

**Between EU Eligibility Requirements, Competitive Politics and National Traditions:  
Re-creating Regions in the Accession Countries of Central and Eastern Europe**

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Oktober 2001

This study was elaborated in the context of a project on Regional Autonomy, jointly realized by the Bertelsmann Foundation and the Bertelsmann Group on Policy Research at the Center for Applied Policy Research.  
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## **Abstract**

Many Central and East European countries (CEEC) are currently re-building their regional levels of public administration. These reforms occur in the context of the preparation for the accession to the European Union and aim at creating administrative capacities for the implementation of EU legislation. In particular, CEE governments intend to enable regional administrative bodies to participate in the management of the EU structural funds which are envisaged to become the main instrument of EU economic assistance after an applicant country has joined the EU.

Contrary to the current EU member states which became part of the EU system and its cohesion policy with more consolidated national administrative traditions, the CEEC are faced with the challenge of reconstructing their regional levels after decades of state socialist centralism and politicized bureaucracy, and as a "missing link" between central and local governments that were transformed at the outset of the democratic transition. While their situation appears to be constitutionally more "open", the interests and capabilities of the EU to provide policy guidance are greater than in the cases of its incumbent member states or previous enlargements.

The paper seeks to assess how and to what extent the pre-accession regime of the EU, the interests of competing domestic political actors and the national administrative traditions have shaped the new regional-level administrations in the accession countries. While the empirical focus of the paper is on Bulgaria, the Czech Republic, Hungary, Poland and Slovakia, general conclusions will be drawn with respect to the Europeanization debate.

## Introduction<sup>1</sup>

Many Central and East European countries (CEEC) are currently re-building their regional levels of public administration. These reforms occur in the context of the preparation for the accession to the European Union and aim at creating the administrative capacities for the implementation of EU legislation. In particular, CEE governments intend to enable regional administrative bodies to participate in the management of the EU structural funds which are envisaged to become the main instrument of EU economic assistance after an applicant country has joined the EU. In this perspective, the re-arrangement of the regional level constitutes a crucial part of the Europeanization process governments and public administrations of the CEE countries are currently undergoing. At the same time, they are caused by the need to establish a modern intermediate level of administration that links local self-government and central government levels which both have been democratised during the political transition in the early nineties and have hitherto been subject to administrative reform.

This paper seeks to contribute to the Europeanization debate by focussing on the impact of the EU accession constellation on regional-level administrative reforms in Central and East European accession countries. It analyzes the motives and outcomes of regional- or meso-level administrative reforms in six accession countries - Bulgaria, Czech Republic, Estonia, Hungary, Poland and Slovakia – in greater detail and tries to identify the role of the EU and its pre-accession policy in generating these outcomes. The analysis does not cover all ten CEECs mainly due to the lack of sufficiently detailed empirical knowledge, but occasional references to other CEEC are made. The aim is to assess whether and to what extent EU-guidance or the interplay of domestic legacies, actor constellations and policy approaches shaped the configuration of the new regional administrative bodies.

The paper starts with an overview on the debates on Europeanization and the regionalisation trends induced by European integration. The second section maps differences and similarities among the institutional arrangements the six CEEC have established as their regions. The third section develops an explanatory framework that explores the influence of policy objectives, conditions and expectations communicated by the EU, national institutional legacies, competing objectives of major political actors and the salience of historic and ethnic regionalism in shaping regional-level reforms.

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<sup>1</sup> This paper is a revised version of an introduction to a comparative study that originated in the framework of a project on the integration of Central and East European countries into the European Union, jointly managed by the Bertelsmann Science Foundation and the Centre for Applied Policy Research. The revision profited significantly from the instructive debate and cooperation in a project on “Executive Capacity in Central and Eastern Europe. Conditions, Configurations, Consequences”, financed by the Volkswagen Foundation and jointly managed by the Humboldt University of Berlin and the London School of Economics and Political Science. The author would like to express his particular thanks to Vesselin Dimitrov, Claus Giering, Claus Goetz, Wim van Meurs, Hellmut Wollmann and Radoslav Zubek for their valuable comments and information.

## **1. Implications of the Europeanization debate**

With respect to Western European countries, numerous studies have analyzed how the emerging European level of governance shifts the attention and participation of national political actors towards the EU arena and how the transfer of powers to the European level restricts policy choices or reinforces certain political-institutional developments (Hix and Goetz 2000; Mény, Muller, and Quermonne 1996). Two subfields of this Europeanization debate are particularly relevant for the aim of this paper. The first refers to the change of national polities and administrations under the influence of EU policy process. Some authors have contended that the constitutional and institutional arrangements of member states are - albeit slowly and partially - converging towards one common model since in response to similar challenges faced in the EU policy-process member states have to implement reforms and adaptations leading into a similar direction. Such a convergence could be observed with respect to common trends towards regionalization, flexibility, strong sectorization, high administrative coordination and a reduction of parliamentary influence (Rometsch and Wessels 1996, 36, 329, 345).

In a certain contrast with the convergency thesis, other studies have emphasized the persisting relevance of national constitutional traditions and structure (Schwarze 2000, 544). It has been shown that the national implementation of EU legislation depends on the level of adaptation pressure perceived in the member states. Adaptation pressure increases if EU regulations affect national institutional arrangements that are deeply embedded in the national administrative traditions (Knill 1998). The impact of the EU on national administrations is only one among several other driving forces of institutional change that tend to be underestimated by Europeanization studies (Goetz 2000). In their study on the Europeanization of small states, Hanf and Soetendorp conclude that the governments of these states have adapted to European integration by changing their administrative structures in an incremental and adhoc way, building upon pre-existing domestic traditions and arrangements (Hanf and Soetendorp 1998).

This debate raises the question whether administrative structures of the applicant countries converge with best or shared practice in the EU or whether and how EU influences are moderated by national institutional arrangements and traditions. It is easy to develop a strong argument for institutional convergence in the accession process: (1) Since the democratic transitions the post-communist countries have undergone what may be termed as an imitative transformation, copying successful institutions from existing Western models. (2) The simultaneity of transformation, coping with EU requirements and an accelerated diffusion of innovations through international agencies and regimes exerts a particularly high adaptation pressure on applicant countries, leaving them little time to try and refine endogenous institutions. (3) Since the applicant countries are more interested in joining the EU than vice versa, the EU has a particularly strong bargaining position in the accession process, being able to shape the procedures and norms of this process unilaterally (Grabbe 1999). Accession preparation implies

adopting the complete body of EU norms which represents a “mandatory adaptation” without the possibility to influence the rules the accession country has to adapt to (Grabbe 1999; Lippert and Becker 1998, 59).

The Copenhagen European Council of 1993 has introduced additional broad political and economic criteria for EU membership that reach beyond a mere transposition of norms and endow the EU with a encompassing mandate to monitor, control and guide policy-making in the accession countries. The Accession Partnerships adopted by the EU establish priorities for the accession preparation that transcend the obligations deriving from the *acquis communautaire* and that envisage sanctions in case of non-compliance (Grabbe 1999). Thus the Europeanization pressure faced by the accession countries appears even stronger than in the case of the EU member states. Accordingly, there seem to be stronger incentives and pressures for institutional convergence. In one of the few studies on the impact exerted by the EU accession on national polities and administrations of accession countries, Lippert has argued that the relations between the applicant countries and the EU are dominated by the concept of convergence on the path of integration (1998, 58-59). A study on the adaptation of governments in the Visegrád countries to the EU observed that the decision-making and implementation mechanism of the Phare programme generated converging institutional structures and triggered administrative streamlining of the centres of government (Rupp 1999).

A second debate refers to the growing political salience of regions induced and encouraged by European integration. The most important policy framework has been the EU cohesion policy with its notion of a partnership between national, regional and local government (Hooghe 1996). The European Commission has involved the regions of EU member states into policy deliberation and formulation in order to gain their support for its policies. Several scholars have argued that the EU changes the intra-state relationship between central government and regions by mobilizing regions and enabling them to use the EU as a source of political and economic support (Bullmann 1994; Jones and Keating 1995; Marks et al. 1996). More recent studies have shown that the regional mobilization effect induced by the EU is differentiated, depending on the power resources of regions in the different national contexts of federal/ regionalized or unitarian member states (Benz and Eberlein 1999; Börzel 1999, 593; Jeffery 1997), or on the existence of regional policy communities advocating an entrepreneurial approach of regional development (Kohler-Koch 1998; Smyrl 1997).

The EU, and in particular the EU Commission have been described as self-interested in promoting a “Europe of the Regions” (Hooghe 1996; Tömmel 1998). Since the regional levels of government in EU member strongly vary in their legal status, set of administrative functions and political weight, and since member states have been considering their regional-level institutions as integral elements of their national constitutional order, there is no consensual and codified “*acquis*” of common rules with respect to regional government. Lacking harmonized,

formal rules, the European Commission has triggered increased policy-making activities of the regions by indirect and underformalized methods (Tömmel 1997).

