# The power of ideas: the territorial dimension of EU Cohesion Policy and its impact on EU multi-level governance

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## Abstract

In the past, EU cohesion policy caused some crucial shifts in European integration, the most important of which was its influence on the emergence and ensuing dynamic of EU multi-level governance (MLG). Its current reform – the so-called territorial dimension – is prompting the creation of a new kind of region and thus is significantly influencing relations between the various levels of European governance. European multi-level governance is undergoing a fundamental transformation, which is directed by the European Commission not through hard pressure, but rather through ideas and new storylines. Which of these new regions will 'harden' and become stable actors in European governance, and which, by contrast, will gradually perish, remains an unanswered question.

## Introduction

EU cohesion policy is among the key policies of the European Union, not least because of the significant financial demands it places on the European budget. But the policy is interesting not just because it serves as an instrument to bridge the economic and social chasms between Northwestern, Eastern and Southern Europe. EU cohesion policy is a laboratory of European governance. It introduces and tests new principles of governance and holds a mirror to the plans and ambitions to take innovative approaches to managing public affairs. EU cohesion policy was the inspiration for formulating multi-level governance; the partnership principle lay behind the involvement of economic and social partners in policy making; and thus the understanding of governance has been dramatically transformed in many Member States. It is not an exaggeration to say that cohesion policy has been used to pioneer many innovations in European governance, and it is through this policy that the European Commission has repeatedly sought to transcend 'the limits of the possible' (cf. Piattoni, 2016). One of the more recent shifts brought about by this policy is the so-called territorial dimension. A set of principles of regional development, partially stemming from the intergovernmental 'Territorial Agenda', has prompted a change in the understanding of regional development priorities in some countries, and has also led to changes in the relationships among the various actors of multi-level governance (cf. Stephenson, 2013). The changing position of the nation state during the process of European integration has often

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been described in the literature (cf. Brenner, 1999 and 2009; Gualini, 2006; Murphy, 2008), and now it faces another challenge. As the priorities of EU cohesion policy develop and the expounded territorial dimension is implemented, multi-level governance is experiencing significant dynamics. New regions – typically at the sub-regional or local level – are appearing in many EU countries. Though these territories largely rely on existing old regions (typically cities), within their boundaries they fulfil the criterion of 'functionality', which the European Commission increasingly insists upon. Thus, in some cases the new functional regions are weak and not very ambitious clusters of several municipalities or regions; in others, by contrast, they extend beyond previous administrative borders, act self-confidently in multiple policy areas, and become a parallel structure in the system of governance, one that competes with the existing actors (old regions). While in some countries the creation of new regions can be explained by variables discussed in current literature (cf. Crivello and Staricco, 2017), in other countries these variables cannot be applied and we must do with the explanation that new functional regions are emerging because they are consistent with the notions of the European Commission (Purkarthofer, 2018; Telle, 2017).

The aim of this paper is to draw upon a number of empirical and conceptual works that have been written in the past few years about the Europeanisation of soft spaces and the Europeanisation of territoriality (e.g. Faludi, 2010 and 2013; Luukkonen, 2015; Havlík, 2020) and to discuss these processes in terms of their contribution to our understanding of the dynamics of European multi-level governance (MLG). The paper thus seeks to answer the following question: What is the impact of the territorial dimension of EU cohesion policy on the shape of European multi-level governance? This paper argues that multi-level governance is undergoing a fundamental change, with roots in the territorial dimension of EU cohesion policy. Not having tools of hard pressure at its disposal, the European Commission communicates with Member States by using narratives and storylines (Purkarthofer, 2018) and this 'soft pressure' seems to be quite effective. Thus the Europeanisation of territoriality is primarily a product of ideas (and not of 'legislative downloading'), and this fact provides us with essential information about the dynamics of European governance. Newly established 'new regions' – in the language of Hooghe and Marks (2003), task-specific jurisdictions (type 2 MLG) – may harden (Zimmerbauer and Paasi, 2020) and become type 1 MLG jurisdictions. These increasingly strong jurisdictions may change (and indeed, since 2014, have to some extent already changed; for Italy see Crivello and Staricco, 2017, or for Czechia, Havlík, 2018) the relatively stable relationships among the levels of MLG.

In terms of genre, this text follows the style of a review. It summarises theoretical approaches and case studies related to the implementation of the Territorial Agenda and the territorial dimension of EU cohesion policy (e.g. Becker, 2019; Crivello and Staricco, 2017; Gajewski, 2022; Havlík, 2018 and 2020; Kociuba, 2018; Krukowska and Lackowska, 2017; Lang and Török, 2017; Purkarthofer, 2018 etc.) and systematically seeks to identify the impact

of these policies on EU multi-level governance. When explaining the adaptational pressures brought to bear by the EU Commission, this analysis builds on the premises of discursive institutionalism. However, instead of using the term 'discourse', it conceptually sticks more to the terms 'ideas' (Schmidt, 2008) and/or 'storylines' (Purkarthofer, 2018), which better express the essence of the problem. This is in line with Schmidt's (2008: 303) approach, according to which 'Ideas are the substantive content of discourse'. Specifically, the text attempts to conceptually map cases of implementation of the territorial dimension of EU cohesion policy that have caused a shift towards Europeanisation at the sub-state level without any visible hard adaptational pressure from the European Commission.

