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**MULTILEVEL GOVERNANCE VERSUS  
COHESION POLICY.**

**THE CENTRAL EUROPE CASE.**

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## 1. INTRODUCTION

Divers regional development theories provide regional authorities with multiple ways of directing their developmental efforts. Nevertheless, money is the considerable problem and one of the major challenges that regional authorities face nowadays (Martins, Rodriguez Alvarez, 2007, p. 392). Central and East European (CEE) regions are even at the worst position. "In contrast to their western counterparts, states in Central East Europe are currently far away from conscious self-governance as they were unable to fulfil their self-government so far" (Suchacek, 2008, p. 60). Furthermore, they have much financial resources for their discretion. The majority of those funds come from the European Cohesion Policy the scope of which is limited and only certain type of activities are eligible. That is to say the New Member State (NMS) regions would need to influence the scope of the Cohesion Policy to have more discretion in European financial aid allocation and so in choosing the desirable ways of their territorial development.

## 2. METHODOLOGY

As "academics often haven't written up their advanced ideas or latest thinking ... but are quite prepared to enter into a discussion" (Gillham, 2005, p. 56) I decided to use a Delphi Panel technique to gather the opinions on Cohesion Policy making in the New Member States (NMS). There is no common definition of the Delphi Panel, although many authors agree it typically consists of three rounds of questionnaires sent to pre-selected group of experts with the aim to reach consensus. Sampling for Delphi Panel is distinctive form conventional statistical sampling with representatives relied upon the experts' knowledge. Opinions on the size of the panel are very diverse but usually the panel consist of 15 to 30 participants<sup>1</sup>.

I conducted the three rounds of the Delphi Panel between January and March 2008. Two cases were used: Poland and the Czech Republic. Apart from the Czech and Polish experts, a group of 'external' specialists on regional development of the Central Europe from Scotland, Germany, the Netherlands and Belgium was involved. The rational for this was to obtain as objective feedback as possible. The more detail data on the experts are presented in the Table 1.

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<sup>1</sup> Annells et al. 2005, pp. 37, 41; Choi, Sirakaya, 2006, p. 1278; De Villiers et al. 2005, pp. 639-640; EVASED, 2003, pp. 1, 3; MacCarthy, Atthirawong, 2003, pp. 798-799; Marsden et al. 2003, p. 598; Mason, Alamdari, 2007, p. 306; Nowakowski, Wellar, 2008, p. 1486; Powell, 2003, pp. 377-379; Saunders et al. 2007, pp. 27, 206; Sori, Sprengle, 2004, p. 481; Wisniewski, Stead, 1996, p. 92

**Table 1. The Delphi Panel experts**

Characteristics		Experts answering Polish questionnaires		Experts answering Czech questionnaires		Total	
		Number	%	Number	%	Number	%
Origin	External	5	45.5	6	54.5	11	100.0
	Polish/Czech	15	50.0	15	50.0	30	100.0
Degree	Master	3	42.9	4	57.1	7	100.0
	Doctorate	11	57.9	8	42.1	19	100.0
	Professor	6	40.0	9	60.0	15	100.0
Sex	Male	3	60.0	2	40.0	5	100.0
	Female	17	47.2	19	52.8	36	100.0
Capital /region	External	5	45.5	6	54.5	11	100.0
	Capital	4	33.3	8	66.7	12	100.0
	Out of capital	11	61.1	7	38.9	18	100.0

Source: Author's own calculations

### 3. BACKGROUND

Keeping it simple: majority of developmental funds for the CEE regions comes for the EU in the form of Cohesion Policy. The question arises who have a right to decide about European regional policy. There are three types of rulings here: the Treaties, Structural Funds regulations and informal rules.