This debate suggests that the accession process is likely to cause a growing political role of regions in the CEEC, if one takes into account the strong power position of the EU in the accession constellation, enabling it to promote a model of multi-level governance more forcefully. The moderating and differentiating effects of national constitutional orders and the distribution of powers they have established between levels of government may be less salient, since the constitutional status of regions in accession countries is less settled than in the consolidated EU member states. While it is probably too early to judge whether there is a (re-) emergence of regions as political actors in the accession countries due to EU influences, one may try to assess the extent to which EU policies and concepts have shaped the outcomes of regional-level reforms in Central and Eastern Europe.

Contrary to the situation in the EU member states, these reforms represent, in a way, unfinished tasks of the political transformation. Regional administrative bodies constitute "missing links" in the entire structure of public administration which have not been touched by the public sector reforms implemented since 1990. After the political transition, the newly established democratic governments and parliaments focused on the establishment of local self-governments and local political elites with democratic legitimacy (Baldersheim and al. 1996; Wollmann 1997). This led to accountable and relatively autonomous local self-governments which were, however, often not appropriately embedded into the existing state administration at the local, regional and central level. The current reforms are undertaken to adjust and harmonise the existing state and self-governmental administrations.

One rationale for the delay is that administrative reforms aim at overcoming the authoritarian legacy of state administration which consisted of the strong influence of political criteria on decisions, the proficiency deficits of civil servants, the restricted professional autonomy of administrative bodies, the absence of detailed legal regulation guiding administrative action and the discretionary application of legal regulations (Hesse 1993; Organisation for Economic Cooperation and Development 1996). Struggling to improve professionalism and the rule of law, reformers initially perceived regional administrative bodies more as an obstacle to democratisation and a legacy of authoritarian rule than as an intermediary level facilitating local and regional self-government. This perception, the intrinsic complexity of administrative reform, and the crowded general political agenda explain why the CEEC postponed changes on the regional level until the end of the nineties.

This institution-building dimension of the reforms will be illustrated in the following section that points out cross-national differences and similarities, referring to the changes in Bulgaria, the Czech Republic, Estonia, Hungary, Poland and Slovakia.

## 2. Differences and similarities in meso-level reforms across accession countries

Public attention and political debate in the accession countries have mainly focused on the territorial changes linked to the new administrative bodies. In Poland and Slovakia, for example, the number and boundaries of regions have been highly controversial among politicians. While the territorial aspects of regional administration reforms have become the most visible issues, the core problems of the reforms are democratic accountability and effective governance.

Up to now, administrative reforms have progressed to a different extent in each country, leading to institutional arrangements which are still in a state of flux. An important condition and constraint of the reforms is that all accession countries define themselves as unitary states. Only the Czech Republic and Poland have a second parliamentary chamber representing regional interests.<sup>2</sup> As a by-product of the dissolution of the Czechoslovak Federation in 1992, the Czech Senate was established in order to ensure representation for deputies of the Federal Parliament (Ziemer 1996). The Polish Senate was created by the Round-Table Agreement of 1989. While half of the Sejm mandates were guaranteed for the Polish Communist Party, only the Senate had full democratic legitimacy during the first years of transition. The Polish Senate is composed of two or three deputies per voivodship which are elected according to party lists. Both the Czech and the Polish second chamber have not yet finally found their role within the emerging new administrative set-up. Their necessity is questioned, the public does not pay much attention to these institutions, and Senate elections in both countries usually have very low turnouts.

Bulgaria and Estonia are the only countries which have not established legal prerequisites for *self-governments* at the regional level. Counties are an integral part of the state administration in both countries, although county assemblies in Estonia facilitate a participation of the delegates of local self-governments at the regional level. In the other four countries studied here, county institutions are considered as self-governments and as institutionally independent bodies of public law, performing self-governmental as well as state administrative tasks. This dual function is expressed by the dual institutional structure of the county level, consisting of a state representative and of a self-governing organ.

County self-governments are already working in Hungary, Poland and the Czech Republic, while Slovakia's Parliament has adopted the legal provisions on county self-governments in July 2001. Hungarian county assemblies already have a certain tradition, since they were elected directly by citizens in 1994 and for a second term in 1998. In contrast, the first direct

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<sup>2</sup> Apart from the Czech Republic and Poland, Romania and Slovenia are the only states in Central and Eastern Europe which have second chambers in their parliaments. While the Romanian Senate represents the regions, the Slovenian Senate is an institution of functional interest representation with representatives from employees' and employers' associations and other organisations of civil society (Ziemer 1996).



elections to Polish voivodship assemblies took place in October 1998 and the first direct elections to the assemblies of the Czech kraje were held in November 2000.

One should take into account that the size of the regional administrative bodies in the six countries studied here varies considerably. The newly established Polish voivodships are by far the biggest units with an average population of 2,416,000 inhabitants and an average territory of 19544 km<sup>2</sup>. This may explain why Poland has decided to introduce a subregional level of directly elected district self-governments, too. Hungarian and the new Slovak and Czech counties range between 537,000 and 737,000 inhabitants, Bulgarian counties are approximately half as big, and counties in Estonia have roughly the same size as districts in Poland (103,000 inhabitants). Bulgaria, the Czech Republic and Slovakia increased the number of regional administrative units from 9 to 28 (January 1999), 8 to 14 (October 1997) and 4 to 8 (July 1996). The Slovak government plans to change this division and establish 12 self-administered regions.<sup>3</sup> Estonia and Hungary have up to now maintained their inherited administrative-territorial division of 15 (19) counties. In Hungary the first democratically elected government tried to introduce Commissioners of the Republic as regional representatives of government which implied a certain revision of the county structure since the commissioners' territorial responsibility was divided into eight regions. Poland reduced the number of voivodships from 49 to 16 in June 1998, but this reduction was supplemented by the creation of a new tier of 308 self-governed districts.

Bulgaria, the Czech Republic, Hungary, Poland and Slovakia have meanwhile created statistical and planning regions that correspond the NUTS levels in the current EU member states.<sup>4</sup> This comparative classification is used to identify regions eligible for assistance from the Structural Funds. NUTS-2 regions are required for objective-1 assistance which is targeted at regions with an average per-capita GDP of less than 75 % of the EU average and amounts to two thirds of the total structural assistance. NUTS-3 regions are the basis for objective-2 support that is provided for regions facing socio-economic change.<sup>5</sup> NUTS-2 regions of EU member states have an average population of 1.8 million and an average territory of 15700 km<sup>2</sup>, and they participate in the structural policy of the EU. After accession most of the territory of the new member states will become eligible for objective-1 support which is allocated to programs based upon NUTS-2 regions.

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<sup>3</sup> Cf. the Government bill on the self-administration of higher territorial units from 12 April 2001, [www.government.gov.sk](http://www.government.gov.sk).

<sup>4</sup> The territories of EU member states are divided into five statistical units according to the so-called "Nomenclature des Unités Territoriales Statistiques" (NUTS). For example, the German Bundesländer belong to NUTS-1 and the Regierungsbezirke constitute NUTS-2. This classification is not stipulated in European Community law, but it is used in the regulation on the structural funds and by the Statistical Office of the European Communities (Eurostat).

<sup>5</sup> Cf. Article 3-4, Regulation (EEC) No. 1260/99 of 21 June 1999, L161/1.

The precise legal status of the newly established NUTS regions is still subject to discussion. Only Poland, the largest country of the six, was able to create regional self-governments, the 16 new voivodships, that match the NUTS-2 level in size. The new regional bodies established in Bulgaria, the Czech Republic, Slovakia and Hungary are much smaller and correspond to NUTS-3 or NUTS-4 only. The Czech Government has created eight NUTS-2 compatible "cohesion regions" with corresponding councils that consist of representatives elected from the county assemblies. The Bulgarian government in June 2000 adopted a decree to create six NUTS-2 compatible regions, each endowed with an inter-ministerial Commission for Economic and Social Cohesion that is to perform a consultative function. In addition, the Regional Development Law of March 1999 set up 28 oblast-level councils for regional development to assist governors. The oblast councils are chaired by governors, consist of mayors of the municipalities and of one member of each municipal council. Slovakia has envisaged four NUTS-2 compatible regions. Hungary established seven macroregions with regional development councils in October 1999 on the basis of preceding voluntary structures. These newly created NUTS-2 level bodies are envisaged to participate as "partnership" institutions in the management of the Structural Funds after accession.

Since specific and comparable data is missing and the scope of regional government has not yet been fully defined in most countries, the policy areas belonging to regional governments can not be compared here. Supervisory powers appear to be regulated very similarly in all six countries studied here. As a rule, local self-governments may deal with all local public affairs which are not explicitly assigned to the state administration or higher levels of self-government, based upon a law. Apart from this encompassing competence, local self-governments carry out tasks of state administration which are transferred to them (transferred competences).<sup>6</sup> Usually the representative of the state administration at the county level exercises (only) the legal supervision of county (in Poland also district) and local self-governments, and specialised audit offices ensure a financial control.

