

The City as an Actor in European Governance? Notes on the Local Sphere Research

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Abstract

The paper uses the example of Czech and German cities to examine the involvement of the local sphere in multilevel EU governance. Under some conceptualizations (multilevel governance, Europeanization and paradiplomacy), cities are perceived to be relevant actors. However, the range of their competencies and opportunities to create EU politics appears rather unclear and has been left largely unexplored. The inclusion of the local sphere in the concept of multilevel governance is often merely declaratory in character, without offering a clear definition of what is meant by its involvement in practice, what its nature and scope are and what restrictions apply. This paper attempts to initiate a discussion on the role played by cities as the fourth level in European governance and use research to data-map the role played by cities in European policymaking.

Keywords: Multilevel governance; Europeanization; paradiplomacy; partnership; regional policy; Czech and German cities

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1. Introduction¹

The city,² as an actor currently discussed in European integration, attracted significant interest from the academic community only after the reform and development of EU policy in 1988. In particular, this was tied to the newly introduced partnership principle which involved cities, as well as economic and social actors, to a greater degree in the individual phases of regional policy creation (cf. Dočkal 2006: 11). Since that time, cities have been perceived under several conceptualizations (those of multilevel governance, Europeanization and paradiplomacy) to be relevant actors. However, the range of their competencies and opportunities to create EU politics appears rather unclear and has been left largely unexplored. The inclusion of the local sphere in the concept of multilevel governance (hereinafter MLG) is often merely declaratory in character, without offering a clear definition of what is meant by its involvement in practice, what its nature and scope are and what restrictions apply. A problem has therefore

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arisen to do with the ambiguous definition of the city (see also Balík 2009). While some authors define the local sphere as an actor in governance (Marks 1993), others feature only a “subnational actor” category (Dočkal 2006, Jeffery 2000, Kassim 2005) or even reject the local sphere as a legitimate level of governance, focusing instead only on the regional level (Knodt and Hüttmann 2006). The actual position of the local sphere as an actor in European governance is thus to some extent questionable, since individual researchers examining MLG do not base their work on Marks and his four-level governance system (including the local sphere) but allow simplification to a tri-level system. In doing so, however, the conceptualization of the MLG becomes something other than that Marks discussed in originating the MLG concept.

The position of the local sphere within the current EU cannot be perceived solely through the lens of its activity within regional policy but must be seen in terms of other policies, as well. Similarly, the local sphere cannot be reduced simply to the “city”, since it comprises municipalities of all sizes, as is true for local civic movements, interest groups, etc. The mapping of the overall activity level of the local sphere in all EU policies would be unsystematic, superficial and doomed to produce unreliable conclusions because of its inability to provide sufficient depth. It is therefore likely to be necessary to instead examine the local role in terms of case studies, which will need to be filtered to a certain extent in terms of the types of actors explored.

This paper will focus exclusively on cities of at least 100,000 inhabitants, because smaller towns are not sufficiently relevant to the study at hand. In other words, it cannot be assumed that small and midsize cities relevantly impact EU policymaking, nor that the institutional form of city government for small municipalities would undergo significant change with the country’s EU membership (as indicated by some case studies, see Třetinová 2012). In spite of the fact that secondary legislation clearly impacts these actors, as well, it does so primarily in the top-down direction. Bottom-up municipal lobbying by smaller municipalities is a fairly marginal phenomenon as regards Europeanization. It would also seem that EU economic and social cohesion policy is a suitable example by which to describe the city, since MLG was first used in this context (cf. Knodt and Hüttmann 2006: 226), not to mention the fact that this policy still represents a major item in the EU budget. In addition, this policy is the best example for describing the involvement of the local level in the EU because the partnership principle has brought about a number of common connections.

1.1. Objective of the Paper and Methodological Basis of the Research

This article is based upon the author’s dissertation written between 2011–2013, which studied the involvement of Czech and German cities in MLG within EU regional policy. The research (Havlík 2013) aimed at determining the factors impacting the involvement of Czech and German cities in European governance. Two cases involving opposites were purposely selected, the first comprising the dichotomy described by unitarism versus federalism and the second, a new EU member country versus an established member country. The literature available suggested that these dichotomies might impact on the position of, and actions taken by, the actors as part of governance.³ The results of the research were interesting in that none of the approximately five hypothesized independent variables proved to be definitive (in

terms of city activity). An offshoot of the research, unfortunately addressed only marginally, included the interesting claim that it is difficult to seek a common formula for city behaviour and likewise that cities within a single country do not behave similarly in terms of strategies and activities. In other words differences cannot be sought between countries, but rather mutually between all cities under investigation. This, however, suggests that the position of cities as actors is challenged because it is very difficult to look for common behavioural features in this case. These conclusions, so far just touched on, will be explored in detail in this paper.

A specific objective is to continue the research and address whether towns may be considered actors in multilevel EU governance. The paper restricts itself to regional EU policy and large cities within the countries under investigation, as noted above. What follows is based upon the research methodology indicated above, adapted primarily to take into account the data collected and the comparative method employed (a “most-different” contrast comparison involving Czech and German cities). In contrast to the aforementioned research, the focus is not on seeking out variables within MLG, but purely on determining whether the conclusions outlined, which question the definition of cities as actors, are valid. The research will employ two relatively different examples of governance (for the country selection criteria, see above) to show that they are more or less not subject to comparison, since cities within one country do not act in a similar fashion and thus do not present a contrast to a group of cities in the other country. In other words, the presumption is made that the activity of cities on the national and European levels is highly disparate and, to a great extent, unpredictable. Thus it is very likely that cities are not “classic” actors (for actor indicators, see the table below).

