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Regionalization and decentralization in a comparative perspective
Eastern Europe and Poland

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Within the EU, the regionalization policy represents a major one for several reasons. Firstly because the regionalization process makes possible the well functioning of what appears to be the major tender of the EU efficiency: multilevel governance”. This term refers to the expected cooperation between different actors: the vertical players (from the EU level to the local one, including the state, the regional and the departmental ones) and the horizontal players (involving the public, private and non public actors). Secondly, because, the implementation of regionalization allows the European tools to work well by supporting efficient administrative units and competent civil servants in charge of the structural funds. In this way, the multilevel governance makes concrete the challenge of “subsidiarity” which determines the role of each level due to its own capacity. For some actors, the multilevel governance is the value added of the EU architecture, because even if it can be denounced as a very heavy organization, the participation required from the different vertical and horizontal actors is the guarantee of both democracy and efficiency (Mairate, 2007). The EU intends, thirdly, to make the citizens closer to their own regional institution in case these dynamics lead to the setting up of regional assemblies, elected by the citizens of the regions. By empowering the regional level, the regionalization policy has therefore a considerable political impact since it contributes to reshaping the polities. Moreover, in a growing complex world, regionalization seems to be more likely to satisfy local demands and local initiatives. Regionalization is, therefore, not opposed to globalization. As it is often said, “think global, act local” intends to translate this complementarity. Finally, all these reasons explain why the regionalization process can be analyzed as the major tender of “europeanisation”. This widely analyzed concept in Western Europe has been successfully extended to Eastern Europe to grasp two main dynamics: the adoption of the EU rules by domestic actors, supporting the convergence of the practices and behaviors from one EU side to the other one; the huge variety of regional designs within the EU27 (Schimmelfennig & Sedelmeier, 2006, Kutter & Trapmann, 2006, Saurruger & Surel, 2007, Bafoil & Beichelt, 2008, Bafoil, 2009).

In Eastern Europe, the policy of regionalization at stage at the very beginning of the transformation process in 1990, but it became a clear political program when the EU commission in 1997 imposed to the candidates countries the implementation of the “Acquis Communautaire”. From this moment onward, it has been positioned as an unavoidable (necessary) condition for joining the EU. The so called “Copenhagen criteria” formalized in 1993 have been the first step paving the way to the accession by stressing the necessity to adopt democratic rules, market ones and the respect of the rights of minorities. Having adopted this first set of constraints, the candidates have further had to adopt the Acquis Communautaire which has mirrored the willingness of the candidate countries to adjust their legislation to the 50 years old EU one. The whole Acquis has represented 31 chapters of rules, procedures and norms, encompassing around 80000 pages which each national parliament had to pass in its own legislation. Having successively opened each chapter, each State had to comply to a set of checks and control, which have assessed the right legal adoption. The closure of each chapter has demonstrated the legal compliance to the EU expectations. The timing requested for opening and for closing each chapter of the procedure has clearly shown the differential capacities of each state to negotiate each chapter in accordance to its own domestic institutional structure. These remarks have founded an important theoretical approach, the europeanisation one, which has insisted on two major aspects of the process of adoption of the EU rules: on one side, the differentiated impact of the EU rule on domestic structures, in accordance to the different EU actors and EU rules; on the other side,

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1 As the EU adviser Barca depicts it, the multilvel governance is ““a system by which the responsibility for policy design and implementation is distributed among different levels of government and special purpose local institutions (private associations, pacts among several local public authorities, districts and cooperation projects within national borders or across national borders, public-private partnership”, Barca, p.13.
the various complexity of the domestic actors and the institutions able to avoid or to support the EU rules.

By doing so, the EU changed its relationship with the candidates in two ways. By reorganizing, firstly, the support it delivered up to now. Rather than strictly complying to the EU programs (decided from above; e.g. from the EU commission) the candidate countries have been invited to present more carefully their demands by insisting on their own needs. In this way, the cooperation became more now “demand driven”. Strong financial incentives accompanied this reform. Among the three accession programs\(^2\), 75% of the most important - the PHARE program – have been dedicated to “institution building”, meaning to the central and regional administrative capacities. Secondly, by firmly indicating the date of the accession, provided the whole Acquis Communautaire (all the 31 chapters) has been legally passed within each national legislation. In this way, the “political conditionality” became the major framework of the accession process. This term indicates the exchange of rights and duties between the EU commission (EU15) and the candidates (the 10 ones). The rights from the EU side meant the guarantee to be secured in its borders and its duties in financial commitment for the new members. For the candidates the duties referred to their obligation to adopt the whole Acquis and their rights, to get the financial capacities for their own development. Even if it has been an asymmetric exchange because the EU has mastered the timing and the final decision, such an exchange of rights and duties has nevertheless emphasized the basis of the European social contract, defining the candidates as right partners and not as only subject to a foreign rule (Schimmelfennig, 2006, Schimmelfennig, and alii, 2007, Sedelmeier, 2007). That is the main difference between the eastern enlargement, and the partners involved in the European Neighborhood Policy who cannot benefit from the possibility to join the EU but are nevertheless requested to adopt part of the Acquis Communautaire. Because of the lack of the final deadline likely to legitimize the efforts achieved to comply to the EU rules, this EU policy does not have much success.