With respect to transferred competences, this supervision is extended to matters of factual correctness, professionalism and appropriateness and is exercised also by sectoral state administration or sectoral ministries. Those countries which have already established (and are establishing) regional self-governments, tried to refrain from subordinating local (and, in Poland, district) self-governments to the new regional self-governments. The general intention of the reformers was to avoid a re-centralisation of powers; rather, regional self-governments usually have received (and are to receive) competences of existing state administrative bodies.

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<sup>6</sup> This distinction is a simplifying generalisation of the distinctions between "independent" and "transferred" competences in the Czech Republic, "own" and "delegated" powers in Poland, "mandatory" and "voluntary" tasks in Hungary etc., each of which has a different status within the legal-administrative system of the respective country (Baldersheim 1996).

Deconcentrated sectoral state administration has been integrated into the general territorial state administration to a different extent in each country. According to the available information, the Polish voivodship reform has resulted in a high degree of organisational integration, whereas sectoral state administration has been most clearly separated from territorial state administration and local self-government in the Slovak and Czech Republics (Gadomska 1999; Koudelka 1995; Regulski 1999). Hungary and Estonia appear to have established more coordinating institutions between self-government, territorial and sectoral state administration compared with the other countries.

The district level of administration between the county and the local self-governments differs strongly across the countries studied here, resulting from the different state of progress, and the different national concepts, of administrative reform. On the one hand, Estonia and Hungary have no districts as a level of public administration; state administrative tasks are carried out either by local self-governments or by counties. On the other hand, Poland has just introduced self-governed districts (powiaty) with directly elected assemblies and heads of districts elected by the district assemblies. Bulgaria, the Czech and the Slovak Republic also have a district level of administration which involves local self-governments to a different extent, although belonging to state administration.

Since Czechoslovak reformers abolished the large regions created by the communist regime quickly after the political transition, leaving an institutional void at the regional level, district offices of territorial state administration and district-level bodies of deconcentrated sectoral state administration have kept and gained importance. In contrast to the Czech Republic, Slovakia possessed a sub-district level of state administration (obvod) until 1996, when it was re-integrated into the district administration. The Czech Republic in June 2000 decided to maintain the district-level offices of state administration whose functions are now confined to the supervision of local self-governments (with respect to transferred and own competencies). The Slovak government plans to relieve the district-level offices from most of their current functions and assign these functions either to local self-governments, to deconcentrated sectoral or to regional-level state administration. Both countries had some form of institutionalised local self-government representation in the state administration already before the legislation on self-governed counties was prepared. Until 1992, mayors in Slovakia elected the head of the subdistrict office, and in the Czech Republic district assemblies composed of delegates from local self-governments decided on budget transfers to municipalities.

Contrary to the regional level, local government reform was perceived as a priority of democratisation by the new political elites in Central and Eastern Europe (Baldersheim and al. 1996; Horváth 2000). Immediately after the political transition the newly elected parliaments and governments established statutes of local self-governments and held local elections. The Czech and Slovak Republics, Estonia and Hungary have since then experienced a fragmenta-

tion of local self-governments into smaller units. Small settlements chose to become independent as a reaction to the former state socialist policies aiming at the integration and centralisation of municipalities. These initiatives were supported by regulations of local self-government funding which provided incentives for municipalities to constitute themselves as independent units. Partly as a consequence of this independence movement, the newly established voluntary associations of municipalities became important intermediaries in Slovakia and Estonia.

Administrative decentralisation has not been paralleled by fiscal decentralization, as the table below indicates. According to the table, the share of subnational government in total public expenditure has risen only in Hungary and subnational government has increased its share of the total tax revenue only in Hungary and Lithuania. This corresponds to the assessment that Hungary has been a frontrunner in decentralisation (Baldersheim and al. 1996; Illner 1998). Compared to West European countries, expenditure levels range between that of Portugal and France (11.6 and 18.6 per cent of total public expenditure) on the one side, Sweden and Denmark (36.2 and 54.5 per cent) on the other.<sup>7</sup> The 1997 figures also do not reflect the recent recreation of regional bodies of state administration and self-government in Bulgaria, the Czech Republic and Poland.

### Fiscal decentralisation in EU accession countries

	in total public expenditure		in total tax revenue	
	1990	1997	1990	1997
<b>Bulgaria</b>	18.9	15.7	22.4	11.8
<b>Czech Republic</b>		21.3		12.3
<b>Estonia</b>	34.8	22.4	26.5	14.2
<b>Hungary</b>	20.6	23.7	7.6	8.9
<b>Latvia</b>		25.8		15.8
<b>Lithuania</b>	30.4	22.6	14.4	16.2
<b>Poland</b>		22.0	21.3	9.6
<b>Romania</b>	15.4	13.3	12.8	9.2

Source: Worldbank (1999): World Development Report 1999/2000, 216-217. No figures were available for Slovakia and Slovenia.

<sup>7</sup> However, the data have to be interpreted carefully since neither the World Development Report nor the IMF Government Finance Statistics which was used as a basis by the Worldbank define exactly what comprises subnational government in the respective countries. For example, the share of Estonian subnational government in public expenditure has decreased probably due to the fact that county government budgets were considered as subnational government only until 1993 (Kungla 1999).

The politics of local and regional self-governments reflect a certain North-South difference which may also be found in Western Europe (Baldersheim and al. 1996, 40-41; Bullmann, Goldsmith, and Page 1997; Page 1991) (Horváth 2000). While mayors in Bulgaria, Slovakia and Hungary are elected directly by the local communities, in the Czech Republic, Poland and the Baltic countries mayors are elected by local councils and share more powers with executive boards. The statutes of the Czech and Slovak regions reflect this difference: The Czech law defines an executive board (rada) of the kraj assembly and the indirect election of the chairman of the executive board by the assembly. The constitutional amendment adopted by Slovakia envisages the direct election of the assembly chairman by the citizens.<sup>8</sup> The fact that mayors have a stronger political position in Southern countries of Central and Eastern Europe indicates that these countries seem to exhibit traits of a "broker" model of local self-government with strong elements of partisan politics and local lobbying at the central level. A broker model requires a strong political position of mayors, enabling them to control their constituencies and to bargain with state authorities. In contrast, the Baltic countries and the Czech Republic seem to lean towards a "service" model with its emphasis on legal governance, functional differentiation and consensual politics.<sup>9</sup>

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<sup>8</sup> Constitutional Law of 23 February 2001, amending Art.69(6) of Slovakia's Constitution.

<sup>9</sup> Albeit mayors in Poland are elected by local councils, its political culture of strong civic engagement and the generally high political status of local government issues do not correspond to a "service model".

	<b>Bulgaria</b>	<b>Czech Republic</b>	<b>Estonia</b>	<b>Hungary</b>	<b>Poland</b>	<b>Slovak Republic</b>
<b>second chamber of Parliament</b>	-	Senate (81 seats, directly elected); participation of Senate deputies in county self-governments discussed	-	-	Senate (100 seats, directly elected in voivodships according to party lists)	second chamber as a representation of county self-governments discussed
<b>county level</b>	28 counties since 1/1999, (av. 317000 inh., 3964 km <sup>2</sup> ); bodies of state administration; county governor appointed by government;	14 counties (av. 737000 inh., 5633 km <sup>2</sup> ), independent bodies of public law, assembly directly elected by citizens for four years, since 2000; may submit bills to Parliament	15 counties (av. 103000 inh., 3015 km <sup>2</sup> ), bodies of state administration; county assembly of delegates of local self-governments; county governor appointed by government; self-governmental functions of counties transferred to local self-gov. in 1990-92	19 counties (av. 537000 inh., 4895 km <sup>2</sup> ), independent bodies of public law; assembly directly elected by citizens for four years, since 1994 (1. 12/94, 2. 11/98), assembly elects president; county public administrative office since 1994, heads app. by gov.	16 voivodships (av. 2.416 m inh., 19544 km <sup>2</sup> ), independent bodies of public law, assembly directly elected by citizens, since 1999 (1. 10/98); voivod appointed by government	8 counties (av. 672000 inh., 6129 km <sup>2</sup> ), independent bodies of public law, assembly and head of county directly elected by citizens, since 1996, county office of state administration
<b>district-level</b>	279 districts; district governor appointed by county governor, district assembly composed of delegates of local self-governments	77 districts; head of district office appointed by government; district assembly of delegates of local self-governments	no district administration, state administrative tasks performed by local self-governments, their voluntary associations and counties	no districts as bodies of public administration, state administrative tasks performed by local self-governments and counties	372 districts; district assembly elected directly; state-administrative districts (rejon) 1990-1998	79 districts, no institutional participation of local self-governments; 121 sub-districts (obvod) dissolved in 1996; head of sub-district office elected by mayors until 1992
<b>deconcentrated state administration</b>	most sectoral administration separate from county administration	influential sectoral state administration, separate from self-governments	most sectoral administration integrated into county administration	most sectoral administration separated from county administration	since 1999 most sectoral administration integrated into county administration	influential sectoral state administration, separate from self-governments
<b>local self-governments</b>	4032; mayors elected directly, 4-year term	6242; mayors elected by council, 4-year term	247; mayors elected by council, 3-year term; strong autonomy; strong role of municipalities' associations	3071; mayors elected directly in small municipalities (<10000), by council in larger municipalities; 4-year term; strong legal and financial autonomy	2459; mayors appointed by council, 4-year term	ca. 3335; mayors elected directly, 4-year term; strong role of municipalities' associations
<b>NUTS-2 regions</b>	6 statistical regions since 6/2000	8 statistical regions since 12/1998, corresponding regional councils of delegates from county self-gov.	entire territory envisaged as NUTS-2 region	7 statistical regions since 10/1999, corresponding regional development councils	16 voivodships qualify as NUTS-2 regions	4 statistical regions envisaged