To determine the “actorship” of cities within European governance, several indicators may be designated based upon which the phenomenon will be assessed. This is an attempt to operationalize the moment of participation by a particular actor in MLG. The criteria are based upon the conviction that a typical participant in governance should strive to participate actively and consciously and, at the same time, be accepted as an actor by other players, with a reasonable chance at “making an impact”. These are precisely the attributes which describe participation by the regional sphere in European governance, something which is widely accepted. Participation will therefore be determined on the basis of the following phenomena, which collectively indicate actorship:

Table 1: City “Actorship” Indicators within EU regional policy multilevel governance

1. Effort by cities to articulate their interests in areas to do with decision-making on the form of policy
2. Effort by cities to take part in individual phases of the political cycle underlying EU regional policy
3. Effort on the part of higher governance levels to invite cities into the policymaking process.

Source: Author.

The research is focused on the activities of cities during the 2007–2013 regional policy programming period. The data collected relates to a single period for two reasons. The first is the fact that the Czech Republic joined the EU only in 2004 and often established city government positions only subsequent to that. The 2007–2013 period was selected to ensure

comparability between the Czech Republic and Germany. Another, key, reason is to take into account the complexity of collecting the data. The research is highly dependent upon interviews conducted with employees whose positions, however, are highly subject to personnel changes, with the consequence that “City Hall memory” is correlated to the memories of its employees. In other words, some key information impossible to find in written form must be gotten using the memory of clerks, which is severely limited.

This chapter naturally also discusses the value of the research results. Understandably, an analysis of cities in two countries cannot serve as the basis for generalization. This paper will thus not verify any hypotheses nor even produce a strong claim (for more see Chapter 4). All the greater, then, is the ambition to contribute to the discussion on the position of cities in contemporary European governance and to offer conclusions which may prove useful for further research. At this point, it is appropriate to draw attention to the title of this article, which speaks of “notes”.

1.2. Data Collection Methodology

Empirical studies of Czech and German towns were carried out upon the basis of a qualitative content analysis of primary sources (strategic documents and interviews with City Hall clerks). Data collection for preparing the case studies was done using questionnaires sent out, along with in-depth interviews. The primary data collection period began in February 2011 and ended in January 2013. However, the author’s interview transcripts from 2008–2010 were also used. During the interviews, it was necessary to use only open sets of questions prepared in advance, because the secondary literature does not provide enough a priori assumptions or propositions for test. The interviews therefore became a combination of standardized and discursive interactions (Drulák 2008: 189–190).⁴

Another note concerning data collection methodology has to do with the actual selection of respondents. This should be systematized (cf. Rathbun 2008: 697). As regards the research questions, several types of government clerks had to be contacted in the cities selected (for city selection, see below), with two or three rounds of questioning conducted using the questionnaire. The precondition for this was, of course, to maintain an identical sample for the cities selected throughout all interview phases. First, all interview participants were sent questionnaires to collect the first batch of information. Contact was made with employees for whom dealing with the EU agenda was part of their main job description. Not all respondents, however, were willing to provide written answers in the first round, instead offering direct interviews either on-site or over the telephone. Thus, some actors were surveyed twice (via the questionnaire and a subsequent interview), while others were interviewed directly.

Another source of data for case studies was the already noted strategic (and other) documentation. This consisted primarily of statutes of monitoring committee on which cities sit, as well as secondary European legislation and position documents from clusters of cities and municipalities, or just from the municipalities themselves. All these documents taken together provide a firm database for the work and a guideline for formulating interview questions.

1.3. Choice of Cities

In choosing which cities to study, the capital cities of both countries were excluded on the basis that they are likely to differ from other cities because of the role they play within the country. A further condition was that the cities to be studied should be large or, at the very least and only exceptionally, that their population could be just slightly under the cutoff of 100,000 residents, but they function practically as metropolises. Only four such cities were chosen in the Czech Republic, those being Brno, Liberec, Olomouc and Ostrava, while ten were chosen in Germany to maximize the consideration of specific aspects of the country, primarily as regards the much higher population base, historical conditionality (East versus West) and the fact that it is a federation. The four cities chosen in the Czech Republic are located in four varied regions, while the cities in the German sample occupy one-half of the federated states.

Primarily in the case of Germany, the choice of actual cities took place on a random basis keeping in mind the above designated restrictions. The situation in the Czech Republic was facilitated by the fact that, aside from Prague, there are only five other cities with a population greater than 100,000, four of which were arbitrarily selected. For Germany, approximately 20 cities were contacted in the first round, one-third of which declared their willingness to take part in the research and conduct interviews. An additional 10 cities were selected in the second round, from which the remaining four were chosen to fill out the sample. This resulted in the selection of two northern German cities (Göttingen and Braunschweig), two eastern German cities (Chemnitz and Cottbus), two southern German cities (Freiburg and Regensburg) and four Western German cities (Darmstadt, Iserlohn, Koblenz and Trier), correlating in rough terms with the statistical distribution of the German population in the federation (Behnke et al. 2010: 162).⁵

Foremost in mind in making the selection were the three criteria indicated above (history, the East/West dichotomy and federalism). But in spite of the fact that the activities of the city in terms of governance are dependent upon its being located in a particular federal state, this will not be treated as a key variable. The selection was thus not purely random, as Joachim Behnke, Nina Baur and Nathalie Behnke discuss as one possible variant method for selecting the sample in the book (Behnke et al. 2010: 149). Methodological purism would run the risk of a random selection of, e.g., eight cities from North Rhine-Westphalia and two from Rhineland-Palatinate, an absurd situation. In other words, making use of a pure random selection would result in a methodologically sound study, but one which is highly questionable because it fails to reflect the historical and political situation.