The Treaty Establishing the European Community that is currently in force makes the Member States (but not their sub-national institutions) partners of the Community institutions. In particular, describes the subsidiarity principle as applied to relations between the Community and the Member States (Article 5). Subsidiarity means that "decentralized allocation of power is to be preferred unless there are compelling reasons for centralisation" (Seabright, 1996, p. 62). Although subsidiarity principle is ambiguous<sup>2</sup>, Sidaway (2006, p. 6) believes that it clearly strengthens the position of the regions among actors of European policy. Certainly, after the Treaty of Lisbon is ratified by all 27 Member States, the new Treaty on European Union (Article 5) will clearly extend the subsidiarity principle to regional and even local levels.

Along with the Treaties, there are regulations governing the Structural Funds implementation. There are much clearer about the role of sub-national actors and the regions authorities' in

<sup>2</sup> See: Andersen, Eillassen, 2001, p. 11; Chryssouchoou et al. 2003, p. 73; Bauer, 2002, p. 775; Preston, 1994, p. 44. Bauer (2002, pp. 775, 779) claims that all those misunderstanding related to subsidiarity are intentional: while the partnership principle keeps the Commission 'in business', the subsidiarity principle clearly suggest to transfer power as down the administrative level as possible.

particular. Two principles are of particular importance from the regional involvement in the Cohesion Policy making point of view: the subsidiarity mentioned above and partnership. The latter states that all decisions on Cohesion Policy must be made in close consultation with the subnational authorities<sup>3</sup>. However, it is up to the particular member state to decide who exactly to include and in what form (Yesilkagit, Blom-Hansen, 2007, pp. 506-507).

The subsidiary and partnership principles create a basis for multi-level governance (MLG) model that states decisions are made between actors from various administrative levels<sup>4</sup>. It opens possibility for the regions to influence policy-making at the European level (Martin, 1993, p. 155). Two caveats have to be made to the general model. First, the Member State governments have always been very reluctant to transfer decision-making authority to regional level (Bauer, 2002, p. 775; Suchacek, 2008, p. 56) and their power is not affected that much (Jouve, Negrier, 1998, p. 565). They play gatekeepers role (Pollack, 2005, pp. 16-17; Wallace et al. 2005, p. 79). Second, not all of the regions have the capacity to try to impose their interest to the states (Sidaway, 2006, p. 5) say nothing of trying to play at the European arena. 'Faith in own capacity of political exchange' is what they need. This is a kind of bottom-up approach to MLG (Jouve, Negrier, 1998, p. 570).

Out of the Treaties, formal rules and generally accepted European policy-making theories there are unofficial rules in any society. They can have the power of laws and are able to reinforce or undermine official ones as well as shape their interpretation or practical enforcement (Stone, 2002, p. 285). For example, issues regarding Cohesion Policy are consulted with partners and the EC welcome opinions, especially on eligibility (Martin, 1993, p. 160). This is an opportunity for the European regions to influence the Commission and try to make impact on how beneficiary the Structural Funds would be for them in a next programming period. In addition, regional representatives have physical access to the Commission's representatives (e.g. during monitoring committee meetings) when they can rise concerns, state opinions and pass suggestions. A good example of informal regional activities can be found in Scotland. In mid-1990s Highlands and Islands were successfully lobbying in Brussels to be designated as Objective 1 area (Martin, 1993, p. 159).

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<sup>3</sup> Bache, 1998; Bauer, 2002, pp. 770-776; Brugman, 1997, pp. 3-4; Brusis, 2002, pp. 534, 552; Chryssouchoou et al. 2003, pp. 73-74; George, Bache, 2006; Mitchell, McAleavey, 1999, pp. 182-184; Preston, 1994, pp. 31-37, 50; Yesilkagit, Blom-Hansen, 2007, pp. 503-506

<sup>4</sup> Andersen, Eiliasen, 2001, pp. 12, 14-16, 232, 237; Bauer, 2002, pp. 770, 773-776; Paraskevopoulos, 2006, p. 6; Schimmelfennig, Sedelmeier, 2005, p. 405; Smith, 2000, p. 613; Yesilkagit, Blom-Hansen, 2007, p. 507

The very regional capacity and informal activities which, possibly, makes MLG working in the Central Europe were of my research interest.