### 3. Explanatory variables

The overview of the preceding section has shown that administrative reforms in the Central and East European countries display similarities in their general orientation but differ across countries according to preconditions, the scope of reform measures, their sequencing and outcomes. This section tries to go beyond this general observation and considers which constellation of explanatory variables may account for particular similarities and differences of policy outcomes in the countries studied here.

Apart from the EU influence, one may distinguish three main variables: Historical legacies which provide institutional constraints for the protagonists of administrative reform and influence their choices; policy approaches, i.e. sets of beliefs and ideas guiding parties, politicians and experts; and the role of historical/ethnic regionalism for the political context and the outcomes of reforms.<sup>10</sup> Such a comparison has to cope with the methodological problem of "overdetermination" (Crawford and Lijphart 1995), i.e. the difficulty of isolating "decisive" causes among various independent variables with similar effects on several dependent variables. Therefore the aim of the following section is more modest: namely to explore the explanatory value of different factors and relate them to each other.

#### *a) Policy concepts and preferences of the European Union*

This section describes the policy of the EU Council and the Commission with respect to regional administrative bodies in the accession countries. Other EU institutions have not played a comparable political role in the pre-accession constellation, and the Council of Europe is also neglected in this context although it has acquired a strong profile with respect to administrative reforms in the CEEC. The Council of Europe has developed normative standards of local and regional self-government with its Charta on Local Self-Government (1991) and its Draft Charta on Regional Self-Government (1997), and it has formulated political-professional assessments of the reforms (Borissova 1999; Niznansky 1999).

In contrast, regions of the accession countries were neglected by the EU institutions until 1997. The Commission's White Paper of 1995, for example, only pointed to the general necessity of administrative capacity-building but did not refer to the restructuring of administra-

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<sup>10</sup> In his account of the territorial dimension of public administration reform in East Central Europe, Illner distinguishes four "contextual factors" which have influenced reform outcomes (1998): pre-communist and communist legacies, the political context of the reforms, the expectations toward decentralisation and geographic/demographic factors. Hesse identifies six explanatory concepts for public sector reform outcomes (1997): stages of development like transformation, modernisation etc., cultural traditions, institutional variables, the given resource base, the degree of reform professionalisation, and policy entrepreneurship or political will. The explanatory variables discussed here resemble these factors to some extent but the article tries to spell out more detailed cause-effect relations.

tion at the regional level. In March 1997 a Commission expert still suggested to eschew an overtaxing of regional administrations by restricting the participation of prospective new member states to the Cohesion Fund which is administered only by the national governments (Hallet 1997, 27, 29). This reluctance was grounded in developmental economics: If (since) reducing the huge welfare gap between EU member states and the accession countries is considered a priority, the catch-up process of the CEEC would be more accelerated by the removal of bottlenecks in the growth poles of a country. Backward areas could then profit from spill-over effects of rapid development in growth areas. In contrast, assisting backward regions would imply a redistribution of resources from prosperous regions and thus impede their development, slowing down the national economy's growth (Hallet 1997, 25).

However, following this suggestion and excluding new member states from the structural funds would have implied negotiating a temporary exemption with the accession countries or re-negotiating the general framework of structural policy. The Agenda 2000 did not opt for such an approach but reinforced the principle according to which accession candidates were to adopt the entire *acquis communautaire* at the moment of their accession, including all rights and obligations.<sup>11</sup> The Commission responded to the economic criticism in so far as the Second Cohesion Report in February 2001 suggested to divide the cohesion policy resources for new member states on the basis of a 1:2 relation between the Cohesion Fund and the Structural Funds (the current size relation of the funds is approximately 1:10).<sup>12</sup>

The principle of adopting the entire *acquis* upon accession implied that accession countries needed to improve their administrative capacities at the regional level in order to manage structural funds (Brusis 2001). Thus the EU directed an increasing part of the Phare resources to prepare the countries for this task in the framework of pre-accession assistance. In addition, technical assistance was provided in the framework of the twinning programme. Regional development institutions and administrative capacity-building became a priority in the first Accession Partnerships adopted in March 1998. Bulgaria, the Czech Republic, Estonia and Slovakia were explicitly asked to establish the administrative structures and budgetary procedures of a regional policy that would allow them to participate in EU structural policy after accession. In its updated Accession Partnerships from December 1999, the Council put less emphasis on regional development institutions, partly because several accession countries had made considerable progress in this field, partly because it was realised that general public administration had to be strengthened prior to enhancing the role of regional bodies. The EU called upon Slovakia and the Czech Republic to adopt and implement public administration reform pro-

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<sup>11</sup> Cf. European Commission. 1997.

<sup>12</sup> The Commission also tried to reconcile regional development and national catch-up objectives: "Where a whole country is eligible under Objective 1, however, the Structural Funds need to contribute to the development and structural adjustment of the whole national economy, though addressing at the same time regional disparities within the country." (European Commission 2001, 4)



grammes and Bulgaria should improve its institutions of financial control including regional control bodies.

While the Accession Partnerships constitute unilateral decisions of the Council the applicant countries are expected to reflect in their “National Programmes for the Adoption of the Acquis”, the annual regular reports of the Commission serve to evaluate the progress made by the applicants in implementing both documents. The Commission’s opinion on the membership applications from July 1997 (“avis”) and the regular reports from November 1998, October 1999 and November 2000 assessed the state of administrative reforms in each country and gave some policy advice, often veiled in an opaque and diplomatic language.<sup>13</sup> Over time, the reports have become more differentiated and have developed a code of graduated assessment and benchmarking. The Commission's remarks on regional administration indicate that its preference appears to be democratically elected regional self-governments which possess a substantial financial and legal autonomy (Fournier 1998, 115). This preference, however, is expressed only indirectly and implicitly. An advisor to the Commission described it as a “soft expectation”: “If you want to get advantage of the Structural Funds you should set up appropriate structures, but of course [a centralised model] would not be an obstacle for EU membership.”<sup>14</sup> The remainder of this section tries to trace this preference in those parts of the reports that refer to regional administrative bodies.

*General assessment of administrative capacity.* In its 1997 opinions on the membership applications of the accession countries, the Commission came to the overall assessment that Hungary, the Czech Republic, Estonia and Poland had sufficient administrative capacities to implement structural and cohesion policy in a mid-term perspective, while in Bulgaria and Slovakia significant reforms were necessary. The progress report of November 1998 maintained this assessment for Bulgaria but gave a more differentiated assessment of Slovakia. According to the Commission's new evaluation, Estonia and Hungary had achieved limited progress and needed more efforts for integration into structural policy. Despite significant progress in the Czech Republic and Poland there were still problems ahead. The 1999 progress report noted the progress made by all countries except Slovakia, the positive advancements of Hungary, but at the same time stressed the remaining difficulties in all countries. The latest progress report from November 2000 put the Czech Republic, Hungary, Poland on the first place with “significant progress”, followed by Estonia (“some progress (...) but a number of difficulties remain”) and then Bulgaria and Slovakia (“substantial problems remain”).

*Financial autonomy of local and regional authorities.* While the Commission takes the view that local self governments require sufficient financial resources make use of their autonomy,

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<sup>13</sup> Cf. European Commission 1997; 1998; 1999; 2000. The following references only specify the year of the respective report.

<sup>14</sup> Interview with experts from the delegation of the EU Commission to Hungary, 13 February 2001.

it does not formulate a specific expectation with respect to the extent of fiscal autonomy. Czech local self-governments would still face difficulties in using their autonomy since two-thirds of their budget depended on state subsidies (1997). “(...) important decisions remain to be taken regarding the financing and staffing of the decentralisation process” (2000). In Hungary the state budget also provided most of the resources of local self-governments (1997). No adequate financial resources were provided to the newly established regional development councils on the level of the seven NUTS-2 regions (1999). The reduction of the local government share in the personal income tax revenues (from 13.5 to 5 %) proved that “the gap between the political autonomy granted to the local governments and their financial autonomy increased further.” The autonomy of Polish local and regional governments was still restricted and should be expanded, particularly in its financial aspects (1997).