1.4. Conceptualization of the Terms Employed

Before actually analyzing the data which is being gathered, it is necessary to conceptualize the terms to be used, i.e., to anchor their precise working meaning for this paper. Aside from MLG, which has already been discussed along with top-down Europeanization and actorship within MLG, the principal terms are “the promotion of European interests” and “the political cycle”.

The promotion of European interests, a distinctly vague formulation, is understood in this paper in a highly restricted sense in accord with the defined research policy. It turns on the

process by which cities attempt to influence individual phases of the political cycle in EU regional policy. This regional policy, in particular the agenda for spending monies from the Structural Funds and cross-border collaboration are normally understood by cities as the most extensive participation possible in the “European agenda”. The political cycle is understood as the traditional political tool for dividing up the individual phases of policy creation; according to Fiala and Schubert (2000: 79), it is divided into the initiation, estimation, selection, implementation, evaluation and termination phases. In this regard, articulating the interests of cities may be understood as a process in which cities actively enter into the creation of policy and attempt to influence its form ideologically (regardless of the particular phase of the political cycle in which this takes place).

The final term which must be set in place is the Europeanization of communal polity. Although the term polity possesses a relatively broad referential domain, in this work its use is restricted to change in the internal structure of city halls, i.e., changes to individual departments and positions as the result of European policy.

2. Partnership and Four Levels of Multilevel Governance

Pinning down MLG from a definitional standpoint is in no way an easy task, at least not if we want to capture the scope of the concept. In the introduction, several authors were noted who do not make defining MLG easy; rather, they complicate matters by introducing variations. It is not simply chance that Kassim (2005) chose not to include regions and municipalities in a single category. Regardless of whether this step was intentional, it is clear that it was made within the existing discourse of MLG research papers. With slight exaggeration, these may be divided into two groups, as indicated in the introduction to this article – those that describe European policymaking as the interaction of actors on the subnational, national and supranational levels and those that also include the local sphere in this list. It is interesting that individual authors differ in approach and exaggerating a little, the local sphere makes what seems to be a rather arbitrary appearance in the definition of the concept. This contradiction between individual approaches generated the key question in the opening section: to what extent do cities take part in creating and implementing European politics and are the preliminary conditions for the concept being met in practice?

The origins of the conceptualization itself reveal the reasons behind the focus on regional policy as an area of research in this paper. As Michèle Knodt and Martin Große Hüttmann, point out, MLG is “(...) an inductively created concept, first empirically limited to regional policy. The empirical basis and a starting point for the multi-level governance concept consisted of the creation of a specific constellation of actors and a decision-making system in the area of regional and structural policy” (Knodt and Hüttmann 2006: 226). Research focused on local policy, something which has not been explored in any depth before, may therefore make plausible use of regional structural policy as a reference case, since the concept in question was created for this purpose. The MLG concept is based upon the vision of EU as a political system, not as a regime based upon international negotiations (Knodt and Hüttmann 2006: 225). In this context, the EU is perceived as an independent political system whose decision-making process is distributed over several mutually interacting levels. MLG

is headed by actors on various mutually interconnected levels which mutually interact (Knodt and Hüttmann 2006: 228). Further, MLG offers a perspective for negotiations across these levels. According to Kristine Knodt and Martin Große-Hüttmann “the subnational actors, such as regions or countries (Länder) operate both on the European and national levels” (Knodt and Hüttmann 2006: 229). However, both authors thereby engage in oversimplification by omitting the local level, originally an integral part of MLG.

Key for understanding this section is the shift to the original definition of MLG starting from the early 1990s. Gary Marks’s definition may be employed for a more specific definition of the MLG concept in which he speaks of “a system of continuous negotiation among nested governments at several territorial tiers – supranational, national, regional, local – and as the result of a broad process of institutional creation and decisional reallocation that has pulled some previously centralised functions of the state up to the supranational level and some down to the local/regional level” (Marks 1993: 392).

If the relocation of regional policy decision-making truly impacted the lower levels Marks mentions, in particular the local level, we are confronted with the intersection of several concepts. Within a general framework, we may ask whether the local sphere takes an active part in constructing European integration. This may be more specifically anchored within two perspectives which provide similar conclusions: bottom-up Europeanization and MLG. They take for granted the involvement of certain actors in European governance. From this point of view, bottom-up Europeanization is rather general and limits itself to emphasising the direction in which European integration makes its impact. By contrast, MLG offers a more detailed perspective, precisely naming the levels on which negotiations take place and, just as with bottom-up Europeanization, emphasizing the processual aspect of governance.

