). The formal opportunities for cities to influence European policy therefore remain limited. For this reason it has actually been more effective to strengthen municipal positions in the 'shadow of the hierarchy'. Cities with greater competences thus rely more on the informal options offered by the European multi-level governance system with its numerous opportunities for intervention by state and private actors.

The cities therefore primarily make particular use of the opportunities for involvement provided by consultations, participation in conferences, and (not to be underestimated) direct contacts with members of the European Commission and the European Parliament. The gradual strengthening of the position of cities in the European institutional landscape has been supported in recent years by the former city councillor of Vienna Johannes Hahn and by the former mayor of Leipzig Wolfgang Tiefensee. Both these individuals used their positions as European Commissioner for Regional and Urban Development and as German Federal Minister for Transport, Building and Urban Development and President of EUROCITIES to pave the way for the further development of the European Commission's 'Communication on Sustainable Urban Development in the European Union – a Framework for Action' (European Commission 1998) to the Leipzig Charter on Sustainable European Cities. In this way the cities could gradually strengthen their position in the European multi-level governance system in parallel to strengthening their task-oriented role in the area of cross-border cooperation.

Generally it can be stated that the municipal level increasingly developed from 'a passive to an active actor in the European multi-level system' (Münch 2006: 280). Schultze (2003) similarly argues that the cities mutated from 'policy takers' to 'policy makers'. The European multi-level governance system led to the gradual strengthening of the position of the sub-national levels, especially the cities (cf. Marks/Hooghe/Blank 1996: 346). Since 2009 and the establishment of macro-regions, European



Commission policy has had a stronger territorial focus. This involves – as will be demonstrated – pressurising member states to establish decentralised institutions to implement European regional policy. Macro-regions are a new form of geographically bordered cooperation that focuses on common needs to improve living conditions, environmental conditions and economic conditions. Sielker (2017: 8) argues that this stimulates ‘the development of new policy agendas, new styles of policy making and politics of scale’<sup>10</sup>. The territorial focus should be linked to an intensification of cross-border cooperation, which should then have a positive influence on the involvement of regional and local actors in the European policy process (Sielker 2017: 14). Municipal and regional actors will be more systematically and intensively integrated in the political process on the European level and territorial issues will be increasingly considered by European institutions in their decision-making processes (Stahl/Degen 2014: 191).

The Pact of Amsterdam (2016) with its Urban Agenda<sup>11</sup> introduced a new model of European policy development. The Urban Agenda gives municipalities the opportunity to participate in the further development of European policy through themed platforms. The cities were explicitly invited to work in the committees via their European associations, the Council of European Municipalities and Regions (CEMR) and EURO-CITIES. For the municipalities in particular the establishment of themed platforms provided new opportunities for cross-border cooperation. Platforms of this sort were established Europe-wide in the context of the Urban Agenda and also on a smaller scale as networks of metropolises in the Danube and Alpine regions (cf. Hix/Goetz 2001: 11). The macro-regions (Section 3.1) and the Urban Agenda (Section 3.2) are considered in more detail below.

### 3 New impetuses through the establishment of macro-regions and the implementation of the Urban Agenda

The municipalities were invited to become actively involved in the development of European policy with the development of platforms as part of the 2015 EU Strategy for the Danube Region and throughout Europe with the introduction of the Urban Agenda in 2016. This is in clear contrast to the 1980s when municipal involvement in other (European) countries was still viewed as being ‘in breach of competences’ and problematic (Heberlein 1989: 54). Marks/Hooghe/Blank (1996: 346) attribute this change to the fact ‘that states receive something important in return’, referring to the financial support of the EU. This encourages member states to strengthen sub-national actors so that EU funds can actually be used for successful regional development (Piattoni 2010: 19). This interpretation is supported by the way in which Bavaria promotes the involvement of Bavarian municipalities in cross-border activities through the programmes of the Bavarian Research Alliance (*Bayerische Forschungsallianz, bayfor*) and the ‘Start Transnational’ programme. There are similar initiatives on the

<sup>10</sup> The term ‘politics of scale’ describes new, spatially bordered styles of politics that open up opportunities for participation for local actors thanks to external influences; cf. also Heeg (2008: 256 et seq.).