*Legal autonomy of local and regional authorities.* The Commission has been very cautious and has exercised restraint in openly stating its preferences with respect to the legal status of local and regional government, often conveying preferences through factual statements only. It noted, for example, that local self-governments were to a large degree autonomous in Estonia and Hungary (1997). The higher units of territorial self-government envisaged by the Czech constitution were lacking (1997). The Czech Republic and Slovakia had signed but not yet ratified the European Charter for Local Self-government (1998 and 1999).

The opinion on Bulgaria expressed the expectation that the envisaged Bulgarian counties (established in January 1999) "might be granted" the right of self-government (1997). With respect to Slovakia, the Commission criticised that the newly established Slovak counties and districts received competences at the expense of local self-governments (1997). This criticism, however, was placed in the context of an opinion that expressed Slovakia's failure to establish democratic stability, i.e. to meet the political criterium of Copenhagen. After the change of government in Slovakia, the Commission recommended to develop decentralisation and public administration reform (1999). The government should pay attention to “partnership with regional and local partners” (2000).

Having noted the lack of regional administrative bodies required by the Czech Constitution, the Commission two years later observed that “Some progress has been made concerning the establishment of regional administrations.” (1999). Yet, the role of the newly elected regional councils needs to be clarified and employment conditions, tasks, remuneration and recruitment of public servants should be homogenised across regions (2000). The 1999 report on Hungary criticized that only five of seven Regional Development Councils had been established so far and that the Councils at regional and County level were not yet fully operational. The 2000 report concluded: “The institutional set up for regional development is still very weak and there is lack of permanent staff in development councils. The target is to employ by the end of 1999 8-10 persons assisting the Regional Development Councils. This situation re-

sults in a rather limited administrative capacity.” The 1999 report on Poland praised the new territorial-administrative structure that “will provide significant opportunities for economic and democratic development at all levels of Polish society.”

*Relationship between state administration and self-government.* The Commission statements do not explicitly suggest a transfer of powers from state administration to local and regional self-governments, but often demand a “clarification” of the distribution of powers. For example, the 1997 opinion on Slovakia called upon the government to clarify the division of powers between deconcentrated state administration and self-governments. Estonia should clarify the allocation of responsibilities between the local, county and national levels (1999). In Poland, the division of responsibilities between the marshals, the chairmen of the voivodship assemblies (sejmik wojewódzki), and the voivodes, the representatives of the state administration, would need further clarification (2000). The 2000 report on the Czech Republic noted a progress in so far as the act on the regions extended delegation of state administration to kraj self-governments.

*Administrative-territorial division.* The Commission expects the accession countries to define regions corresponding to the NUTS classification but remains vague on whether this would require changes of the territorial-administrative structures, too. With respect to Poland, the Commission recommended that the division of the state territory needed to be improved in order to implement Structural Funds (1997). The 1998 progress report noted that Estonia had initiated a reform of its territorial organisation, Bulgaria planned to establish 28 counties, Poland decided to establish self-governed voivodships and districts, and the Czech Parliament decided to establish 14 regions. Since (although) these factual statements were not further qualified, one can assume that they expressed a cautiously positive acknowledgement of a progress and of its relevance.

The status of NUTS regions needs to be clarified, but no preference is expressed as to whether NUTS-2 or NUTS-3 should be the level of the political bodies representing a region (1999 regular reports on Bulgaria and the Czech Republic, 2000 report on Hungary). The 2000 report on Hungary appreciated that the importance of regions corresponding to NUTS-2 was increased by an amendment to the regional development law. The 2000 report on Bulgaria stated that Eurostat had accepted the NUTS-2 regions proposed by the government but voices the reservation of the Commission: “(...) this does not, however, prejudice in any way the subsequent decision concerning NUTS due to be taken at the time of accession.” The Commission also seems to support the re-integration of overly fragmented municipalities into larger units, for example Estonia’s plan to reduce the number of local self-governments to 100 and Hungary’s policy of forming micro-regions of small municipalities (2000).

Summarising the assessments and statements, one may conclude that the Commission has been very cautious in its advice and has avoided to urge for a comprehensive regionalization.

It has been more explicit (1) where the acquis provides a more specific mandate, such as in the case of financially independent local and regional authorities (2) where points of reference exist in international law (European Charter for Local Self-Government) or in national law (e.g. the Czech Constitution on higher territorial units) and (3) where a broad international common sense exists (eg. professional career-based civil service, separation of politics and administration). EU policy has largely remained in the realm of implicit suggestions, non-official statements and off-the-record advice as far as the need for regional *self*-government, the constitutional status of regional authorities and the administrative-political institutionalisation of NUTS-2 regions are concerned.

### ***b) Legacies***

Historical legacies constitute important framework conditions under which administrative decentralisation is being implemented. Comparative political research on administrative decentralisation in East-central Europe distinguishes between pre-socialist, socialist and transition legacies of state administration ( cf. on legacies in general: Crawford and Lijphart 1997; Illner 1998; Wollmann 1995; Wollmann 1997). An important *pre-socialist legacy* is the dualist model of public administration, dating back to the Reichsgemeindegesetz of the former Austro-Hungarian Monarchy (1862). According to this model which was applied in the Czech lands, Hungary and Galicia, powers of self-government and state administration were considered as of separate origin and were vested in separate tiers of state administration and self-‘administration’.<sup>15</sup> After 1989, the dualist model influenced the conceptual thinking on administrative reform in Czechoslovakia, Hungary and Poland since reforms of the regional level were framed as questions of how to balance elements of state administration and self-government (cf. eg. Samalík 1994). Lacking the legacy of dualism, the Estonian reform of administration has both entrusted local self-governments and their associations with a greater range of tasks, assigned county governments to the state administration and seems to rely more on consensual and informal mechanisms of co-ordination at the regional and central level. Regional administration in Bulgaria reflects the legacy of a prefectorial system influenced by Russian and French examples.

Apart from the mentioned authoritarian legacies of state socialist administration which posed challenges to the reformers, the territorial organisation of the states at the outset of transition represents an important *state socialist legacy*. In an attempt to modernise and centralise state

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<sup>15</sup> Note that the original dualist model of the Reichsgemeindegesetz was inspired by ideas of enlightened authoritarianism and subsidiarity: “The participation of citizens in state administration, corresponding to the participation in the legislation of the constitutional state, is not the principle dominating the self-administration of Austria. Rather, self-administration rests on the principle of a maximum separation of tasks and functions of state administration and self-administration.” (Mischler and Ulbrich 1905, 502).

administration, already the state socialist governments of Czechoslovakia, Hungary and Poland had embarked on reforms of the administrative division of their territories. Czechoslovakia reduced the number of districts and counties and centralised competences in 1960. With its reforms of 1975, the Polish government abolished district level bodies of administration and increased the number of voivodships from 17 to 49 (Taras 1993, 22-23). In 1984, Hungary also abolished its districts (*járások*) and shifted competences to the county level. A major aim of these measures was to re-divide administrative units in order to destroy traditional regional networks and loyalties (Illner 1998).

Due to the power-stabilising political intentions linked to the earlier state socialist reforms, the new democratically elected governments perceived regional level administrative bodies as relicts of authoritarian rule. As a consequence, Czechoslovak reformers in 1990 decided to dissolve the county level bodies in order to strengthen the autonomy of local self-governments. While this was facilitated by the persistence of an established district level state administration, Hungarian reformers who were faced with the same option of dissolving the county level administration could not presuppose a separate district level tier. The Polish government also refrained from dissolving the voivodship level but re-introduced a district level in 1990 (*rejon*) which corresponded to the old district units of the pre-1975 period.

A different legacy results from the fact that Czechoslovakia, Bulgaria and Estonia had orthodox state socialist systems until 1989 (1991), while the pre-transitional state socialist systems of Poland and Hungary are better described as liberalising authoritarian regimes. The latter two countries thus could draw from a longer conceptual debate on administrative decentralisation and local self-government. The Solidarnosc movement in Poland had traditionally emphasised local self-government as an important dimension of civil society and an instrument to build democracy (Benzler 1994). Accordingly, in 1991 the National Assembly of Self-governments proposed to dissolve the voivodships and transfer their powers to district and local self-governments.

Reform-socialist Hungarian incumbents and the country's mainly intellectual opposition circles had criticised the county's administrative tutelage over municipalities and agreed in the resolve to introduce strong democratic local self-governments (Pálné Kovács 1997a). This may explain why Hungary re-arranged its regional level institutions immediately after the political transition and set up elected regional self-governments already in 1994. Hungary was much faster than Poland in implementing reforms because the successive Polish governments during the first years after the transition lacked a stable parliamentary basis and were to a larger extent preoccupied with consolidating their power.