Andrew Jordan criticises MLG in his work of 2001, saying it is an “amalgam of existing theoretical statements rather than a new theory of the EU” (Jordan 2001: 201). In spite of the maximum scepticism of MLG critics, it brings key added value. This is chiefly because it offers a new view of the role of local policy by explicitly noting its share in European governance, which makes MLG original. For purposes of this paper, the issue of MLG’s originality and benefits is therefore beside the point. Marks’s definition may be simply regarded as a certain statement which may be examined, ideally during an appropriate operationalization. The MLG formulation, however empirical the concept may be, thus represents a challenge for other research with the aim of confirming or disproving the individual conclusions. This work attempts to focus on just one level, the local level, and to determine whether it truly functions as a governance partner or just a “second rank actor”.

In the context of MLG, the relation with the partnership principle or the partnership concept must be seen as a problem, because there is a likely partial overlap or merger of both approaches within the governance discourse. (Havlík 2013: 50–51). Both concepts describe *de facto* the same phenomenon. They refuse the vertical perspective of governance but instead draw attention to the mutual non-hierarchical interactions among participating actors. From a certain standpoint, both of these concepts may even be seen as logically interconnected. The partnership principle was created for the regional policy area and its needs (Dočkal 2006: 11). It is true that MLG was first described using a regional policy example. Although MLG is a more sophisticated and abstract concept which may therefore be utilized in areas other than just regional policy, partnership must be seen as an unavoidable approach.

The first similarity between the definitional framework of partnership and MLG turns on the levels which may be used to describe it. In its 1999 report, the European Commission speaks of local, regional, multiregional and national partnerships (European Commission 1999: 15). Initially, partnership was defined as collaboration between the Commission and relevant authorities on the national, regional and local levels (Art. 4, Regulation No. 2052/1988). Later, in 1993, the definition of the inclusion of economic and social partners was added (Regulation No. 2081/1993). These two standards in EEA secondary law designated a partnership design employing *de facto* both horizontal and vertical perception. The notional horizontal component consists of economic and social actors included in negotiations on one of the indicated levels; the vertical axis is represented by the levels themselves, which function together within the partnership. The collaboration across these levels, *i.e.*, between economic and social actors with nationwide impact and regional authorities, may also be expected in keeping with the MLG concept. A theoretical possibility for such collaboration is given by the provision designating that the Member States themselves choose the final list of actors which are to take part in the partnership; more precisely stated, it is within their competency to determine which actors are “competent authorities” and what role is to be assigned to economic and social actors within the partnership (European Commission 1999: 16).

The interconnection between MLG and partnership may be seen in the fact that the partnership may be considered *de facto* to be an MLG tool. In other words, under regional policy implementation, the EU forces the decision-making authorities (competent ministries, operational program managing authorities) to involve economic and social actors, *i.e.*, cities, in the decision making process, as well. On a purely theoretical basis, it should hold true that cities are MLG actors, since EU rules so dictate, otherwise projects funded from the Structural Funds could not be supported. This paper, however, has established stricter actor indicators involving not only participation in the creation of regional policy (the minimal condition for partnership), but also an active effort by cities to make use of this opportunity, *etc.* The work seeks to discover the extent to which the partnership has been fulfilled – in other words, to what extent it holds true that cities are MLG actors.

3. Do Cities Act Similarly? Promoting “European Interests” on the Domestic and European Levels

3.1. Opportunities for Cities from the Standpoint of Articulating Their Interests

There is a range of contact points on both the domestic and European levels for cities to articulate their ideas and interests. The Committee of the Regions is probably the best-recognized platform for local and regional interests within the EU institutional schema. It may be viewed as an advisory body which is fairly weak. This evaluation is not based solely on the available literature (*cf.* Rechlin 2004: 38), but also on the explicit testimony of the cities researched which, with some exceptions, have had no contact with this institution.⁶ Other contact points are more likely to be used, which may be divided into those that are domestic (within the national state) and those that are Brussels-based (European) for greater clarity of presentation. In terms of domestic access points, the testimony provided by the cities point to the states (for the Federal Republic of Germany) or the national (CR) government or the pertinent

ministry which administers the local development agenda and the association of cities and municipalities. The Monitoring Committee is at the side of the operational program managing authorities. The Committee forms one of the key partnership platforms, which includes economic and social partners (cities) and serves to supervise the implementation of operational programs. At the Brussels level, the organizations include permanent representations of municipalities, federated states or regions, the European Commission, European Parliament, Council of European Municipalities and Regions (CEMR) and EUROCITIES, an association of large cities.

3.2. City Activities on the Domestic Level

In terms of articulating their interests, the most natural activities cities engage in is communicating with domestic access points, i.e., the pertinent ministries of the federated states or national government and the association of cities and municipalities.⁷ For all cities researched, this activity is more frequent than contacting access points in Brussels, which are utilized only by some cities. In general, the association of cities and municipalities is the most natural partner for cities, since it aggregates the interests of member cities and articulates them to the competent ministry or access points at the supranational level. It is interesting to note (see Table 2) that differences exist in the use of domestic (national) points. Some of the cities being researched (Brno, Ostrava, Regensburg, Trier) show frequent contacts with the ministry in addition to their contacts with the association of cities (see interviews in the list of references). In other words, they pass the association of cities by as their natural partner and negotiate individual issues on an ad hoc basis directly with the ministry. However, when one looks at the structure of the associations of cities (German and Czech) described, this is no wonder. The Union of Towns and Municipalities of the Czech Republic more or less represents cities of all sizes and thus finds itself in a schizophrenic position in which it must consider conflicting interests in creating opinions (Ostrava interview). There are two associations in Germany – one for small municipalities and cities and the other for mid-size and large cities. Even these, however, cannot avoid a certain heterogeneity of interests. Now there is a logical question concerning the situation at hand, which is: WHY some cities visibly distrust the work of city associations. The heterogeneity of the interests promoted and the issue of the weight of the vote held by a particular city may also be seen in the representation of cities on the level of the Ministry of Regional Development in the CR. The vote of the Union of Towns and Municipalities of the Czech Republic is articulated in the key structural policy working group at the ministry by a Brno representative, who is the sole representative with membership in the group (Brno interview, 21/2/2011)⁸. In some negotiations, the second-largest city in the Czech Republic decides on structural policy impacting on even much smaller cities with differing needs. This state of affairs, just as with city representation on operational program monitoring committees, illustrates the actual position of cities.