#### **4. RESEARCH FINDINGS**

A number of problems were addressed in my Delphi Panel and six of them, the most crucial for the understanding of the problem, are described below.

##### **4.1. Regions' impact on the shape of Cohesion Policy in the country for 2004-2006**

My panellists' opinions on whatever the regions had impact on the implementation arrangements of the Structural Funds for 2004-2006 were not only miscellaneous. Overall, the experts were able to agree regional impact was limited at best. In the Czech Republic regions had been very immature when the debate on NDP 2004-2006 started so they could not have any major influence on the structures established. Majority of Czech specialists agreed with such explanation. In Poland, respondents were unanimous when saying that regional impact was limited and the regions participated in NDP 2004-2006 preparation only. Although 16 separate regional operational programmes had been anticipated at the initial stage, the government decided on one standardized Integrated Regional Operational Programme (IROP). As its preparation and implementation were centralized, its priorities did not respond to the particular region's needs.

In both countries far more theories have been elaborated to describe and explain regions' behaviour when preparing for 2004-2006 programming period. Except for the above-mentioned ones, none of them was commonly supported by majority of experts. Therefore they were transferred to the Round 3 which proved to be disappointing as it brought no major conclusion. There was only one further clarification regarding the level on which the decision concerning the 2004-2006 was made: Polish experts were on the same opinion on the fact that all issues were agreed between Warsaw and Brussels and so the regions had limited impact.

#### **4.2. Regions' impact on the shape of Cohesion Policy in the country for 2007-2013**

As the key objective of this project is to assess if there was regional power increase between two programming periods the NMS participated in, I wanted to evaluate how the panellists explained the objective change in the regions' position namely the emergent of separate ROPs for 2007-2013.

There were similarities between both countries regarding the assessment of the regions' impact on the shape of the Cohesion Policy: the most certain fact on which they agreed was that the national governments' impact on implementing structures for 2007-2013 was still stronger than the regions' impact. Similarly, both in Poland and the Czech Republic panellists agreed that the regions were consulted on strategies and programming documents, although in Poland that involvement was seen in a wider context of formal impact the regions had as regional representatives were engaged in consultations and were able to express their concerns during various meetings. Furthermore, the Polish experts were able to agree upon the factors that were responsible for this increased impact. Two reasons were mentioned on which the specialists were almost unanimous. First of all, increased experience and capacity had made the Polish regions more influential. Second, the Act on Development Policy on December 2006 made the regions partners in creating and implementing development policy. Although they had not doubts on the regions having impact on the shape of Cohesion Policy arrangements for 2007-2013, the Polish panellists evaluated the extent of this impact in a different ways. For some of them it was significant as the regions had managed to secure their own ROPs while for the others it was moderate as, although the regions had their own programmes, ROP outline was developed by the Ministry for Regional Development.

The Round 2 brought no explanation on what Czech regions influence for 2007-2013 arrangements really meant. From this point of view the Round 3 was also disappointing: only some clues were suggested. First, neither administrative burden with other tasks nor weak regional political representation nor their passive role were to be blamed for minor influence the Czech regions had. Interestingly, the most debated opinion was the one of necessity of creating ROPs for 2007-2013. The Czech panellists unclearly admitted they were necessary indeed but this view was very weak and opinions were diverse. In Poland, the Round 3 confirmed the regions had some impact on programming document preparation. Nevertheless, they had to haggle over the level of regional support which was not easy.

### 4.3. Regional involvement in 2014+ preparations

The question about regional involvement in 2014+ preparations was the only one in the whole Panel where the respondents were in agreement on one answer, although the Poles declared this only in the last round. They believed the regions were too involved in 2007-2013 preparation to think about 2014+ at the time the Panel was run. Actually, this could be a sensible explanation and a good excuse in one.