Another explanation for the differing progress of reforms refers to the *transition legacies* constituted by the different paths of transition (in general: Schmitter and Lynn 1991). Since the Polish transition was based upon a negotiated power sharing between Solidarnosc and the

state socialist regime, the Solidarnosc-led government had to confine itself to the re-establishment of local self-governments, refraining from a comprehensive reform of the voivodship level (Benzler 1994, 322-323; Illner 1998). In Hungary, the early split of the opposition movement in the course of the liberalisation and transition supported a policy characterised by compromise and incrementalism. As the newly elected conservative government and the liberal opposition parties had agreed to link the law on local self-government (and other important laws) to the support of a two-thirds majority in Parliament, a compromise between the opposition and the government was required. Expecting to win the municipal elections of 1990 and thus to gain control over the public administration, the governing coalition parties accepted to weaken the county level and to shift its supervisory function to newly created Commissioners of the Republic who were, however, restricted to a merely legal supervision of self-governments (Navracsics 1996, 286-287) (Fowler 2001).

The velvet revolution in Czechoslovakia provided the citizens' movement of 1989 with the power and legitimacy to quickly abolish the regional administrative level which was considered as one of the strongholds of the ancien regime (Illner 1998; Malíková and Miháliková 1995). A similarly strong political legitimacy was derived from the revolutionary path of transition in Estonia. The Estonian government thus was able to create strong local self-governments by reducing powers of the county level (Mäeltsemees 2000). Since Bulgaria experienced a delayed transition and the Bulgarian Socialist Party managed to win the first democratic parliamentary elections, the government could implement only gradual and reluctant reforms, leaving the county level by and large unchanged.

### *c) Policy approaches*

The presence of legacies in the new administrative structures does not rule out the impact of intentional political design, guided by the policy approaches of political actors and experts. Among these sets of ideas and beliefs which are shaping the political positions specific actors adopt on specific issues, three cleavages seem to be particularly relevant for administrative reforms in the CEEC: centralism vs. localism, dualism vs. monism and federalism vs. unitarism. The first cleavage refers to the division of power between central and local government. A centralist approach is in favour of maintaining and / or widening the central government's financial, legal and political control over local activities. A localist approach aims at increasing the autonomy of local bodies to regulate public affairs independent of the government. While centralism is usually based upon efficiency arguments, localism is often justified with democracy and accountability reasons. At the beginning of the transition the political actor coalitions advocating either centralism or localism in Central and Eastern Europe reflected the cleavage between post-socialist parties and parties emerging from the former dissident opposition milieu. Since then the composition of localist (centralist) policy coalitions has differed across

countries and does not correspond to the familiar labels of conservative, liberal and social democratic parties either.

The dominance of a *centralist or localist policy approach* is perhaps the most obvious rationale of reform outcomes. The delayed establishment of regional self-governments in the Czech Republic can be explained with the centralist policy of the government of Václav Klaus ruling the Czech Republic and dominating its political life until 1997. The Klaus government argued that economic reform should be treated as a priority and its implementation should thus not be impeded by administrative re-arrangements (Samalík 1994). Its reluctance to share powers with other actors and institutions was rooted in an economic interpretation of civil society which differed from Václav Havel's notion of civil society (Hrich and Larischová 1999). The Klaus government questioned the relevance of any intermediary political institution in the relationship between state and citizen, including institutionally independent counties (Illner 1997: 40). This principal position was supported by the argument that only municipalities were legitimate units of territorial self-government at the sub-national level. Higher level self-governing entities should emerge from the voluntary association of municipalities in a bottom-up process, not by the artificial creation of regional bodies from above (Illner 1997: 51). The centralist policy approach was also reflected in the opposition against reorganising the Czechoslovak federation and against institutionalising the co-operation between the Visegrád countries. The social democratic minority government of Mikloš Zeman has been much more positive towards decentralization and introduced regional self-governments in November 2000.

In Slovakia, the opposition between centralist and localist policy approaches became one of the main dividing lines in the power struggle between the Meciar government and the opposition parties. The latter tried to strengthen local self-governments in order to create a counter-vailing power against the centralisation attempts of the government in most spheres of society and politics. When the Meciar government adopted the laws on the creation of eight kraj in 1996, it decided that the territorial-administrative division of the country should precede a transfer of powers to the kraj-level self-governments that were to be established (Brusis and Niznansky 1997). It re-designed district and county boundaries largely irrespective of the territorial units the municipalities had chosen by forming regional associations. The centralised style of decision-making provided ample opportunities to distribute resources according to political loyalties and induced municipalities to bargain at the central level. The opposition argued that the government did not intend to implement a real decentralisation of powers but rather a deconcentration. Consequently, the Dzurinda government has declared decentralization one of its main policy priorities and has embarked upon an ambitious, comprehensive administrative reform. This reform concept was, however, not only rejected by Meciar's party but also by the post-communist party and another governing party which managed to add

centralizing amendments during the parliamentary debate of the Acts on the regional self-governments and the elections to regional self-governments in July 2001.

In Hungary the broad localist coalition of mid-1990 relieved the regional administrative bodies (megye) from their state-administrative and supervisory function and confined them to a mainly consultative role, transferring only legal control powers to the Commissioners of the Republic (Navracsics 1996; Pálné Kovács 1997a). As the liberal opposition parties won the municipal elections of October 1990, the localist-centralist cleavage re-emerged between local self-governments and the central government composed of conservative and christian democratic parties. The government, faced with this power constellation, transformed the Commissioner of the Republic into a governmental control organ of local self-governments and other bodies of state administration (Navracsics 1996, 286-287). After 1994, the socialist-liberal coalition government abolished the increasingly unpopular institution of the Commissioner and tried to strengthen the megye by introducing its direct election and acknowledging it as a territorial self-government (területi önkormányzat). This “county-based approach was justified in terms of EU accession; but those aware of the shortcomings of the county-based conception also appealed to ‘Europe’” (Fowler 2001, 34).

The Orbán government has complemented this territorial-administrative structure by establishing statistical-planning regions on a mandatory basis and micro-regions of small municipalities (kistérségek). With its amendment to the 1996 Regional Development Law, the Orbán government in 1999 leaned towards a more centralist approach since it strengthened the representation of government in the regional development councils at the level of the seven statistical-planning regions.<sup>16</sup> The government plans to enhance the administrative-legal status of the new macro- and micro-regions in the long term.

Supporters of a localist approach in Poland envisaged to transfer state administration tasks to voivodship self-governments and to abandon most separate units of state administration at the local and regional level. This approach was advocated by the National Assembly of Self-Governments and aimed at a far-reaching decentralisation of powers (Instytut Spraw Publicznych 1997). According to the alternative, more centralist approach, voivodship self-governments should be restricted to tasks of regional development and a separate tier of state administration should be maintained. While the parties emerging from the Solidarnosc movement advocated a more comprehensive decentralisation, the post-communist parties (SLD and PSL) were reluctant to transfer state powers to voivodships and did not undertake steps to create directly elected voivodship self-governments during their period of government (Dawson 1999; Regulski 1999). Since the return of a government affiliated with the former Solidarnosc the legislative basis of regional self-government has been set. Concerns of the major coa-

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<sup>16</sup> HVG (Hungarian Economic Weekly) 5 June 1999, 22 May 1999 and 26.12.98.



lition party AWS about a too far-reaching decentralisation induced the governing coalition to create 16 new voivodships instead of the initially envisaged 12 voivodships and to reduce the powers of voivodship assemblies.<sup>17</sup>

The Bulgarian reform of public administration was dominated by a centralist policy approach, originating from the fact that the post-socialist Bulgarian Socialist Party won the free parliamentary elections of 1990/1994 and managed to stay in power until 1997. The successive Bulgarian governments were pre-occupied with the deteriorating economic crisis and did not show an inclination to transfer powers to regions which bore the risks of political disintegration and obstruction (Borissova 1999; Jepson 1995). In order to retain its commitment to fiscal discipline, the Kostov government has regularly underestimated central budget allocations to municipalities.

As a distinctive feature of a localist approach and liberal political ideas, the notion of municipalities forming regions by means of their voluntary association has played a role in most of the countries studied in this paper. These associations were founded by the newly established local self-governments in order to pool their resources and represent common interests vis-a-vis the government and the state administration. The Klaus government referred to the notion of a bottom-up regionalization (see above), and in Hungary the Alliance of Free Democrats proposed to replace counties by voluntary associations of local self-governments (Navracsics 1996, 292). Yet none of the CEE governments decided to transform municipal associations into regional bodies of self-government. The available empirical evidence supports the impression that voluntary associations of municipalities have attained a particular political strength and influence in Slovakia and Estonia.

The Slovak Association of Towns and Villages, its regional associations and the Slovak Union of Towns attained a more political role because they either became arenas of power struggles between the Meciar government and the opposition or were mobilised to resist the centralisation policies of the Meciar government. Only Estonia's administrative reform has assigned the regional associations of municipalities a role as partners of counties which are integral bodies of state administration (Janikson 1999). This may be explained by the strong influence of liberal ideas in Estonia, the absent legacy of dualism, the influence of Scandinavian models, a consensual political culture and also by the small size of the country which reduced the need for a separate intermediate tier of self-government. Contrary to Bulgaria, the lack of regional self-government in Estonia is thus more due to these causal factors than a result of a centralist policy approach.