<sup>11</sup> Cf. <https://ec.europa.eu/futurium/en/urban-agenda> (20 April 2018).

federal level, e.g. administered by the Federal Institute for Research on Building, Urban Affairs and Spatial Development (*Bundesinstitut für Bau-, Stadt- und Raumforschung, BBSR*),<sup>12</sup> and presumably in most EU member states. The purpose of the activities of the federal states and the Federal Institute for Research on Building, Urban Affairs and Spatial Development is the stronger participation of local and regional actors with the aim of acquiring EU funding for the regions.<sup>13</sup>

The following section considers the extent to which the establishment of macro-regions and the Urban Agenda have provided and could provide new opportunities for municipalities to become involved in cross-border cooperation and in other areas of political involvement. The starting point for discussion is the opportunities linked to the establishment of platforms from which municipalities, regions and member states can pursue institutionalised cooperation with representatives in specific fields.

### **3.1 Macro-regional strategies as a catalyst to upgrade the position of the cities?**

2009 saw the start of ‘a macro-regional Europe in the making’ (Gänzle/Kern 2016a) with the establishment of the Baltic Sea macro-region. Macro-regions provide a framework for close territorial cooperation. They represent geographically bounded territories within which the various EU member states cooperate. They are based on the existing policy programmes and funding instruments of the EU. Similar to the EU Structural Fund, the member states are obliged to enable cross-border cooperation between the various political levels and actors and to implement policy with the involvement of the relevant regional actors as partners (cf. Gänzle/Kern 2016b: 3). The macro-regions are characterised by the formulation and implementation of policy via platforms. This includes platforms that are initiated with the active participation of the municipalities. In addition to the Baltic Sea macro-region, similar macro-regions have also been established for the Danube region, the Alpine space and the Adriatic Sea.

With their cross-border nature, these new forms of cooperation clearly go beyond the forms of participation that were previously possible, especially for municipal actors. In addition it is possible that the integrative process initiated by the EU will be used by cities to establish an urban network to develop spatial strategies and solutions. Sielker (2016: 92), for instance, believes that the EU Strategy for the Danube Region (EUSDR) is suitable ‘[...] as a platform to “build”, “increase”, “activate” or “strengthen” networks’. According to Hooghe and Marks (2008: 114) the objectively-oriented cross-border cooperation will lead to impetuses to enable the areas to work together by first aligning competences and resources.

12 The Transnational Cooperation (*Zusammenarbeit Transnational*) programme.

13 These notions were emphasised by Thomas Bonn from the Bavarian Ministry of Finance at the announcement of funding decisions within the ‘Start Transnational’ programme on 23 January 2016.

Gänzle and Kern (2016b: 4) see this as opening up new perspectives for regional and local actors. This offers municipalities, especially those with few independent competences, the opportunity to influence European policy on the regional level.

In general, it can be observed that this is accompanied by increased pressure on eastern European states to adapt their intra-state structures to the EU guidelines '[...] as they can only enjoy monies from the Structural Funds with an EU-optimised institutional apparatus' (Huszkak 2010: 24). It is possible here to describe the member states as having an asymmetrical negotiating position vis-à-vis the EU which can be linked to the structural problems of the states (Marks/Hooghe/Blank 1996: 361). In order to use the opportunities that the EU offered the municipalities, and particularly in order to take up EU funding, eastern European member states, which are traditionally characterised by centralised state structures, were forced to adapt their intrastate structures (Ladner/Keuffer/Baldersheim 2015: 10). Börzel and Risse (2000: 2) argue that the member states find themselves forced for rational reasons to organise their structures to be 'Europe-fit' so they can profit from EU funding in the European-wide competition between cities and regions: 'Thus, the logic of rationalist institutionalism suggests that Europeanization leads to domestic change through a different empowerment of actors resulting from a redistribution of resources at domestic level.'