In Poland the last ROP was agreed with the Commission in December 2007<sup>5</sup>. At the same time all 7 Czech ROPs were signed<sup>6</sup>. Discussion on the future of Cohesion Policy had already been taking place as it had started in May that year with the publication of the provisional version of the "Growing Regions, growing Europe. Fourth Report on Economic and Social Cohesion"<sup>7</sup>. It is not surprising that in January-March 2008, when the Delphi Panel was conducted, the experts were sure both the Czech and Polish regions were too occupied with their ROPs to get interested in the debate on 2014+ period. Furthermore, when I was on the field research in Prague (April-May 2008) the Czech Ministry of Regional Development had just prepared the national position on the future of Cohesion Policy. In Poland this process started earlier<sup>8</sup> so when I visited the country in June-July comprehensive debates on 'the complex vision of the national regional policy' had already been in progress. The four working groups had been established involving the Marshal offices' representatives and results of their work were presented during the conference on 17 June 2008.

In general, at the beginning of 2008 the Czech and Polish regions were heavily occupied with setting up managing structures. It was particularly visible in the Czech Republic where new sub-regional bodies had to be established at the level of the Cohesion Regions. Furthermore, the regional authorities were under public pressure as the 2007-2013 programming period had been already running for a year but it was not possible to access any money from the new ROPs. In this circumstances prioritization of their efforts on launching the regional programmes first before engaging in very theoretical, as they were at that stage, debates on funds to be available in six year time can be excused.

<sup>5</sup> [http://www.mrr.gov.pl/Aktualnosci/Archiwum/Strony/rpo\\_swietokrzyskie\\_przyjete.aspx](http://www.mrr.gov.pl/Aktualnosci/Archiwum/Strony/rpo_swietokrzyskie_przyjete.aspx) (Accessed on Apr 13, 2009)

<sup>6</sup> <http://www.mmr.cz/Pro-media/Tiskove-zpravy/2007/Regionalni-operacni-programy--OP-Podnikani-a-inova> (Accessed on Apr 14, 2009)

<sup>7</sup> [http://ec.europa.eu/regional\\_policy/sources/docoffic/official/reports/cohesion4/index\\_en.htm](http://ec.europa.eu/regional_policy/sources/docoffic/official/reports/cohesion4/index_en.htm) (Accessed on Apr 14, 2009)

<sup>8</sup> Pan-national debate on the future of regional policy in Poland started with massive Warsaw conference on 22 April 2008.

#### 4.4. Regional capacity to be involved in policy-making at the European level

Although the Commission's willingness to act indirectly (Bauer, 2002, pp. 781-782; Brusis, 2002, p. 544) makes space for multi-level governance, the 'game' is tough and the regions have to master their "capacity for acting at the European level" (Jouve, Negrier 1998, p. 566). These capacities include (Martin, 1993, pp. 155, 159-161): coalition building and networking ability, leadership, readiness to devoted resources to European issues, skills and abilities to develop links with the Commission and central governments' support. Not all of the regions have such competences (Sidaway, 2006, p. 5). My panellists were asked to assess if the Czech and Polish ones have them.

The Polish specialist had very strong view on the problem. They strongly agreed that the capacity was gradually growing but the situation varied among the regions. However, they were pretty sure that organisational culture and civil servants' mentality had to be changed to allow the Polish regions to be active at the pan-national level. Their Czech counterparts were also convinced about growing capacity in the regions which they understood as staff qualification improvement. Human factor seemed to be of key importance for them as the other proposition they openly supported was that some personal decisions could be questionable. The example they gave was about appropriateness of manning of Brussels regional offices.

The Round 3 gave a distinctive assessment of how strong were those capacities to be actively involved in policy-making on the European level. The Czechs admitted those capacities were weak but added what the Poles said already in the previous round: that situation was diverse among the regions. In Poland, the evaluation of state of affairs was similar but the opinion was expressed more gently. The experts assessed the capacity as 'limited' and explained what they meant by that: the regions lacked knowledge as well as competent people due to high staff turnover, inadequate leadership and poor language skills. As a consequence of their earlier suggestion that situation was diverse among the voivodships, in the Round 3 the Polish experts noticed that some regions had the capacity but they did not have neither a strategic vision of their future in Europe nor political will to act. It seems they were unfamiliar with Martin's warning urging that European regions should be aware what they want to achieve from the participation in policy-making in Europe before taking any actions (1993, p. 155).