## The Territorial Agenda and its implementation within EU cohesion policy

At different times, countries have different regional development narratives. The EU cohesion policy, likewise, has what we can call diverse storylines (cf. Purkarthofer, 2018) for each of its successive seven-year programming periods: these have varied across time and gradually developed, some have slowly disappeared while others emerged, and so on. This is understandable, and is a response to the changing requirements of the countries and populations in question, unequal GDP growth across regions, structural economic issues in certain areas or parts thereof etc. The storylines might be about whether we support 'growth poles' or lagging regions; whether we support the underdeveloped or the successful; whether we support the east or the west etc.

Territorial cohesion is a recent EU objective, complementing the original aims of economic and social cohesion. It was introduced into primary law by the Treaty of Lisbon, specifically Article 3 TEU (Treaty on the European Union). Apart from primary law, we note the strong growth of the 'Territorial Agenda' since 2006. This agenda has been partially implemented within EU cohesion policy by its territorial dimension. Territorial cohesion is based on the premise that 'geography matters' and its aim is 'to prevent uneven regional development from reducing overall growth potential' (Council decision 2006/702/EC). One of the objectives of the Territorial Agenda is to abstract, partially, from the development statistics of the individual regions, as these may be misleading if, for example, an economically strong city is present in the area. Thus, the Union decided to embrace not just 'harmonious' and 'sustainable', but also 'balanced' and 'efficient' territorial development (cf. Territorial Agenda 2020, 2011: 3). This is because cohesion policy should not be driven purely by demand for support to rural areas and lagging regions, but – with the objective of ensuring maximum efficiency – it should link the development of rural areas and lagging regions with the success of larger settlements. These aims were translated from the intergovernmental Territorial Agenda into the internal agenda of EU cohesion policy (into its territorial dimension), which presented specific instruments of integrated development (e.g. ITI – Integrated territorial investment and CLLD – Community-led local development).

In 2009, Fabrizio Barca wrote an extensive report entitled 'An agenda for a reformed cohesion policy: A place-based approach to meeting European Union challenges and expectations' (Barca, 2009). Since then, the expression 'place-based approach' has become commonplace, and is typically used in connection with the territorial dimension (cf. Asprogerekas and Preza, 2022). The cornerstone of Barca's report is its rejection of an over-simplistic view of existing administrative regions as the universal units of regional development (ibid.: 25). According to Barca, the old regions are not appropriate for the implementation of integrated solutions.

Documents about the territorial dimension are also characterised by the frequent use of the word 'competitiveness' (see also Avdikos and Chardas, 2016). Barca describes this as the 'prevailing catch-word in policy documents' (Barca, 2009: 16). For instance, in its Green Paper on Territorial Cohesion the European Commission (2008: 6) writes about the 'balanced and sustainable territorial development of the EU as whole, strengthening its economic competitiveness and capacity for growth'. Indeed, European institutions and nation states are thinking along these lines. The Territorial Agenda of the European Union document even speaks about support for 'positive competition between cities and regions' (BMUB, 2007: 4). Thus, the document evidently admits that competition between the levels of governance is an important tool in achieving the objectives that have been set. Overall, we observe that the ambitious objectives as described above have direct implications for MLG (see more in Section 5 below), as they push old regions somewhat into the background, calling for the creation of new regions and more generally for a more efficient style of distribution of structural funds.

## Downloading the territorial dimension to national governance

The 'new ideas' were implemented during the periods 2014–2020 and 2021-2027 not only by means of formal integrating instruments (ITI and CLLD), but often also implicitly, by pursuing the fundamental principles cited in the strategic documents presented in Section 2.

ITI was introduced (European Commission, 2014: 2) as an instrument the primary purpose of which was to provide 'a flexible mechanism for formulating integrated responses to diverse territorial needs, without losing the thematic focus through which cohesion policy is linked to the Europe 2020 Strategy'. This flexibility is evidently substantial, because by definition the instrument can be implemented across a broad gamut of types of territory:

'Any geographical area with particular territorial features can be the subject of an ITI, ranging from specific urban neighbourhoods with multiple deprivations to the urban, metropolitan, urban-rural, sub-regional, or inter-regional levels' (ibid.: 3)

It was precisely this relatively vague definition that subsequently became the weapon which various types of actors employed to promote themselves as the most appropriate territory for ITI implementation. The new territorial instrument as described does not have to respect the existing administrative boundaries of old regions in any way. A space is created for

the creation of 'new regions', which will be 'functional' and hence more 'efficient' in achieving territorial development objectives.