Through the macro-regional strategies the European Commission uses European funding to promote municipal participation in the implementation of the corresponding strategies by the member states, but also actively supports the member states. In addition, the nation states are forced to transfer competences and resources – for example for the co-financing necessary for taking up European funds – to the regional and local levels and, following the partnership principle, to enable these sub-national actors at least a minimum of participation in the implementation of European regional policy. Ignoring these minimum standards hinders the ability of regions to take up funds, as seen in Italy and Hungary, and in a worst case scenario can prevent member states from taking up urgently required European funds. Piattoni (2008: 78) is also of the opinion that the European Structural Fund is not only a funding instrument but also provides the European Commission with a way of influencing intra-state structures. The political leaders of the cities also receive official recognition when they become active in the macro-regions and are no longer viewed as 'annoying' competition to the federal states and countries. The explicit involvement of the cities in cross-border cooperation allows the municipalities to enjoy certain freedoms vis-à-vis the nation states in the shadow of the hierarchy: 'Macro-regional strategies with their fuzzy governance arrangements, described as soft spaces, serve as a tool for stakeholders to operate alongside the existing multilevel governance system' (Sielker 2016: 94).

### **3.2 The Urban Agenda and the growing importance of cities in the European multi-level governance system**

In the context of the Amsterdam Pact on the Urban Agenda representatives of urban regions should be better integrated in national policies and EU policy. This gave the

cities a leading role for the first time. Thus the Urban Agenda prioritised 12 topics that should be addressed by the European Commission together with the member states and interested municipalities within strategic partnerships: sustainable use of land and nature-based solutions, innovative and responsible public procurement, the energy transition, climate adaptation, air quality, inclusion of migrants and refugees, housing, digital transition, jobs and skills in the local economy, circular economy, urban mobility and urban poverty. Since then, the cities have had the opportunity to contribute to the further development of European legislation and to influence European policy in these areas. The CEMR and EUROCITIES are directly involved in the partnerships. Both organisations were entitled to propose municipal representatives. They are also partly responsible for the involvement of other municipalities and the dissemination of interim results.

The level of participation of German cities is, however, disappointing. Only the city states of Hamburg and Berlin and the cities of Karlsruhe, Bielefeld, Erlangen and Weinheim have expressed their willingness to become involved. No German city has taken a lead in any of the abovementioned topics.<sup>14</sup>

### 3.3 Missed opportunities?

The strengthening of the role of the cities is limited firstly by the vague implementation of the guidelines from Brussels in the member states, and secondly by the passive behaviour of the sub-national actors involved. The former is demonstrated by the example of the implementation of the partnership principle in Germany. The way in which opportunities are missed is then illustrated by considering the Bavarian state capital of Munich.<sup>15</sup>

The basic idea of the partnership principle is that local and regional stakeholders should be involved in elaborating the European Structural Fund in a timely and comprehensive fashion. When the operational programmes are drawn up the European Commission ensures that sub-national actors participate, but the member states are nonetheless left with considerable scope for interpretation. A survey of the German members of EUROCITIES 2012 (cf. Saller 2012) revealed that the more urbanised federal states ensured the timely involvement of the municipalities in the elaboration of the EU Structural Fund, in line with the principle.<sup>16</sup> On the other hand, the more extensive and less densely settled non-city states like Bavaria and Saxony interpreted the principle very vaguely so that the municipalities had scarcely any opportunities to exercise influence. The relevant municipal actors are often not directly involved from the very beginning. It is rather the case that the 'umbrella organisations' (European Commission 2016: 10) such as the Bavarian or German association of cities are considered during elaboration. There is also no legal necessity

<sup>14</sup> Cf. <https://ec.europa.eu/futurium/en/urban-agenda> (20 April 2018).