This chapter intends to analyze the different steps of the regionalization implemented by the candidate countries before 2004. In a first part, we will examine the different initial situations characterizing the different eastern societies in order to better understand the final decisions concerning the regionalization. We will understand that the presence of minorities in most of the countries has deeply modified the initial EU design, by impeding the decentralization dynamic. Therefore, in a second part, we will examine different particular eastern cases, and among them the Polish one which can be presented as a kind of model but without representing the majority of the analysed cases. In the final part we will draw the main theoretical output of this central eastern policy which allows us to better define what europeanisation means. We will insist on different concepts such as “the path dependency”, the rule of law, and the “place-based approach”, which now characterizes the European cohesion policy.

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\(^2\) The PHARE program aimed at the institution building, the ISPA which was centrally decided (by Brussels and by the central states), the environmental and transport infrastructures, and the last one SAPARD – responding to the local needs - aiming at adjusting the agricultural farms to the new rules of the market.
1. The legacies

In the EU, there is no compulsory law or practice concerning regionalization. This means that there is no unique model which ought to be implemented without discussion by all the candidates / members. Artur Benz is right to say that it is a pragmatic method which is more an incremental than a compulsory policy³. Indeed the EU indicates no model at all, it rather prefers to leave the States free to decide on their own an institutional architecture, based on their own historical path. By doing so, the EU intends to avoid the troubles linked to the variety of social situations inherited from the long term history. It hopes, moreover, that provided the formal aspects are respected, the citizen will be able to take possession of their own institutions and will play the game of “multi level governance”.

The communist period

³ “In all European countries, successful regionalization has been achieved by a pragmatic approach of policy making, whereas policies determined to implement idealistic aims of regional autonomy have failed. The European commission promotes such an incremental policy, in particular by avoiding regulative policies and by applying soft patterns of governance in regional policy”, A. Benz, “Comments on François Bafoil’s contribution”, in C. Lequesne et M. McDonagh-Pajerova (dir.), La citoyenneté démocratique dans l’Europe des Vingt-sept, Paris, L’Harmattan, 2007, p. 326.
If the reform of regionalization has been so important in Eastern and Central Europe after 1989 it is because it has earmarked the true end of the last communist institutions which still prevailed during the 1990’s by revalorizing some historical administrative organizations. From the 1950’s onward, the communist authorities had, indeed, brutally suppressed all the traditional administrative units which could have witnessed the particular aspects of the local territories, against the centralization which was now the unique norm. In this way, all the signs of the past, recent or not, be they monuments, names of streets, an indication of traditional memory, had been changed or liquidated. Any vernacular language or patois was forbidden to the benefit of the national language, which became more and more of a “novlangue”. The local heroes were replaced by the soviet models. Therefore the traditional intermediate bodies between the municipalities and the regions were cancelled, without being replaced by any administrative level. On the opposite, the central state decided upon everything ; the regions played the role of the “belt of transmission” (like the trade unions in the factories) and the local authorities were deprived from all responsibility, being seen only as single executors of the central decision makers. This model was exactly the model of the “democratic centralism” which prevailed firstly within the communist party and which was extended to all the economic, social and administrative organizations. It has to be added that during the first years of the communist domination, all the central European territories were the theater of huge waves of migrants, mostly coming from the eastern territories (lost in 1945 and as in Poland, caught by Stalin see map 1.) and moving to the western part. They went to occupy the former German territories, whose German populations had been brutally expelled from 1945 onward. In Poland more than 4 million people shifted from the eastern regions to the western ones, from 1945 to 1948 (Jarosz, 2007). In such an unprecedented turmoil, only a centralist power (and not a provincial one) was able to guarantee the very fragile security.

Considering these facts witnessing the deny of any sign of self governance from the local actors, the main question is about the new central authorities’ refusal to agree with the local partners’ claims for self governing rules. Why was local freedom not agreed upon by the new authorities, although political and economic freedom was immediately allowed from the top?
At the start of the new period in 1990, the municipalities claimed for more self government, allowing them to develop their own development strategies. This was particularly the case of the municipalities bordering the western States, Germany and Austria. In this way, they wanted to take revenge for the last 40 years during which they felt undermined by the central power which always mistrusted them for two main reasons: firstly because the bordering populations were supposed to fuel an irredentist feeling due to the fact that they came from the lost eastern territories after World War II. Secondly, because the communist central authorities thought during the cold war that if the third world war should occur, it would start in these bordering regions. They equipped them, therefore, with numerous check points and garrisons. But for different reasons, the initial claim for more local freedom in 1990 had to vanish very quickly. Firstly, because of the German Chancellor Kohl who hesitated to recognize the German polish border (Oder Neisse). He raised, therefore, a lot of uncertainties throughout Europe and particularly in Poland which was afraid of the come back of the “Great German” enemy. Seen from Warsaw, the willingness to develop economic relationships with the German bordering municipalities was very dubious. Because, secondly, at that time, in the aftermath of 1990, Yugoslavia broke down in a lot of bloody conflicts. They had been fueled by the
claim of self autonomy from some parts of the former federation. In this sense, regionalization meant autonomy and autonomy clearly appeared to lead the national sovereign state to an end. It was, thirdly the same situation that the Russian empire experienced. Before its disappearance in 1991, Russia faced a lot of regional conflicts supported by the same claim for independence. An additional argument explaining the blockage of the regionalization process lies in the financial situation of the new States. Shortly speaking, at that time the central budget were empty in Poland, Czechoslovakia and Hungary, and for this very pragmatic reason it was unthinkable to limit the central tax revenue because of the regionalization (without speaking about decentralization).