In the context of these facts, it follows logically that, with a few exceptions, the cities being researched articulate their interests via the association of cities and municipalities. As Table 2 shows, it serves as a means for articulation of city interests and their aggregation. However, it is remarkable that cities are not unified in this case either. Most cities admits more or less functioning contacts with city associations, but their frequency varies greatly. Freiburg,

Iserlohn, Darmstadt and to some extent, Koblenz and Ostrava, (5 of the total 14) differ to some degree from the more usual model in which there are functioning contacts between cities and associations of cities and municipalities. While Ostrava has been active in promoting its interests, in the past it tended to pass over the association of cities and municipalities in particular instances and turn directly to the Ministry for Regional Development, although other cities continued in their strategy of collaborating with the city association. The three German cities noted show almost non-existent contacts with the association of cities as well as sporadic or nonexistent contacts with the pertinent federated state ministries. This “mystery” of passivity, or visible indifference by some cities was explained by the Regensburg EU-coordinator: “The topic of the EU is not mandatory” (Regensburg interview). In other words, he suggests that some cities have totally different priorities and funding sources for city development (sports or recreational tourism, etc.) and they simply avoid EU topics. At the same time, it is not the case that poorer cities collaborate with the EU out of need while richer cities spurn collaboration because they have no such need. Proactive German cities include cities in both the East and the West (i.e., those which are more likely to be developed, without a pressing need for large infrastructural projects), as is clear from the Regensburg example. It is true at an overall level that there are certain basic similarities in city behaviour in terms of articulating European interests at home. However, cities significantly differ in terms of the degree of activity they engage in as regards approaching the contact points (associations, ministries).

Monitoring committees functioning as part of individual operational programs represent an independent issue in articulating city interests at the regional and national levels. The goal of these committees is to collect relevant regional policy actors together and involve them in the *implementation and evaluation phases*, i.e., to allow them to take part in selecting methodologies and evaluating projects, and, subsequently to monitor the entire course of the programming period. Czech and German cities are usually represented on the committees by city associations which normally fill the positions with mayors of cities. Differences may be seen particularly in the composition of the accompanying committees. While the situation is similar on the level of nationwide operational programs in both the Czech Republic and in Germany (usually representatives of city associations), a more interesting situation occurs with the monitoring committees of regional or federated state operational programs. In the Czech Republic, representatives of the NUTS II managing authority and the region typically hold a majority on the committees. In Germany, however, the identical bodies mostly include (with exceptions) economic and social partners (including cities).⁹ Differences may also be observed in the representation of cities itself on the level of the monitoring committees, which are also shown across regions, i.e., not implicitly between Czech and German cities. The most frequent situation is that committee members include representatives from both large and smaller municipalities; in Germany, regional representatives are also present. In Bavaria, for instance, two cities with voting rights are represented (of the total 20 committee members), as well as three large cities (without the right to vote); similarly in Baden-Württemberg it is 4 large cities and in the North Rhine-Westphalia it is 6 cities (out of the total 44). Cities in the NUTS II Czech regions are on a similar level as those in Germany. In 2 out of 4 researched regions, cities have 4 representatives (see the statutes of the monitoring committees given in the list of sources). Comparing the figures with the total number of members on the committees,

it is clear that in many cases, city representation or the representation of cities with the right to vote is rather low. The problem may be illustrated using the Bavaria monitoring committees (2 votes out of 20), Lower Saxony (2 votes out of 24) and the Czech South-East (2 votes out of 20), but Brandenburg serves as the best example. Out of 31 members on the monitoring committee, only one represents cities, falling under the “Economic and social partners and other partners” category. It is therefore clear that city representation varies from very strong (North Rhine-Westphalia) to very weak (Czech South-East, German Brandenburg).¹⁰

From the point of view of overall city representation on the domestic level, i.e., given the ratio of city representatives and other economic and social actors, cities occupy a rather insignificant position, one comparable with any other actor (Havlík 2013: 115). A German political scientist aptly summarizes the situation by saying “cities share their (partnership –author’s note) status with organisations who have no democratic legitimacy of their own and have no business being at the implementation level for EU secondary legislation” (Kropp 2010:183). This formulation thus serves as protection against any grand illusion that cities have a share in the regional policy partnership and speaks volumes about their actual situation. On the one hand, cities have room during various hearings or in working groups at the pertinent ministries or on the monitoring committees to express their attitude concerning the issues discussed, and, some regions may even be able to vote. A key fact, however, and one that cannot be left out is that their position at hearings or in committees is equal to that of economic chambers, unions, green movements, etc., which possess no democratic legitimacy arising from elections. In many cases, cities have thus been downgraded to the “one of many” level, not on the forth and lowest MLG level (cf. Havlík 2013: 115). One may partially conclude that, in many regards, cities seem to be partners in the decision-making process, but not privileged partners.