Finally, the issues of financial power emerged in the Round 3. While in the Czech Republic it was a controversial topic, half of Polish panellists confirmed that scare financial resources were a serious problem.

Generally speaking, the importance of those capacity Martin discussed (1993, pp. 155, 159-161) were noticed by the panellists but not agreed. For example, the Czechs mentioned partnership working, appropriate human resources, pro-activeness and searching for direct contacts with the Commission.

#### **4.5. Regions' activities to make their interest known in Brussels**

Having in mind that the Treaty Establishing the European Community currently in force makes the Members States partners of the Community institution, it is astonishing how much the NMS regions do to make their interest know in Brussels.

According to the Czech panellists, the most obvious way to be heard was to be represented in the Committee of Regions. Their Polish counterparts were not so convinced about effectiveness of acting at this Committee or other similar bodies. For them, the most promising activity was the cooperation with stronger European regions. This is promising information taking into account Martin's opinion (1993, p. 161) that coalition building ability is one of the biggest challenges in context of European policy-making. Similarly important for Poles was self-promotion. It could be done while attending various meetings, Open Days, Cohesion Forums, trade shows etc. It was obvious that in order to promote their interest, the Polish regions had to be active. It was not surprising thus the proposition that it was Warsaw that dealt with almost everything was rejected by the experts.

Both groups of experts were consistent in their opinion of usefulness of the regional offices in Brussels. The Czechs revealed a bit more information on their activities that included supporting SMEs and ROPs preparations as well as regional marketing. However, at the same time, they were equally convinced that the offices were to transfer information rather than influence political decisions as they had no access to important Brussels networks. Furthermore, it must be remembered that, when discussing regional capacity for EU policy-making, some caveats were raised on personal decisions regarding the manning of those offices with the suggestion that political connections were sometimes more important than knowledge and experience. This problem was particularly visible in the Czech Republic. In the light of this information the effectiveness of other activates undertaken by the Czech regions have to be considered with caution. For example, although the regional officials travelling to Brussels could significantly help in advancing the regional interests in Brussels, it could be also seen as political figures' touring around Europe at the expense of the taxpayers.

The Czech specialists shared the Polish point of view on the necessity of self-promotion and being visible during various meetings, Open Days, Cohesion Forums, trade shows etc. Similarly, they indirectly appreciated the coalition building capacity by declaring the Czech regions did some networking with other European regions. Finally, they admitted that the *kraje* had some personal contacts in Brussels. It was just one step from calling this by name: the Czech regions did some lobbying – as it was said in the Round 3.

In Polish case, the Round 3 proved further similarities to the Czech situation. It was admitted the Polish regions did some lobbying and had some personal contacts as several Members of the European Parliament (MEPs) could be regarded as regions' representatives.

#### **4.6. Regions' power to influence EU policy making**

Although the Polish and Czech regions have some capacities - or at least they are growing (see 4.4) – and experience (see 4.5) they seem not to have power to influence the Cohesion Policy making. How is it possible? Unfortunately, my research findings did not address the problem. Although the panellists presented many opinions, the only definite conclusion was that neither the Czech nor the Polish regions had power to influence the Cohesion Policy making.

In the Czech Republic the influence of the regions was limited to the regional representatives being consulted on technical issues during debates on Cohesion Policy at the national level. The panellists noticed what they had admitted earlier: to be successful in influencing the EU policy, any European region would have to cooperate with other regions of similar interests. Only in the last round the Czechs admitted the regions could exercise some influence through the Committee of Regions and – as it was mentioned in the 4.5 section – they already used this channel to make their interests known in Brussels. Sadly, the Round 3 also suggested that the regions were not only unable to influence key issues but even less important matters at the European level. They could try to influence domestic policies at best.