The territorial dimension of EU cohesion policy, therefore, proved to be, on the one hand, an essential set of reform ideas, but on the other was so loosely defined and non-binding that it stimulated a remarkable dynamic of Europeanisation to commence. The principles of the territorial dimension of EU cohesion policy led during their implementation in EU Member States to rather varied results. Table 1 shows that Member States (a) did not always understand the discussion initiated by the European Commission in the same ways, (b) did not take it in any binding way, and (c) therefore exercised wide discretion in implementation. We can therefore talk about several types of implementation:

(1) Explicit Europeanisation: Some countries created new regions, typically agglomerations or metropolitan areas (as in Czechia, Poland, Slovakia etc., see e.g. Gajewski, 2022; Havlík, 2018; Kociuba, 2018), by using the new financial instruments. The formal use of the new ITI financial instrument, often in combination with the rather extensive creation of new regions (see the examples of the Czech Republic and Poland), points to a direct Europeanisation link, i.e. a direct acceptance of Europeanisation in these nation states, not only implicitly, but also with the use of the corresponding financial instrument.

(2) Implicit Europeanisation: There are also countries in which new regions were created, but without making formal use of the new financial tools, for example metropolitan cities in Italy (Crivello and Staricco, 2017) and functional regions in German Baden-Württemberg etc. It is nonetheless evident that these countries have Europeanised themselves, and created the new (metropolitan/functional) regions as a direct link with the ideas of the territorial dimension. The fact that the new regions were created in these countries as a result of the Europeanisation impulse is manifested by a number of indications, including the temporal sequence of events, the study of narratives used in strategic documents, and interviews with key stakeholders at the regional and local levels of government (Havlík, 2022).

(3) The Zero Europeanisation option: Finally, there are countries where the spread of European ideas was resisted, and Europeanisation did not take place. A study of the German approach before 2014 shows that some German Länder resisted and vetoed the initiatives of large cities to create metropolitan regions. While the official reasons for this varied, subconsciously one can perceive a desire of the Länder to protect their territoriality, i.e. to prevent the creation of a new competitor in the field of regional development (Havlík, 2022).

Looking at the different ways of implementing the territorial dimension of EU cohesion policy in EU Member States, we find interesting evidence of how the ideas behind the policy work: they were devised at the EU level, and while various ways of implementing them were suggested, no strong pressure was exerted on Member States to adopt them. Many nation states, then, neither rejected them nor adopted a lukewarm stance, but adopted them quite enthusiastically (e.g. Kociuba, 2018).

| Implementation of the idea of new (metropolitan/functional) regions after 2014 | Examples from EU Member States |
|---|---|
| Creation of new regions with use of the ITI financial instrument = explicit link to Europeanisation | Czechia, Slovakia, Poland, Finland |
| Creation of new regions without use of ITI financial instruments = implicit link to Europeanisation | Italy (metropolitan cities), Germany – Baden-Württemberg |
| No new regions created = the zero Europeanisation option | Most of the German federal states |

*Table 1 - Different approaches to the creation of functional regions after 2014*

*Sources: based on CEMR, 2015; Crivello and Staricco, 2017; Gajewski, 2022; Havlík, 2018, 2022; Kociuba, 2018.*

## Towards a theoretical explanation: The power of ideas and the ways of MLG

In order to explain the different ways in which the territorial dimension has been implemented in the Member States, it is necessary to explain (a) the specific nature of the European governance system and (b) the method by which the European Commission has interacted with the Member States in this case.

Hooghe and Marks (2003) made a substantial contribution to the discussion about MLG in their work that describes two types of governance – type I and type II. One of the chief differences between them concerns the criterion of specificity or generality of the level of governance in the system. Whereas type I are typically 'general-purpose jurisdictions', type II are typically 'task-specific jurisdictions' (or 'special-purpose jurisdictions'). While type I jurisdictions have exact tasks assigned to them in the long term, tasks emerge and disappear, as needed, over time in type II areas (Hooghe and Marks, 2003: 237). In this typology, it is necessary to view the new regions as examples of type II governance, a type of governance characterised by dynamic changes and an unstable nature over time. As Gualini (2016: 511) put it, 'Type II governance emerges from the need for policy practices defined ad hoc for specific tasks, most notably when these cannot be addressed efficiently and/or effectively by traditional governmental structures'. The specificity of this type of governance lies not only in the many levels of jurisdiction that dynamically emerge and disappear, but also in the fact that it is co-created by 27 Member States that have different settings of political systems (unitary states, regionalised systems, federations) and different levels of capacity and willingness to absorb different Europeanisation impulses. In other words, the constant pressure for decentralisation and regionalisation leads, among other things, to the increased creation of type II governance arenas (Gualini, 2006) that are typically rather 'soft spaces' of governance

(Allmendinger et al., 2014) and whose adaptability nevertheless depends significantly on the national institutional pattern (Benz and Eberlein, 1999; Benz, 2009: 69).

Furthermore, within spatial policy we are discussing a policy framework that is not integrated within a Treaty framework and is therefore the prerogative of the Member States (Purkarthofer, 2018). Thus, the European Commission suggests ideas related to the territorial dimension that are rather vaguely defined and unenforceable. This may sound like a significant handicap, but reality shows that this is not necessarily the case.