3.3. City Activities on the European Level

Significantly greater differences in city behaviour may be seen at the Brussels level. Opportunities to articulate their interests in Brussels are similar for Czech and German cities (Eurocities, CEMR, Committee of the Regions, MEPs, European Commission, etc.). In addition to the access points noted, German cities have a common “European Bureau” in Brussels¹¹ which primarily serves to provide information on EU actions and not lobbying activities (see Havlík and Pitrová 2012). But the information advantage possessed by German cities cannot be overestimated. The Union of Towns and Municipalities of the Czech Republic, possessing no Brussels bureau, fulfils a similar role for its cities, i.e., that of an information provider concerning events in Brussels (the UTM of the CR, 31/5/2012 interview). Looking at how both countries make use of opportunities offered in Brussels is much more interesting. In this case, too, just as for the domestic (national) access points, we are confronted with passivity. Of the cities being researched, only Brno and Chemnitz are proper members of Eurocities,¹² Ostrava (only as an associate member), Braunschweig and Freiburg would meet the size criterion for joining this prestigious organization of large cities. The cities themselves are aware that they could apply for membership but do not consider doing so (Braunschweig interview dated 11/3/2009). Whether the main reason lies in the high membership fee for the organization or something else, this is a classical illustration of passivity on the part of cities, at least at the European level. Most of the interviews which were conducted made clear that cities usually

leave activities at the Brussels level to the associations of cities and municipalities and do not take an active hand themselves.

There are exceptions to this rule, of course. They include Eurocities members but also, e.g., Regensburg. In spite of the fact the city has only 135,000 inhabitants, it is an example illustrative of the fact that appropriate resetting communal policy – in Regensburg’s case, this consisted of establishing the position of Coordinator for European Affairs – can lead, in the ideal case, to a shift in city behaviour, resulting in it conducting itself very proactively. The Regensburg coordinator, similarly to his colleague in other cities, communicates with external entities. This is due to the individual’s prior professional experience working in the EU system and his personal contacts with the European Commission. Thanks to the head of the city economic department, he also has contacts in the European Parliament (Regensburg interview dated 17/3/2011; Havlík 2013: 91). Similarly, Ostrava noted direct communication with EU level access points. These were bilateral negotiations for a social inclusion program between the city of Ostrava and the European Commission (Ostrava interview dated 10/8/2012). Finally, proactive Brno must be mentioned. In addition to proper membership in Eurocities, Brno takes part in other platforms formulating city interests (e.g., Cities of Tomorrow, Brno interview dated 10/7/2012). In spite of these proactive communication examples at the level of Brussels, for a great majority of cities this communication is limited to city and municipality associations which represent cities in the Council of European Municipalities and Regions (CEMR), a partner to the European Commission.

Public consultations announced by the Commission represent another natural platform for the articulation of interests. Theoretically, this is an ideal platform for cities since the consultations are open to everyone and sending a position paper is not conditioned upon any size criterion, for example. In spite of this, cities and even city associations make inadequate use of consultations for key issues. This argument may be illustrated using a key document for the preparation of the current 2014–2020 regional policy period – “Green Paper on Territorial Cohesion – Turning Territorial Diversity into Strength”, published by DG Regio in 2009 (see European Commission 2011). Only the government of the CR and two regions (Liberecký and Vysočina) sent their positions; in Germany, positions were sent by the German Association of Towns and Municipalities, German Association of Districts, several regions, three cities and several interest organizations and companies.¹³ The overview of position papers sent shows a passive approach to taking advantage of the opportunities offered to cities. Most interesting is that the Union of Towns and Municipalities of the Czech Republic did not take part in the consultation. In the case of Germany, the German Association of Cities, which unites cities described in this paper, was also not present.¹⁴

In addition to extraordinary bilateral activities on the part of cities¹⁵ at the Brussels level, certain “soft activities” may be identified in the cities being researched whose inclusion in the MLG discourse is exceptionally problematic. In particular, these include city participation in conferences on aspects of regional policy which are also usually attended by Commission representatives, who frequently organize these events. Although cities may make use of these purely informational Commission events to express their viewpoints, the value of conferences should not be overestimated; they are still primarily informational meetings, not suited for the promotion of interests due to the character of the event and the heterogeneity of the audience (Havlík 2013: 128).¹⁶

To summarize, the majority of the cities researched rely entirely upon the functionality of multilateral paradiplomatic¹⁷ tools (cf. Drulák et al. 2004: 12–13), i.e., they allow themselves to be represented by institutions which aggregate city interests. Only very sporadically are bilateral paradiplomatic tools encountered, including the direct presentation of city positions and self-representation by cities at meetings with representatives of the European Commission or the European Parliament (see Brno, Ostrava, Regensburg, etc.).