Polish panellists stressed that in order to be successful in influencing the EU policy, regions would have to cooperate with other regions of similar interests (not only the Polish ones). Describing the real power of the regions to influence EU Cohesion Policy making, the specialist used the term 'policy-takers' but added that the situation was varied among the regions. Following their Czech counterparts, they suggested the regions could try to exercise some influence through some

organisations (e.g. the Committee of Regions). The Round 3 did not clarify the problem. The only distinctive opinion was strong disagreement with the proposition that the Polish regions were becoming influential.

Among the possible explanations of regions' poor power was lack of resources and capacities, heavy-duty involvement in 'domestic' problems<sup>9</sup> and weak position of even the national governments in Europe.

## 5. CONCLUSIONS

Transformative power of the EU enlargement was more pronounced in CEE than during earlier accessions (Goetz, 2001, pp. 1038, 1041). Clearly, the power division was not decided in-between the national governments and regional authorities. According to Brusis, CEE governments intended "to enable regional administrative bodies to participate in the management of the EU Structural Funds" (2002, p. 531). I would argue what 'to participate' means exactly and if it was the 'intend' or they were persuaded by the EC to involve the regions. As Kulcsar and Domokos notice "the EU put pressure on the national governments with regard to the principles and practice of the territorial development" (2005, p. 556). Those were the accession countries that were more interested in joining the EU and so the bargaining position of the Commission was very strong – stronger than in the 'old' Member States - and it was able to impose the rules (Brusis, 2002, pp. 533, 535). The policy-making at that point was closer to neo-functionalism and the distributional model that MLG, although Brusis (2002, pp. 535, 552) claims the Commission's behaviour has promoted the MLG in a sense it promoted regional authorities' involvement. Regrettably theories do not always capture the messiness of reality (Walker, Walker, 2008, p. 172). Not only various European integration models describe selected elements of the reality, but the very reality changes rapidly making any study on it misleading (Sidaway, 2006, p. 4). Nowadays, it is much 'safer' to suggest possible developments than put forward unequivocal theories. This is exactly what Börzel (2001, p. 137) did suggesting three theoretical developments of cooperation structures for European policy-making. Out of them, the following is the most promising: emergence of a system of multilevel governance with European, national and subnational authorities sharing the power. The Central European regions will be involved in Cohesion Policy making in the future. They are in

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<sup>9</sup> This was, probably, a reference to 2007-2013 programming period preparation that was described in the **Error! Reference source not found.** section.

the process of acquiring the capacity necessary to be involved in this 'game'. As capacities are at the heart of many definitions of regional power<sup>10</sup>, they will become powerful enough to be a respected player sooner or later and to make decision on the direction of the Cohesion Policy (if only it still exists).

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<sup>10</sup> Applebaum, 1989, p. 100; Brusis, 2002, pp. 538-359; Cawley at al., 2007, p. 417; Drahokoupil, 2008, pp. 198, 220; Goetz, 2001, pp. 10-431044; Harik, 1984, pp. 55, 57; Jouve, Negrier, 1998, pp. 563-568; Kincaid, 2001, pp. 85-86, 88; Kulcsar, Domokos, 2005, pp. 551-552, 556; MacKillop, 2003, pp. 518, 522, 526, 527; MacLeod, 2001, pp. 806-807, 815-817; Martin, 1993, p. 153; Martins, Rodriguez Alvarez, 2007, pp. 392, 396-397, 399, 402, 404, 406; Raco, 2003, pp. 75, 78-82, 88; Seabright, 1996, pp. 62, 65; Silva, Syrett, 2006, pp. 102-103, 108, 114, 117; Sondakh, Jones, 2003, p. 296; Stone, 2002, pp. 25, 32, 34, 262; Suchacek, 2008, pp. 45, 50, 156; Tansey, 2004, p. 5; Walker, Walker, 2008, pp. 156, 158-159, 161

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