<sup>15</sup> The author can draw here on over 20 years of experience he gained working for the state capital of Munich in the field of European affairs.

<sup>16</sup> Before the start of the 2014 funding period, the then Minister-President of North Rhine-Westphalia invited the cities to a specially organised Round Table in the state chancellery.

to identically replicate the guidelines of the European structural regulations in the individual national operational programmes. For example, the stipulation that 5% of the ERDF finance must be spent on urban areas<sup>17</sup> is only binding on the level of the member states, so individual federal states are free to diverge from this. The European Commission is aware of this problem and it is also considered in the relevant documentation of the Commission. Thus the 'European Governance' White Paper calls for 'stronger interaction with regional and local governments and civil society' (European Commission 2001: 2). European policy clearly follows the principle of protecting intra-state structures here, even if reference is made to the responsibility of the member states for implementation.

Such ordinances are thus unable to exercise pressure to give cities more of a say in European policy. This confirms the notion that the support of cities is also dependent on lobbying vis-à-vis the nation states. The European Commission is likely to find itself in a weaker bargaining position vis-à-vis the richer member states as far as imposing the partnership principle is concerned and is thus to a certain extent dependent on their willingness to apply EU law. A great deal thus depends on the level of engagement of the relevant actors. Critical attention must be directed towards whether the cities are aware of the associated opportunities, as is well-illustrated by the state capital of Munich.

The Bavarian state capital of Munich would have had a good chance of making a successful application for official membership or even the lead of one of the platforms of the Urban Agenda in the areas of sustainable mobility, recycling and strengthening employment. However, the municipal departments responsible cited capacity constraints and a lack of political support as the main reasons why such an application was not made. Engagement in European policy is a voluntary municipal task in Germany. This in turn implies that the fulfilment of this task requires a certain amount of political will or appropriate incentives. The example of the state capital of Munich shows, however, that there may not be much political will to become active on the European stage.

An example was given by the Forum Alpinum which was organised by the Free State of Bavaria. In October 2010 the Free State of Bavaria invited political representatives, especially the mayors of towns and cities in the Alpine region, to meet in Munich at the Forum Alpinum, with the aim of agreeing on an intensification of intermunicipal cooperation in the EU Alpine region. Of all people, the mayor of the host city, Christian Ude, was unable to attend due to other important appointments. A similar picture is gained from consideration of the foreign activities of the urban administration of Munich as revealed by their air travel. It can be clearly seen that the city leaders are greatly underrepresented in terms of the number of flights in comparison to the administration. The present author believes that this indicates a lack of political engagement, for instance in Brussels (cf. State Capital Munich 2018).

Ultimately, no political representatives of Munich have participated in events relating to the Danube region (EUSDR) or the Alpine region (EUSALP) that have been held

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17 Cf. ERDF Ordinance (EU) No. 1301/2013 from 20 December 2013, Article 7(4).

outside of Munich. The political leaders of the state capital of Munich have foregone the opportunity of influencing the policies and strategies of the macro-regions. It was only at the EUSALP conference, which was held in the Bavarian state capital, that political representatives of the City of Munich were present. This means that the involvement of the administration is also limited. The state capital of Munich only contributes the activities of the EU-sponsored project 'Landscape and Open Space Development in Alpine Metropolitan Areas' ('Los Dama') to Subsection 7 in the EUSALP. The Bavarian state capital clearly fails to make full use of the opportunities for urban development and lobbying that arise from political involvement on the European level.

As Munich is less dependent on EU funding than other European cities,<sup>18</sup> this seems to support the arguments of Peter John, who suggests that municipalities are less interested in political influence and more interested in funding as 'any public authority becomes alert if it can access pots of money, and for many this is the main advantage of engaging with Europe' (John 2000: 879).