The European Commission, as an influential agenda setter, is a very powerful actor of EU cohesion policy, whether we think of the institution itself or the ideas by means of which it influences the regional policies of Member States. In order to explain the implementation of the territorial dimension of EU cohesion policy, we need to consider the institutionalist debates. European institutions create legislation, a set of rules for implementing EU cohesion policy. In describing historical and sociological institutionalism, Aspinwall and Schneider (2000: 6) write that 'they both accord institutions an important independent role, and view humans as rooted in particular contexts; their menu of options and preferences is limited by the repeated historical practice of interaction and by the social setting in which they find themselves'. From the viewpoint of the territorial dimension and its instruments, the rules in the territorial dimension are relatively loose, and the legislation itself therefore does not create sufficient pressure to adapt. As noted above, the Commission uses soft pressure. Its engagement can therefore best be studied through the mentions it makes in its evaluation reports and in its numerous strategic documents. In this case, it is more appropriate to use a constructivist lens and proceed thus on the basis of sociological and even more of discursive institutionalism (Schmidt, 2008), because it is not just the policies themselves and the legislative acts they imply, but more importantly the ideas, shared beliefs and 'norms, and the collective understandings attached to them [that] exert adaptational pressures on domestic-level processes, because they do not resonate well with domestic norms and collective understandings' (Börzel and Risse, 2003: 58-59). Similarly, Purkarthofer (2018) in this context writes about the power of 'storylines'. The power of ideas and discourse (Schmidt, 2008: 305; Telle, 2017) guided by the European Commission is obvious in the whole process of implementing the Territorial Agenda. In this context, Becker (2019: 157) stresses the role of the EU Commission and especially of DG Regio, since they 'used their entrepreneurial tasks and opportunities to promote new regional policy ideas and intensified its contacts and deliberations with institutional partners, academics and international organisations'.

In order to understand the explanatory power of discursive institutionalism in questions of the territorial dimension, it is best to start with rational choice institutionalists. They proceed on the basis of the argument that there is 'differential empowerment of actors resulting from a redistribution of resources at the domestic level' (Börzel and Risse, 2003: 98-99). In other words, from the rational choice viewpoint, cities in some Member States took the

opportunity to become 'norm entrepreneurs at the domestic level' (ibid.: 67), and were rewarded with Europeanisation empowerment; this may describe the changes in Czechia (Havlík, 2018), Italy (Crivello and Staricco, 2017), and Poland (Krukowska and Lackowska, 2017), for example. The cities in these countries thus responded to the incentive created by the European Commission (see the cases with an 'explicit link to Europeanisation' in Section 3 above), with the aim of securing a certain financial allocation for themselves (e.g. Kociuba, 2018). Germany provides a counter example, where the differential empowerment of cities and regions was blocked by many federal states – 'veto actors' – because Europeanisation clashed with their interests (see 'the zero Europeanisation option' in Section 3 above).

However, there are also countries lacking strong veto players or levels of governance that will fight for a greater financial allocation. In other words, there are cases where discursive institutionalism provides an appropriate explanatory framework. Some countries established new regions without being required or directly pressured to do so. But the argument does not apply that they did so due to the strong interest of one actor of governance seeking to become disproportionally strengthened through domestic change. This description does apply, however, to countries like Slovakia, which implemented ITIs evenly in regions and cities (Havlík, 2018); Romania, which implemented ITIs only in one natural region, which could certainly have applied for EU money even without using an ITI (Lang and Török, 2017); the German federal state Schleswig Holstein (Havlík, 2020) etc.

Discursive institutionalism nonetheless provides a satisfactory explanation even in those countries where the implementation of the territorial dimension was in the interests of some of the actors involved. Explaining the establishment of metropolitan areas always by the purely financial motivation of city governments is insufficient, since the decisive actor is in any case the central government, which may ultimately ignore the interests of cities. In Czechia (Havlík, 2018), the ITI implementation after 2014 empowered large cities to the detriment of the regions. The strong influence of ideas coming from the EU level in the Czech debate in 2012–2014 can be demonstrated. Since 2012, most Czech actors involved in cohesion policy decision-making have worked with the idea of implementing ITI, without it being entirely clear whether this financial instrument would be implemented by cities, regions or both types of actors concurrently (ibid.). Thus the idea that the implementation of ITI in Czechia was commissioned by cities cannot be accepted. The Czech government was in a position to reject this instrument, yet it included it in its planning without showing any fundamental resistance. The empowerment of cities through this instrument was a step that followed soon thereafter (ibid.).