Table 2: Use made of domestic and Brussels access points by the cities being researched

		Articulation of interests on the domestic level		Direct lobbying in Brussels
Cities		Association of Cities and Municipalities	Pertinent ministry	EC, EP, Committee of the Regions, permanent representations, Eurocities
Czech cities	Brno	Functional contacts	Frequent contact, membership in a working group for structural policy	Eurocities
	Liberec	Functional contacts	–	–
	Olomouc	Functional contacts	–	–
	Ostrava	Functional contacts	Emphasis on direct connection to the ministry	Associated member of Eurocities, ad hoc direct contact to EC
German cities	Braunschweig	Functional contacts	Sporadic contacts	–
	Cottbus	Functional contacts	Sporadic contacts	–
	Darmstadt	Direct face-to-face contacts are almost nonexistent, only electronic contacts.	Sporadic contacts	–
	Freiburg	Almost nonexistent or sporadic contacts	Almost nonexistent contacts	–
	Göttingen	Functional contacts	Sporadic contacts	–
	Chemnitz	Functional contacts	Almost nonexistent contacts (collaboration with the ministry is criticized)	Eurocities, European Office of Saxon Villages
	Iserlohn	Almost nonexistent or sporadic contacts	Sporadic contacts	–
	Koblenz	Functional contacts	Almost nonexistent contacts	Committee of the Regions, MEPs
	Regensburg	Functional contacts	Emphasis on direct connections to the ministries in the federated states	EC, EP, European Office of Bavarian Local Authorities in Brussels
Trier	Functional contacts	Personal (family) ties to authorities in the federated states	Direct contact to the EU via the Quattropole project	

Source: Author, based upon interviews conducted.

4. Limits on the Research and Generalization of the Data Gathered – Other Question Marks Concerning City Actorship?

The paper has focused exclusively on Czech and German cities for the reasons indicated above. The outcome of this work is therefore dependent to a certain extent upon a dataset which originally served another research project. This is why the paper carries the subheading “Notes on Research into the Local Sphere”. The term “notes” is to illustrate the dependency upon this research, dated 2011–2013, whose objectives differed from those of this article and provided very interesting data as a coincidental offshoot. At this point, it should be openly acknowledged that, if this research had been entirely original, it would have included cities from several countries or the interviews would have been conducted in a different manner. That said, it may be assumed that the data and its analysis offer an interesting window onto an issue which has so far received only scant attention. This “new” perspective may inspire discussion on the rate of participation by individual levels in European governance which give this text purpose.

The city sample size is limiting, too, particularly given the research focus. If we explore the fact that cities engage in a dissimilar range of activities which thus cannot be used as a basis for generalization, we always run the risk of choosing too small a sample of cities. If a sample five times the size of the existing sample was used, city “clusters” or “groups” might have crystallized of cities which do some things similarly. A larger sample might reveal the cause of such phenomena. This is a highly unlikely scenario but it needs to be noted.

In this text, the question as to whether the results obtained here may be generalized is more interesting than it might otherwise be. City actorship in individual countries may be hypothetically impacted by other intervening variables whose impact cannot be assessed in this text. It is, for example, theoretically possible that for some EU country which was not included in this research, the association of cities and municipalities mobilizes at a level which motivates its member cities to engage in similar actions and not pass the association by. At the same time, it is possible that cities located in undeveloped countries with an extraordinarily lacking infrastructure would be significantly more active than cities in developed countries, simply because they need the EU. Although based upon the example gained by researching Czech and German cities such a variant seems unlikely (some Czech regions are rather underdeveloped in the European context), it cannot be excluded. For this reason, the conclusions of this research are presented not as a firm statement but with reservations, as “notes” for further research – as the title of the paper indicates.

5. Conclusion

If the share of Czech and German cities in MLG is to be assessed based upon the indicators stated in the introductory section, the result is rather ambiguous. Higher levels of governance (regions, states, EU) make an unquestionable effort to include cities in policymaking. Their efforts, however, are to a great extent determined by duty, since regional policy rules dictate that the partnership principle must be implemented and cities are partners.

A much more ambiguous situation exists in terms of the effort made by cities to articulate their interests in areas of policymaking, as well as their efforts to do so ideally in individual phases of the political cycle. On the national level, cities join in associations of cities and municipalities and most cities have functional communication with the pertinent association. By contrast, differences were identified in the communication of individual cities with pertinent ministries. Here, cities divide into two theoretical camps – a) proactive, those that will make contact even at the ministry level on an ad hoc basis to communicate their insights on proposed legislation and b) those that leave all communication with the ministry up to the association of cities and unions and are not interested in the concrete formulation of interests. This dichotomy of proactive versus passive is more clearly visible as regards the articulation of interests in Brussels. Only very few of the large cities researched took part in bilateral contacts with European institution officials. Most of these cities are not interested in such activity and, once again, leave the entire agenda up to the association of cities and municipalities. It is also true that examples of active and passive cities were present in both the Czech Republic and Germany. It is thus impossible to emphasize the cities of one country over those of the other.

Further, cities have the opportunity to take part in the evaluation of regional policy because, under the partnership rules, they are invited to be part of monitoring committees for operational programs. In both the Czech Republic and Germany it was evident that cities hold similar positions on the committees in question to those held by economic and social actors (both in terms of their number and competencies) and definitely cannot be regarded as privileged actors in the system.