The example of Munich shows that the significance of the Urban Agenda will be limited unless it is possible to make use of its opportunities in local policies. Greater political engagement would require the cities to be more concerned, additional financial incentives or a stronger European awareness. Without more political engagement in Europe it will hardly be possible for the cities to institutionally underpin the increased political importance that they have gained. On the other hand, macro-regions, especially in regions that are lagging behind<sup>19</sup>, can develop their own momentum because topical interests and financial subsidies may act as catalysts and lead to corresponding institutional reforms. However, topic-based cooperation can only develop this momentum in policy areas where actors are directly impacted. It is therefore to be feared that such topic-focused cooperation will remain limited to the macro-regions and that no spillover-effects can be expected.

## 4 Conclusions

Firstly, it seems clear that Thomas Conzelmann is right when he says that the 'nation state still seems to serve as the foremost frame of reference' (Conzelmann 2008: 11). Andrew Moravcsik's theory of intergovernmentalism, which states that the member states continue to have the final decision, thus continues to be valid (Moravcsik 1998: 472). Similarly, Stead/Sielker/Chilla (2016: 112) also believe that 'the nation state remains crucial'. Le Galès (2004: 110) suggests that 'there is no such thing as a Europe of regions or cities in the making'. However, Moravcsik (1998: 489 et seq.) also emphasises that the state does not govern autonomously, but rather adapts to the pressure brought to bear by and the demands of inner-state business and social lobby

18 For instance, Birmingham initiated the European network EUROCITIES to gain better access to European funding (Saller 1999: 101).

19 After the United Kingdom, a net contributor, exits the EU it is to be expected that EU funding will be increasingly targeted towards promoting innovation and regions with a particular need for action. This is likely to result in fewer opportunities for funding for more prosperous municipalities and regions.

groups. Furthermore, economic interactions and dependencies force the state to coordinate its own policies with those of other states.

Thus the creation of macro-regions in particular can lead to new momentum because ‘the more border regions that exist the greater the importance of cross-border cooperation and thus the freedom of action of sub-national entities’ (Dieringer 2010: 363). This also involved a strengthening of sub-national territorial authorities.

The opportunities available to cities change due to the ‘shift from territorial towards functional regions’ (Gänzle/Kern 2016b: 12). Functional problem solving is always tied to a specific area, which determines the competences and resources available to the actors involved. It was both functional, domestically interlinked necessities and European integration that triggered the reform processes in the former EU candidate countries in central and eastern Europe. The European Commission evaluated the readiness of the candidate countries for accession and thus acted as a push factor. The fact that there was a prospect of funding being distributed as part of the European regional policy can be described as a pull factor (Dieringer 2010: 360). ‘Pull factor’ means that the member states have their own interest in its realisation. It thus seems reasonable to suppose that the involvement of the nation states in European decision-making processes could lead ‘to a change in the national political institutions, their administrative practice and their competences, as well as in societal decision making’ (Dieringer 2010: 361). This can trigger processes with their own momentum that may contribute to an upgrading of the local and regional levels (Hix/Goetz 2001: 23); which should not be equated with an alignment of intra-state structures among the EU member states (Conzelmann 2008: 11).

The European Commission must react carefully and cautiously here to avoid encountering resistance from the nation states. Olsen (2005: 26) emphasises that the nation states are still very reserved about granting the sub-national levels greater latitude (cf. also van den Berg/Braun/van der Meer 2007: 425). Thus the strongest involvement of the sub-national territorial authorities must occur in the ‘shadow of the hierarchy’. Conzelmann (2008: 12) speaks here of ‘less visible, but nevertheless sweeping institutional transformations’. This largely corresponds with Franziska Sielker’s analysis, who attributes the successful establishment of macro-regions to its gradual character: ‘An Austrian administration representative argued the concept succeeded because it was precisely a “concrete concept, but **diffuse enough to avoid discussions on competences**”’ (Sielker 2016: 93).<sup>20</sup>