In order to understand the mechanism of how discursive institutionalism specifically explains Europeanisation, it is necessary to study the particular small-scale activities of the European Commission in the implementation of the territorial dimension. The role and authority of the Commission in EU cohesion policy is so strong that even apparently weak

instruments (see Figure 1) are sufficient to promote its interests. They include peer pressure and learning – specifically, numerous evaluation reports, whether published as part of the Europe 2020 agenda or elsewhere (e.g. Berkowitz et al., 2015). The territorial dimension is also communicated through every Commission policy paper, strategic document, conference output and beyond (Becker, 2019). With its new priorities and ideas, the Commission not only managed to control the entire debate about the future of EU cohesion policy, but also convinced nation states and sub-state actors that these were good ideas to implement. As Havlík (2020: 1297) put it, 'it is a form of peer pressure, where, as part of their ongoing learning, the member states are induced by the Commission to recognise the advantages that a change in their approach towards regional development priorities would bring (…) What the European Commission implements is not a sudden change, but a gradual transition in the understanding of priorities. So far, its pressures are not unavoidable, as shown by the practice of many countries that implement the regional policy within their existing administrative boundaries'.

Governance through ideas must therefore be seen as a functional tool, but certainly not in all cases. Although encouraging Europeanisation through the proliferation of ideas is uncertain, it often occurs, as has been shown. According to Havlík (2020: 1297), other forms of adaptational pressure can be used in the debate, such as naming and shaming: 'For instance, the Commission might highlight improper existing implementation in a member state (…), which might also imply an invitation (or a hint of recommendation) to implement future regional policy at a different level'.
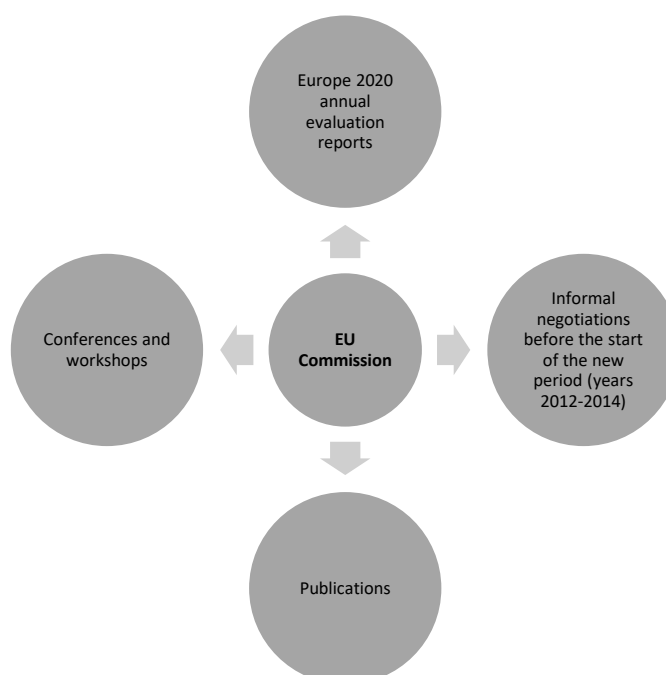


*Figure 1 - The European Commission and its tools for disseminating ideas about the territorial dimension*

The soft adaptation pressure within the implementation of the territorial dimension has thus offered Member States room for manoeuvre. In the same breath, it must be noted that the broad space to manoeuvre, which was afforded to Member States in this Europeanisation process, led to certain externalities that had, and continue to have, impacts on the character of MLG (see Section 5).

## Why does all this matter? A contribution to the debate on MLG

### *The 'enforceability' of MLG?*

The debate about the territorial dimension is necessarily closely linked with the MLG concept (Marks and Hooghe, 2000; Hooghe and Marks, 2003 and 2020). This is because the new ideas promoted by the European Commission explicitly allow for a greater role for sub-regional and local levels of governance. Existing actors are thus strengthened, or new ones created, and this inevitably leads to greater or lesser transformations of national and European governance. As Piattoni (2009: 166) notes, the '[i]nvolvement of the regional level in structural policy also had potentially significant polity implications: if regions were deemed essential for the success of structural policy, then also those states that lacked a "third" level were expected to create it'. This implies that MLG is, in a way, enforceable: if a country wants to draw down European funds, it needs to have functional MLG. Although an operational MLG system is today part of multiple EU policies, the application of MLG 'in the realm of cohesion policy' (ibid.) remains a classic of European studies. As some case studies have shown (e.g. Baun and Marek, 2002; Brusis, 2005), the EU has enforced, by means of pre-accession conditionality, the decentralisation of some countries – in other words, the creation of new levels of governance – precisely for the purposes of cohesion policy. However, the wave of decentralisation in some countries, linked with the EU enlargement in 2004 (see also Medeiros, 2016a: 108), was often unsuccessful. Countries such as Czechia and Slovakia created regions in relative haste, which proved to be too small for the purposes of EU cohesion policy and were subsequently merged into artificial-looking NUTS II regions (Dočkal et al., 2006; Lysek and Ryšavý, 2020). The last-mentioned type of region in these countries never had any real support within their territorial arrangements, did not share common needs and could hardly be described as a functional MLG actor.