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<sup>17</sup> Frankfurter Allgemeine Zeitung of 10 October 1998.

A second cleavage between a *dualist and a monist policy approach* can be identified if the focus is laid on the relations between regional and local self-governments on the one hand, territorial and sectoral state administration on the other. A (strictly) dualist model of public administration envisages that local and regional self-governments carry out only their own (genuine) tasks. The role of the territorial state administration is restricted to a legal supervision of self-government activities, units of sectoral and territorial state administration are institutionally separated from the self-governments. In a monist model of public administration, local and regional self-governments carry out their own tasks and delegated tasks of territorial state administration, under the competence of state administration. State administrative bodies exercise a legal and professional supervision over the delegated tasks. The distinction points to the trade-off between vertical and horizontal integration: a dualist administrative set-up implies a stronger vertical integration but may lead to segmentation into sectoral ministries, agencies and their respective administrative hierarchies. A monist model allows for a better horizontal integration of administrative units but may entail a reduction of professional control hierarchies (Goetz and Hesse 1993, 304).

After the political transition, many governments chose a dualist approach of administrative reform in order to abandon the state tutelage of local self-governments and pre-dominance of sectoral policies over regional concerns. Another argument was that the separation of state administration and self-government would avoid the subsidising of self-governments from the state budget and separate the management of public companies from the supervision of these companies. Supporters of a far-reaching decentralisation or regionalization often preferred a monist approach in order to ensure that comprehensive powers of local and regional state administration be transferred to self-governments. They considered separation as a veiled strategy of preserving old administrative hierarchies. In the view of dualists, a transfer of state administrative powers would lead to an even stronger supervisory role of the state since the state would have to ensure uniform administrative standards throughout the country.

With respect to the monism-dualism cleavage, reform outcomes are hard to classify unambiguously. In their comparison of *local* self-governments in the Czech Republic, Hungary, Poland and Slovakia, Baldersheim et al. concluded that "Hungary and Slovakia are characterised by a fairly strict separation of state and municipal functions and organisations. There is one set of organisations for local self-government functions and another for local state functions. Poland and the Czech Republic have fused hierarchies, i.e. the organs of local self-government also perform some local state functions." (Baldersheim and al. 1996, 41). The Czech Republic and Slovakia differ in so far as Czech district offices continued to supervise most deconcentrated bodies after 1990, and district offices have closer relations with local self-governments than in Slovakia. The new Czech legislation and the Slovak reform concept follow this tradition, as the Czech district office retains its supervisory role whereas the Slovak reformers plan

to dismantle the district offices. Yet the Hungarian model does not seem to be a case of "strict separation" in so far as Hungarian mayors carry out tasks of the state administration, too.

As it has been stated in the second section, *regional* bodies of sectoral and territorial state administration have been more integrated into self-governments in Poland than in the Slovak and Czech Republics. Hungary and Estonia seem to have maintained a basically dualist structure while trying to improve co-ordination between self-governments and state administration - through the Hungarian county-level Regional Development and Employment Councils and the Estonian Regional Development Agency (Bende-Szabó 1999; Janikson 1999; Pálné Kovács 1997b). Yet one has to emphasise that reforms are still in progress in most of the countries and there is not enough detailed information. Concerning the *district* level state administration, Bulgaria, Slovakia and the Czech Republic have hitherto maintained their separate bodies of territorial state administration. This feature would be a typical trait of a dualist model of public administration. In contrast, Estonia and Hungary have realised models of public administration with a monist orientation since they have not created a separate tier of territorial state administration below the county level. Poland has linked state administration and powiat self-governments by entrusting the head of powiat assembly with the supervision of district-level state administration.

A third distinction which has shaped differences and similarities in policy outcomes across countries is the cleavage between *federalism and unitarism*. A federalist approach aims at transferring legislative powers to subnational units and ensuring a participation of these units at the national level. In contrast, unitarism would only enable the national parliament to adopt laws and would not restrict its powers by a second chamber representing the regions. Debates in Poland and, to a minor extent, in the Czech Republic and Slovakia were placed between the poles characterised by these approaches.

In Poland, some supporters of decentralisation proposed to take steps towards a federal model by transferring certain legislative competences to voivodship assemblies ("delegated legislature") and transforming the Senate into a parliamentary chamber representing local self-governments (Instytut Spraw Publicznych 1997). The Sejm majority rejected these proposals by defining the Republic of Poland as a "unitary structure" in the new Constitution of 1997 (Art.3). General scepticism towards federalising the state structures caused that the reform of the Polish and Czech Senates was not linked to reforms of the voivodship and kraj level. However, in both countries the role of the Senate within the governmental system has not been finally decided and thus the second chambers may become more closely linked to the regional or local self-governments. The new Czech law on the self-administered kraj entitled the kraj assemblies to submit bills to the Senate. The reform concept of the Slovak Govern-

ment Office envisages the creation of a second chamber of delegates from the kraj assemblies (Government Office of the Slovak Republic 2000).

#### ***d) Regionalism***

The existence - or perceived threat - of regionalist political movements has been important for the political debates on regional-level administrative reforms. Theoretical and analytical conceptualisations of regionalism are faced with the problem of delineating precise analytic terms and identifying clear cause-effect relations (Keating and Loughlin 1996). While being aware of the fluid character of regionalisms and the blurred boundaries between their sources, a distinction may be made between ethnic and historic bases of regionalism. *Ethnic regionalism* emerges if an ethnic group, whose members consider their cultural identity as distinct from that of the other citizens of a state, and its political organisations link their main political demands to a subnational territorial unit, usually the territory inhabited by the group. *Historic regionalism* presupposes a territory with a particular history distinct from the rest of the country's territory. The current inhabitants of that region may not necessarily consider themselves as ethnically different from other citizens but they link their identity to their region's history and articulate, through particular organisations, political demands related to their region.

Among the six countries studied here only the Czech Republic and Poland are composed of subnational territorial units with a distinct history such as Moravia, Silesia, Pomerania and Greater Poland. One may identify an Eastern and a Western historical region in Hungary (Hunnia and Pannonia), but these regions ceased to exist as distinct units before a modern Hungarian nation state was built in the course of the 19<sup>th</sup> century.<sup>18</sup>

After the political transition, political actors in the Czech Republic and Poland tried to claim regional interests and demands by referring to the historical regions. Moravian political movements and parties proposed to establish a regional autonomy in the Czech Republic but they did not succeed in the parliamentary elections of 1990 (Illner 1998). In Poland, groups linked to the National Assembly of Self-governments proposed to establish autonomous regions shaped according to historical regions and to introduce federalist elements into the state structure. However, they were rejected by the majority of political parties which, reacting to these tendencies and perceived risks, reinforced the commitment to unitarism in Poland's new Constitution of 1997.

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<sup>18</sup> It should be noted that historic nation-builders in Hungary created and preserved the megye division as a device to avoid the emergence of this and other, ethnically based, regionalisms.

A basis for ethnic regionalism exists in those Central and East European countries which have a significant and politically active national minority.<sup>19</sup> Among the countries of this study, Slovakia has an ethnic Hungarian minority amounting to 10.8 % of its population, Bulgaria has an ethnic Turkish minority (9.4 %), and approximately 30.3 % of Estonia's population are ethnic Russians. Ethnic Hungarians in Slovakia are represented by three major parties which had to join into a coalition in 1994. Ethnic Turkish citizens of Bulgaria are articulating their interests through the Movement of Rights and Freedoms. Only few ethnic Russians in Estonia have citizenship and may participate in national elections; the coalition "Our Home is Estonia" advocates their interests in the Estonian Parliament.

Only the ethnic Hungarian parties of Slovakia in 1996 proposed to establish an autonomous region covering the ethnic Hungarian settlement area along the Southern border of the country (Brusis and Niznansky 1997). Neither the 1996 Act on the administrative-territorial division, nor the 2001 Acts took into account the ethnic Hungarian proposal. Although the ethnic Russian community in Estonia is concentrated in the North-Eastern area of the country, their political representatives have not developed similar concepts of territorial autonomy. Since ethnic Russian non-citizens may participate in local elections, mayors of municipalities in the North-East (in particular Narva) advocate interests of the ethnic Russian community (Meurs 1999, 29). A similar pattern seems to prevail in Bulgaria where the ethnic Turkish community constitutes local majorities in the counties of Haskovo and Rousse but has so far refrained from articulating demands for regional autonomy.