The secret of the success of such a gradual strengthening of municipalities and regions undoubtedly lies in the provision of financial incentives. Thus Beate Kohler-Koch underlines that rather than following a strategy of developing the political multi-level governance system, the European Union influences its structures through funding and strengthening legitimacy, thus building upon the individual interests of the actors (Kohler-Koch 2014: 194). In order to obtain European funds the member states must optimise their structures and programmes, because ‘without an EU-compliant administrative structure [it is] difficult or even impossible to manage the

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<sup>20</sup> Emphases by the present author.

application process, the selection of projects, the administration of funds, project supervision, etc.’ (Huszk 2010: 77). On the other hand, this can lead to a certain institutional momentum: ‘European policy making provides domestic actors [...] with additional resources which enables them to circumvent or bypass their national governments by gaining direct access to the European political arena’ (Börzel 1999: 576).

However, the trend towards alignment described here is not automatic: ‘Strong movements in europeanization as well as strong adaptational pressure do not necessarily translate into domestic structural change. These forces must pass through and interact with facilitating and/or obstructive factors specific to each country’ (Risse/Cowles/Caporaso 2001: 2). In the long term the integration of elements of the centralised state government structures in functional regions can restructure the national political order and transfer more competences to sub-national actors (Olsen 2005: 26 et seq.).

Although Ladner/Keuffer/Baldersheim (2015: 61 et seq.) suggest that a trend towards convergence can be observed, most comparative studies take a critical view of this and find very little evidence for alignment of any kind (cf. Hooghe/Keating 1994: 383) (Börzel 2000: 229). Indeed, Johan Olsen believes that the causality of the effect of Europeanisation is by no means as clear as most authors claim. In his opinion it operates in both directions, which means that the institutional structure of the European Union also adapts to the different intra-state structures. He speaks here of an ‘ecology of mutual adaptation’ (Olsen 2002: 926). If this is so then this would indeed fit with the hypothesis put forward here that the cities could for the first time have the opportunity to emancipate themselves from the nation states and to consolidate their role in the European multi-level system.

‘If mayors ruled the world’ is the title of the book by Benjamin Barber (Barber 2013) in which he describes how local politicians could assume responsibility for international tasks. In reality however – and Munich is a good example – it can be seen that mayors are elected by citizens to take care of local concerns. That is the measuring stick against which they are measured. Their European activities are therefore subordinate to their local responsibility. The question remains whether they will actually make use of the historic opportunity that the macro-regions and the Urban Agenda present. This discussion has made clear that municipal engagement in European politics is linked more to financial opportunities and necessities than to political ambitions. Or, as an employee of the city of Haarlem puts it: ‘If we were eligible for EU funds, we would be more active in EU affairs’ (cited in de Rooij 2002: 464).

Balme/Le Galès (1997: 162) have distinguished between cities and regions that are ‘shining stars’ and those that are ‘black holes’. Only if the cities begin to ‘shine’ beyond the macro-regions will they be able to take a more active role in the context of European integration and to improve their institutional position. This means that they need to actively pursue and fulfil their role and not remain passive spectators.



However, to ensure the effective representation of municipal interests the position of the CoR should be strengthened (Hobe/Biehl/Schroeter 2004: 81). If the cities actually made use of the opportunities offered by the macro-regions and the Urban Agenda this could lead to an alignment of intra-state structures. This could also open up new perspectives for the Committee of the Regions. To date, the heterogeneity of the members of the Committee prevents an effective representation of municipal interests, as suggested by the group theory developed by Mancur Olsen.<sup>21</sup> This would rekindle discussions about a sub-committee of cities within the Committee of the Regions, which could then develop its own institutional momentum.

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21 In his theory of groups, Olson (2004: 43) indicated that certain social groups have particularly good opportunities to influence political processes if they are of homogenous character and are thus able to make clear political demands. This principle can also be applied to the municipalities (cf. Keating 2008: 633).

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