The approach currently taken by the European Commission is much more innovative and places substantially less emphasis on the universal types of regions. As far as the territorial dimension is concerned, we no longer talk about conditionality, but rather about the financial incentives for countries, and mainly their regional and local actors, to create the new functional regions. The maintenance and development of MLG is thus evidently based on a system of motivating stimuli for the actors involved. Some countries, mainly in Central and

Eastern but also Southern Europe (e.g. Graziano, 2010) are evidently still not in a position to miss out on the enticing allocation of EU structural funds.

MLG, however, is enforceable not just through the enticing amount of money being allocated from the ESIF, but also through the simple fact that in many CEE states EU cohesion policy is the dominant driver of regional development, to which national regional policy provides only a weakly developed and underfunded complement. Under such conditions, the state has no choice and plays with the cards that are on the table.

What does the foregoing tell us about the pressure to adapt exerted by the European Commission, and perhaps about European governance in general? The use of soft pressure (i.e. learning) certainly does not have to decrease the efficiency of European governance in any way. Whereas in the past the European Commission had to 'enforce' MLG through such instruments as the partnership principle and its binding application and pre-accession conditionality that led to decentralisation in new Member States, today it makes do with substantially more 'sophisticated' soft pressure. Governing through ideas and increased communication between the Commission and the cities appears to be a sufficient stimulus for far-reaching changes in EU governance, a stimulus to which Member States are not immune. This was illustrated in Section 3 above by the example of many EU countries that have created new regions on the basis of the Europeanisation incentive without any apparent obligation to do so.

Is this governance through ideas simply an expression of the fact that the European Commission has no other way of achieving its objectives? Or is it a purposeful strategy of the 'gradual dissemination of objectives', with the Commission having harsher instruments at its disposal, which it does not want to deploy for strategic reasons? Even though the Territorial Agenda and its offshoot, the territorial dimension of EU cohesion policy, are full of ideas to make regional and urban development more efficient, it is, of course, true that this is a mere intergovernmental set of policy aims, which fall under the purview of nation states (Purkarthofer, 2018). It is certainly true that spatial planning is the exclusive competence of Member States. However, by creating the independent territorial dimension of EU cohesion policy, the European Commission has obtained greater control and, in theory, it could implicitly (though not explicitly) impact spatial planning by using as instruments the policies which it controls (Dallhammer et al., 2018: 2). Nonetheless, acting non-aggressively, the Commission reached for the soft instruments, i.e. consistent creation and maintenance of ideas and storylines. In theory, it could have exercised greater pressure and, through its legislative initiative within EU cohesion policy, influenced more substantially the conditions for the use of structural funds depending on the type of territory and suchlike. The fact that it decided not to do so sends a message about the range of instruments that the Commission uses to maintain and develop the MLG. In fact, this has been a shift from a revolutionary

approach (pressure to create artificial NUTS II regions) to an evolutionary one (support for new regions emerging in a bottom-up fashion).

### From 'soft spaces of governance' to 'hard territories'

Classifying the new regions using the typology of MLG from Hooghe and Marks (2003, 237; see Section 3) is a challenge, because these regions have different legislative groundings, financial allocations, scales of tasks and, related to all this, positions in the system. States mostly create mere 'soft spaces' of governance (Allmendinger et al., 2014), whose positions are limited. These may be just social interactions across networks (Agnew, 2015), but not hard jurisdictions 'controlling' the space/terrain (Elden, 2010; also Medeiros, 2016b). A problem may appear, however, when special-purpose jurisdictions are territorial in character (or are partially territorially defined, but still not 'controlling' the territory), that is, they are not just any civil society organisations, but territorial actors with defined boundaries (see also Moodie et al., 2021), even if they might administer only a very narrowly defined scope of policies or issues. Such territorial actors might be new regions created on an *ad hoc* basis: for instance, a cluster of municipalities, an agglomeration or a metropolitan area. In terms of the tasks assigned to such an administrative actor within a state, it might be weak or strong, but the very fact that it has been defined on a map makes it a potential actor in MLG, because it operates in a clearly delineated territory (cf. Elden, 2010), even though it might be only in a narrowly defined agenda. The power of such an actor consists in the fact that it may be accepted into the highly exclusive society of 'old regions' (type I governance), that is, among actors such as sub-national states, regions or cities. Often these are highly conservative environments with exactly stipulated formal and informal links, created over decades or centuries. Precisely that moment when new regions are accepted into the stable waters of governance (the arena of type I actors of MLG) may be of crucial importance in determining the nature of MLG. Indeed, as confirmed by Adshead (2014: 428-429), 'type II multi-level governance impacts are inherently less sustainable and [...] without the longer term, MLG type I policy architecture to support them, Europeanization gains are vulnerable to reverses'.