On a minimal level cities thus take part in all phases of the political cycle, starting with the publication of the initial public consultation by the European Commission (initiation phase), to participation in the consultation and associated hearings, the implementation of the general strategic principles of the Union in member states, right up to involvement in evaluation, by taking part in monitoring committees for operational programs. In all these phases, however, associations of cities and municipalities are represented whose member base is usually very heterogeneous (ranging from small municipalities to large cities). This state of affairs, however, must be further interpreted. The cities researched communicate with the associations of cities with a varied degree of willingness and readiness. The opinion presented by associations may thus be rather intuitive and, in spite of the assurances given by some passive cities that they entirely trust the associations, this attitude is open to doubt.

In conclusion it may be stated that cities are MLG actors, but atypical actors to a pronounced extent. They are invited to regional policymaking sessions as representatives of the local sphere, but their position in the process is strongly determined by the relatively low number of representatives in key governance platforms (monitoring committees, ministry working groups, etc.). Activities they undertake on an ad hoc basis are difficult to generalize and thus no clear boundary exists between the Czech and German model for promoting common interests. The classic behaviour of cities usually entails passivity. However, proactive cities exist which strike out on their own and try to negotiate support for advantageous projects or specific difficulties in the implementation process. It is thus understandable that many authors leave cities out of the MLG concept (as indicated above) and do not include them as an independent (local) governance level.

The limits of the research carried out (see Section 4) clearly point to where further work may be focused. That is primarily on answering the question of WHETHER city passivity as described may be generalized to other countries in Europe and WHY this phenomenon occurs, i.e., whether (AND WHAT SORT OF) objective obstacles exist that prevent cities from taking an active role in the governance process.

Notes:

1. This chapter has been written as part of the research project “Europe 2020: A Horizon of Change of Relevant Actors of the Czech Republic’s Political System” (Czech Science Foundation project GA13-24657S).
2. This paper, particularly in terms of its introductory definitions (methodology, data collection, etc.), is based in part upon the author’s dissertation, published in 2013.
3. For the dichotomy of established vs. new member states see, e.g., Grabbe 2006, Kubicek 2002 and Vachudová 2005; for lobbying by cities, see, e.g., Kern 2007: 9–10, Heinelt and Niederhafner 2008, Havlík 2009 and Havlík and Pitrová 2012; for the tri-level concept of federalism including smaller municipalities as well, see, e.g., Naßmacher and Naßmacher 2007: 23; etc.
4. They were conducted in keeping with Drulák’s procedure. The basic set of preformulated questions made use of a questionnaire designed for use in research between cities. In use, however, a number of other questions arose which did not deviate from the area under study. The interviews took place during the respondents’ working hours and were recorded using a dictaphone. The questions asked related to aspects of Europeanization in city government for the cities under study and efforts by the cities to impact European politics. All questions were recorded in an annex to the publication *Cities as Governance Partners (Města Jako Partner v Procesu Vládnutí, Havlík 2013)*.
5. Behnke, Baur and Behnke, referring to the geographic distribution of the German population in 2004, indicate that 16% of Germans reside in Northern Germany (Bremen, Hamburg, Lower Saxony and Schleswig-Holstein), 28% in the south of the country (Bavaria and Baden-Württemberg), 35% in the west (Hesse, North Rhine-Westphalia, Rhineland-Palatinate and Saarland) and 21% in the east (Berlin, Brandenburg, Mecklenburg-Western Pomerania, Saxony, Saxony-Anhalt and Thuringia).
6. This is one reason why membership in Committee of the Regions was not included as an indicator for city actorship within MLG.
7. As regards the political cycle, this primarily concerns the estimation and selection phase.
8. Transcription of the interview was made possible thanks to Kristina Špottová who allowed access to her archive.
9. Here it must be pointed out that the mission of these committees and their competencies are more or less identical in both the Czech Republic and in Germany.
10. In this context, it must be noted that the cities are aware of their inadequate representation within the partnership system. A position document by the German Association for Cities may serve as an example. Prior to 2014–2020, it requested that partnership in the programming planning phase be reinforced (cf. Kiepe 2010).
11. German cities have common representation in Brussels in several forms. This consists of representation in the German Association of Towns and Municipalities, German Association of Cities and German Association of Districts, jointly establishing a bureau which represents the interests of the majority of German municipalities, cities, and regions (in Germany, regions are understood to be part of the communal sphere). In addition, Bavaria, Baden-Württemberg and cities in Saxony decided to establish their own communal representation in Brussels (there are three such cities) operating side-by-side with the national level forms of representation noted above.

12. Although Eurocities members usually include cities with a population exceeding 250,000, including suburbs. Both German cities would fulfill the entry criteria without any difficulties.
13. Paradoxically, the cities involved are of lesser significance, neither meeting the criteria for cities included in this research.
14. However, the other two German communal organizations did take part. Also noteworthy is that neither in the Czech Republic or in Germany did larger cities attempt to send their positions. This is likely due to the fact that some of them are represented in Eurocities, which did send its position.
15. Bilateral activities consist of direct contacts between city representatives and officials or politicians in Brussels.
16. This type of contact was actively mentioned by several cities, namely Cottbus, Darmstadt, Liberec and Brno (see interviews with the corresponding city officials). These interviews, however, make clear that many cities (from both the Czech Republic and Germany) take part in conferences on the future of regional policy at which they can discuss their viewpoints. It may therefore be deduced that some cities make no mention of this type of activity because they take it for granted.
17. The paradiplomatic concept was intentionally not employed in this paper and is used here only instrumentally to provide a better description of city activities. The concept is understood as described by Drulák, Königová and Kratochvíl (2004).

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