The general weakness of regionalism in Central and Eastern Europe may be explained by the incongruence of ethnic and historic regionalism: Countries with significant national minorities do not have regional units with a distinct history, and countries with historical regions lack groups identifying themselves as ethnically distinct from other citizens (see table below). The only cases among the ten Central and East European states are Romania, which has a particular historical region (Transylvania) and a significant ethnic Hungarian minority, and Latvia with the distinct historical region of Latgale and a considerable ethnic Russian community. One may argue for an addition of Poland with its ethnic German minority in Silesia, but this group amounts only to appr. 0.8 % of the population and their representatives have not exerted a significant political influence on the outcomes of reform.

The incongruence of regionalisms has prevented and impeded the mobilisation of support for regionalist claims. Political actors have found it difficult to legitimise an ethnically based regional autonomy with historic reasons or, vice versa, to base claims derived from the historical

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<sup>19</sup> According to a classification proposed by Brunner (1996), a state is no longer considered a homogenous nation state if the share of national minorities in the population is above 10%. Adapting this classification for the purposes of this article, only those national minorities amounting to appr. 10% of the population are considered significant. The following figures are taken from the census data quoted in Brunner's book.

distinctiveness of a region upon a distinct ethnic identity of its inhabitants.<sup>20</sup> Governments did neither need to respect regionalist interests nor were they inclined to support regionalist mobilisation by designing regional units accordingly. As a consequence, county territories in the countries of this study up to now have been designed neither according to historic regions nor with respect to ethnic affiliations. The disinclination towards triggering regionalist dynamics also led Polish and Czech governments to refrain from linking the reform of their second parliamentary chambers to the establishment regional self-governments.

**Ethnic and historic preconditions of regionalism**

	<b>Historic regions since 19<sup>th</sup> century</b>	<b>No modern tradition of regions</b>
<b>State with significant national minorities (&gt; 10%)</b>	Romania, Latvia	Bulgaria, Estonia, Slovakia, Lithuania
<b>homogenous nation state (minorities &lt;10%)</b>	Czech Republic, Poland	Hungary, Slovenia

**Conclusion**

This paper has described major similarities and differences in the reforms of regional administration implemented by Bulgaria, the Czech Republic, Estonia, Hungary, Poland and Slovakia. It has sought to link reform outcomes to four explanatory factors that were described in detail: Policy concepts and preferences of the EU, domestic institutional legacies, policy approaches of political actors, reformers and their adversaries, and the role of regionalist political movements. The main reform outcomes and their explanations shall be summarised in the following points:

1. Poland and the Czech Republic are the only countries with second chambers of parliament which have originated from their path of transition. A general rejection of regionalist and federalist tendencies caused that these institutions were not linked to the new county self-governments.
2. Despite a common criticism of the administrative tutelage exerted by the regional level, only Czechoslovak reformers decided to completely abolish the old regional self-governments during the re-introduction of democratically elected local self-governments in 1990. Among the causes for this decision are the strong political legitimacy of the new government, deriving

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<sup>20</sup> This linkage is weaker in Latvia than in Romania because most of today’s ethnic Russians were settled in the country after Latgale had lost its regional distinctiveness and nowadays the ethnic Russian community is spread throughout the country, mostly living in cities.

from the revolutionary path of transition, and the commitment to liberal political ideas of a direct relation between the state and its citizens.

3. Bulgaria and Estonia are the only countries without regional *self*-governments, reflecting a prevailing centralist policy approach in Bulgaria and an influential position assigned to regional associations of municipalities in Estonia. Centralist-minded governments in the Czech Republic and Slovakia postponed the establishment of regional self-government in these countries. The EU, the accession constellation and the Commission's interest in regional self-governments with a substantial degree of fiscal and legal autonomy have provided an additional rationale and an incentive structure for the Zeman and the Dzurinda governments to recreate regional self-governments. The EU context has been used by the Orbán government as a rationale to further institutionalise pre-existing macro-regions and Regional Development Councils. However, meso-level reforms in the Czech Republic, Slovakia, Poland as well as the less far-reaching reforms in Bulgaria, Estonia and Hungary were mainly driven by an interest in public sector reform.

Stronger localist coalitions and the reform-socialist legacy led to the early establishment of regional self-governments in Hungary, while political struggles and a more intensive political perception of the issues in Poland increased the time needed to negotiate a new administrative set-up.

4. Estonia and Hungary do not have a district level of public administration, the districts in the Czech Republic, Slovakia and Bulgaria are part of the state administration, and Poland has just introduced self-governed districts. These differences may be explained by the varying size of the countries (Poland vs. Estonia), the varying progress of reforms (Poland vs. Bulgaria) but also by the cross-national differences in legacies and prevailing policy approaches.

5. While Poland appears to have realised a far-reaching integration of sectoral and territorial state administration and self-governments on the regional level, the Czech Republic, Slovakia and Bulgaria have maintained a separation of these administrative bodies up to now. Hungary and Estonia have tried to improve sectoral co-ordination between self-governments and state administration within a basically dualist structure. A plausible explanation for this difference is certainly the different state of reforms in each country in combination with the monism – dualism cleavage. A dualist approach was the initial strategy to establish autonomous local self-governments against a still authoritarian state administration. A monist approach aims at a more far-reaching decentralisation, after local (and regional) self-governments have been established. The latter approach apparently has been more influential in Poland and recently in Slovakia than in the other countries.

6. Bulgaria, the Czech Republic, Hungary, Poland and Slovakia have created statistical and planning regions that correspond to the NUTS classification used in the EU. The creation of

these units obviously reflects the need to fulfill EU accession requirements. The extent to which NUTS-2 regions are institutionalised differs strongly between Poland with its new voivodships figuring as NUTS-2 on the one hand, Slovakia and Estonia which have not yet defined the institutional profile of their NUTS-2 regions on the other. Only the voivodship assemblies are directly elected bodies, the regional councils in the Czech Republic are indirectly elected, and the Hungarian regional development councils as well as the Bulgarian regional councils consist of delegated representatives. The weak position of these councils indicates that they constitute artificial elements in the traditional (and recreated) territorial-administrative structure of the three countries. The divergence of institutional arrangements also shows that the EU Commission did not seek to homogenise the status of these envisaged partnership institutions for the Structural Funds.

7. The impact of the EU on regionalization processes in the accession countries has been diffuse and ambiguous. On the one hand, the Commission has by and large abstained from giving direct and public advice on how to structure the state territory, whether to establish elected regional self-governments and how to institutionalise NUTS-2 compatible regions. This restraint is guided by the principle that such questions belong to the internal affairs of EU member states and that there is no basis for an EU intervention in the Treaties.

On the other hand, the progress reports contain formulations which suggest an EU preference for democratically elected regional self-governments with substantial financial and legal autonomy. This preference may be explained with the EU's encompassing political commitment to democratic stability and the rule of law in the CEEC expressed in the Copenhagen criteria for membership. An additional argument for an active promotion of regionalization can be derived from the partnership principle guiding the management of EU Structural Funds. To become credible partners representing regional interests in programme development and implementation, regional authorities need to have an autonomous standing. This rationale is fused with the rationale to set up NUTS-2 regions, i.e. regions sufficiently large for generating endogenous development and comparable across Europe in order to qualify as eligible areas for objective-1 support from the Structural Funds.

Advocates of regional self-government and an institutionalisation of regions in the accession countries have referred to these rationales, to (perceived) EU expectations and European trends of regionalization. The point is, however, that arguments referring to an EU-induced need for regionalization cut across the main policy cleavage of centralism-localism and are used not only by localists arguing for a greater decentralisation of state tasks, but also by centralists supporting a re-integration of local self-governments.

8. Compatibility problems arise in so far as these regions are oversized in comparison with the traditional "small-scale" administrative-territorial structures of the accession countries and contradict the trend of post-socialist reformers in Bulgaria, the Czech Republic, Slovakia and



Poland to subdivide previously integrated territorial units. These problems are known in Western Europe where unitary member states have also had difficulties in integrating NUTS-2 regions into their territorial-administrative set-ups. The UK, Portugal, Sweden and Greece have established NUTS-2 regions mainly for the purpose of participating in EU structural policy (Bullmann, Goldsmith, and Page 1997, 135; Hooghe and Keating 1996, 224). Ireland, Denmark and Luxemburg have not created NUTS-2 levels because Ireland's entire territory was qualified as an objective-1 area and the other two countries lack eligible areas.

9. It remains to be seen whether NUTS-2 regions in the accession countries will subsequently become further institutionalised, prove functional in enabling endogenous development and an economic catch-up process with the current EU member states. So far, the EU influence in the pre-accession constellation resembles the indirect impact the EU and the economic and political integration process have had for the re-emergence of regions in Western Europe. In particular, the EU Commission has relied on implicit suggestions and underformalized methods. The Commission and the pre-accession framework have become catalysts for a process in which most CEE regions have already enhanced and will further increase their political salience. A process of institutional convergence, however, has been discernible only with respect to the adoption of the formalised components of the *acquis communautaire*. Regional administrative structures vary in detail and the recreation of these structures has been strongly influenced by a combination of domestic legacies, policy approaches and political constellations.

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