The picture that emerges is one in which the consistent distribution of ideas has led to the establishment of soft regions in EU Member States, but this may only be a transitional phase in their gradual evolution. The territorial dimension may thus create a situation in some countries where type II actors of governance gradually become type I actors (of course not all of them do). In other words, soft spaces of governance may 'harden' (Allmendinger et al., 2014; Zimmerbauer and Paasi, 2020). Evidently, if this takes place in a country, it implies a major qualitative transformation of the entire structure of governance. This is because type I levels of governance serve entirely different roles in the system than their type II counterparts: their position is more solid, their tasks exactly defined, they are of much greater longevity, and so on. We do not have a fixed list of indicators showing the 'hardening' of new regions. Intuitively,

we may observe such a state of affairs if new regions become equal partners of old regions. One strong indicator is clear, however. If the new regions are grounded in the constitution or in legislation generally, they are evidently on the way to becoming new type I actors of MLG. The Italian *cittá metropolitana*, established in 2014 and anchored in the Italian constitution, are indubitably an example of this.

### *Diverse domestic implementations and their outcomes – the Europeanisation of territoriality*

As explained in previous sections, the Territorial Agenda and the consequential territorial dimension of EU cohesion policy contain many ideas, the implementation of which gives considerable leeway for discretion to the EU Member States. This leaves room for very different interpretations at the national level. Encouraging cities to establish new regions of governance may lead even to some other externalities for the European MLG. If old regions become disillusioned as they observe new regions – their competitors – becoming stronger, there might be short-term (temporary) or long-term tensions (e.g. Stephenson, 2013). Thus, MLG, by including new jurisdictions of governance, carries within itself the potential for conflict. Indeed, this is confirmed by Stephenson (2013: 821), who notes that 'MLG was about opportunities for some and loss (of power and influence) for others, leading to potential conflict, blocking and, subsequently, strategies to circumvent the national level whereby lower levels sought to increase their institutional and negotiating capacity'. In practice, we observe this phenomenon in waves in various countries. In the literature, these tensions have been described in Czechia (Havlík, 2018), Italy (Boggero, 2016; Crivello and Staricco, 2017; Vinci, 2019), and in a slightly different context in Germany (Benz and Eberlein, 1999) and elsewhere. Tensions are inherent to the new character of MLG, because the entry of new actors (metropolitan areas etc.) into governance is less organised from above, and hence may lead to unexpected consequences as described.

The 'dispersion of authority' (Stephenson, 2013), implied by MLG, also concerns another characteristic of nation states or old regions, namely, their territoriality (Faludi, 2010; Sassen, 2013; Hooghe and Marks, 2020: 821). Firmly established patterns of 'power over territory', or 'control of territory' (Elden, 2010), may fissure. In terms of the territoriality of the state, some changes are caused by the very presence of MLG, because the existence of more levels of governance than just the national level (and it does not matter whether these are old or new regions) inherently carries a potential for disrupting the territoriality of the state. From this perspective, the creation of new regions is not a necessary condition. The territoriality of sub-state actors – as long as they had any – is also challenged (for example Italian regions; Boggero, 2016; Crivello and Staricco, 2017). When this occurs, the position of nation states (often already quite modest) and their policy competences on their territory start to disintegrate. Faludi (2013: 126) believes, somewhat sceptically, 'that the multi-level

governance literature fails to problematise the underlying "territorialist" metageography', although the new literature on the territorial dimension does include this implicitly. (Faludi is certainly right in that it often fails to do so explicitly.) Indeed, what else are the 'non-standard regional spaces' (Deas and Lord, 2006), 'soft territories' (Luukkonen, 2015) and 'soft spaces' (Allmendinger et al., 2014) noted in the literature about new regions but new actors of governance? Not all of the types of regions cited do threaten the territoriality of the state, because their ability to 'control territory' varies.

## The wide range of types of governance and the question of 'multi-level participation'

Of course, it must be admitted that, in the interplay of actors in MLG so conceived, being an 'MLG actor' is not the same thing as being a respected and influential level of governance. In other words, the quality of the participation in governance matters. Describing the period before the accession of CEE states to the EU, Bailey and De Propris (2002: 320) write about various qualities of integration, and in addition to 'MLG' they use another term: 'multi-level participation'. This conceptual allegory clearly shows the nature of MLG, where we include a number of actors who are 'participating in MLG', without any guarantee that all of them fulfil at least remotely a certain basic catalogue of functions that could allow us to speak of governance. In other words, the new regions created across the EU are very different in character. There are countries where these new regions are standard MLG actors in the sense that they have the ambition and the capability to communicate across all levels of governance; but there are also countries where the new regions lack such ambition, have low 'institutional capacity and capability' (cf. Bailey and De Propris, 2002: 320), and as such are at best 'participating'. There are many paths from the ideas articulated at the European level to the creation of new spaces of governance at the national level, and while in some countries we can observe strong new regions emerging at the end of this process (for example, in Italy and the Czech Republic), in others these may be relatively weak new regions with limited competences and durability (for example, in Germany).

## New regions and the question of their management: From MLG to MLA

The conceptual variations on MLG can go further. New regions are often managed by officials, and the political oversight may be merely formal. Thus a level of European governance arises that has not yet reached that of the standard, 'old' levels of governance (regions, cities etc.) and 'it is hard to indicate where it stands within the structures of the state and the region' (Gajewski, 2022). Governance through ideas has led in some countries to an unrestrained development of new regions, the management of which has remained to some extent under the politicians' radar. Similarly to the allegorical expression 'multi-level participation', the debate on 'multi-level administration' (MLA) too suggests qualitative

differences within MLG (e.g. Benz et al., 2016; Trondal and Bauer, 2017 etc.). MLA is based on distinguishing between the actors who govern. While many MLG studies 'are based on an actor-centred approach, they rarely distinguish between different types of actor' and are often 'not explicitly addressing the role of policy-making within administrative units' (Benz et al. 2016: 1000). Many newly created agglomerations/metropolitan cities are managed in a technocratic (apolitical) manner (Zimmermann, 2014): they are often headed by a public servant or manager, even though it remains the case that the agglomerations are made up of municipalities which themselves have elected representatives, that is, politicians. Typically, the tasks of the executives at the various levels of governance (national, regional and local) include making decisions or binding commitments through agreements, and the tasks of the administrations include the preparation and implementation of such decisions. Yet there is also the level of 'administrative decisions', which are 'binding as far as they are grounded in existing law that must be applied in particular cases'. These decisions must fulfil the condition of 'effectiveness (output legitimacy), meaning that general and specific interests need to be appropriately balanced' (Benz et al. 2016: 1003). Thus, the administrations have a certain space to manoeuvre, to make decisions and to communicate with other levels of governance, even though this space is, of course, curtailed by law and by political decisions generally. Further, it is evidently true that the less a new region is managed politically, the greater the autonomy or discretion of the administration. The objective of MLA theory, therefore, is not to define itself in opposition to MLG, but rather to point out the broad spectrum of variations in political practice where MLG can be identified. In sum, while the spread of the ideas of new regionalism through learning in many countries has led to the relatively rapid creation of new regions such as agglomerations or metropolitan areas, the logical externality of this process is the delayed or imperfect involvement of these regions in democratic decision-making and the increased discretion of the decision-making of the administrative staff of these regions. The term MLA is thus in many cases a fair portrayal of current trends in European governance.

## Conclusions

The inclusion, via the Lisbon Treaty, of territorial cohesion among the new objectives of European integration had far-reaching impacts not just on the formulation of the priorities of EU cohesion policy, but also on European MLG. Over the past decade, we have observed the emergence of agglomerations, metropolitan cities and other new regions, which seek a place for themselves in the existing scheme of European governance. The territorial dimension, within which these processes take place, however, operates and functions in a different way from the one we are used to with EU cohesion policy. Overall, MLG is reaching a state where its dynamics are no longer solely dependent on hard adaptational pressures. The involvement of the various levels of governance is thus achieved not only by the use of hard instruments such as secondary legislation prescribing the involvement of actors according to the

partnership principle. Increasingly, there is a new process of governance through ideas, which has multiple roots. It is, of course, an effect of the fact that the EU does not have sufficient legislative powers to exert hard pressure in every sphere. But similarly important is the ability of the European Commission to reach its objectives via non-invasive methods. The reasons for such a strategy are evident. In a club of 27 states, it would be extremely ticklish to use any pressure on Member States in an area as sensitive as their territorial arrangements. Any attempt at exerting harsher pressure would be unlikely, and could have far-reaching effects on relations between the states and the Union, would become another weapon that could be used by Eurosceptics, and so on.

The European Commission says that the path to achieving more efficient economic growth in less developed regions is 'more competiveness'. The Commission asks for the re-organisation of the various levels of governance with the objective of achieving their 'functionality'. To this end it has for more than a decade supported the creation of so-called new regions, which are becoming new actors on the MLG map. After 2014 at the latest, newly created agglomerations or metropolitan cities can be identified in many Member States. Across the Member States, newly created regions differ substantially in their functions (general-purpose versus task-specific regions/jurisdictions), management (administrative or political) and ambitions (multi-level participation). The differences in all these characteristics are understandable, given that each country had a relatively free hand in implementing the territorial dimension.

The bottom-up approach did ensure the creation of new regions, but may pose a problem in the future when regions are compared with each other. Old regions (cities or regions), though differing in size, are alike in that they fulfil a number of essential functions. New regions, by contrast, constitute a very varied range of regional development types (from single-issue regions to comprehensive tasks of territorial development). It is an unanswered question whether the new (soft) regions are going to harden or perish. If they harden, the issue arises as to what position they will seek to claim for themselves within multi-level negotiations and how this will influence the position of the old regions in those negotiations. The contemporary debate offers several examples of situations where the entry of new regions 'into the market' of European governance was sufficiently resolute (in terms of the scope of policy competencies that were entrusted to the new regions) that tensions immediately arose between them and the old regions, which felt that their traditional positions were under threat.

Future studies may observe these indirect soft adaptational pressures over time and seek to answer the questions of whether they are efficient in achieving their set objectives in the long term, and whether we can assume that they will gradually have an effect in all Member States.

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