The minorities in Central and Eastern Europe, 1930 and 1990

<table>
<thead>
<tr>
<th></th>
<th>Poland</th>
<th>Hungary</th>
<th>Romania</th>
<th>Bulgaria</th>
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<tbody>
<tr>
<td>1930</td>
<td>51% Czech, 23% German, 16% Slovak, 5% Hungarian</td>
<td>65% Polish, 16% Ukrainian, 10% Jews, 6% Belarussian, 2% German</td>
<td>87% Hungarian, 6% German, 5% Jews</td>
<td>87% Bulgarian, 6% Jews, 5% German, 1% Hungarian</td>
</tr>
<tr>
<td>1990</td>
<td>3% Hungarian / 1,4% Roms, 0,8% Belarussian, 0,8% Ukrainian, 1% German</td>
<td>5,6% Roms</td>
<td>4,5% Roms, 6,6% Hungarian</td>
<td>3,5% Roms, 9,5% Turks</td>
</tr>
</tbody>
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Finally, a last reason has to be mentioned: the very composition of the new independent central states which hosted different minorities. For these new states which peacefully got their national sovereignty after 40 years of the Russian occupation, it was really unconceivable to share it with social groups which were alleged to using it for irredentist views. This issue was exactly the same one which had undermined the political recovery after the First World War and which had led to the tragic 1930’s. At that time, the democratic regimes which had emerged at the end of World War One were supported by the majority of citizens, and not by the minorities who did not see their loss improved by the new regimes. The representatives of these minorities expected nevertheless from the new central authorities the respect of their own communities, all the more so as the Wilsonian declaration supported these hopes. In vain. The economic and the political tensions during the 20’s put an end to such hopes and contributed to radicalizing the majority against any sign of “localism” expressed by the minorities, shortly reduced to “internal enemies”. After 1990, the same situation seemed to be repeated once more. The new majority which expected during such a long time to rule the State by itself, could not accept to share it, all the more with minorities whose specificity had been dismissed under the communist rule. For these new states, agreeing to the regionalization project was seen as a fundamental error, all the more since these minorities were territorially concentrated, as in Bulgaria where the Turkish population amounted to 10% of the Bulgarian population. In other countries, the issue referred to the territorial concentration like in Romania, which had to support a very strong presence of Hungarians located in its northwestern part, in Transylvania. Slovakia faced the same issue, in its southern part. These two regions belonged before the First World War to Hungary. In 1920, Hungary, which was defeated, lost one third of its population and two thirds of its territory with the Trianon Treaty (see the map 2). Since this “shamed” treaty, a lot of people in Hungary claim for reunification. After 1990, the different Hungarian political parties denounced the situation of their Hungarian citizens in Slovakia and Romania (and in Voivoidine, the neighboring Serbian province), where they suffered a lot of discrimination (against their mother tongue, their local organization, and their access to jobs), meanwhile Hungary often responded by threatening both neighbors to refuse their access to the EU in case this discrimination didn’t stop. For all the mentioned reasons, the
peaceful claim for regionalization in Central Europe was reduced to claim for self autonomy and it was rejected as such.

Map 2. The Hungarian borders before the treaty of Trianon and at the heart, the current borders since 1921

The last case was represented by the Baltic States, where the new majority was from now on the former political minorities, facing important new minorities: the Russian ones. The Russians had been previously ruling the states since the 1940’s and had demographically grown by successive waves of migration from the mainland. Living in the main cities, very often in the capital city, they rarely spoke the local language, other than Russian which was the only official recognized language. These Russian minorities represented in 1990 almost 40% of the total population in Latvia and Estonia, and they had always lived in the new Baltic States, having lost any contact with the mainland. They had to suffer a lot of discrimination when the main ethnic groups imposed the Estonian and Latvian languages as the basis of the new “reshaped” citizenship.

For these reasons, the short dynamics of recreating local powers just in the follow up of the communist breakdown – Poland adopted a law in March 1990 and Hungary had already in 1988 and in 1989 – was stopped. Up until 1997 the regionalization programs were put aside. This does not mean that there was no discussion at all. On the opposite, in the central states (Poland, Czech Republic, Slovakia and Hungary) huge public debates followed. But public attention was driven by other policies, mainly the change of property rights and the privatization process.
2. The national designs. The case of Poland

The different former eastern States have developed a variety of administrative designs due mainly to the huge variety of domestic social features. For a better understanding of them, two dynamics have to be understood: the existence in the historical path of each State of regions and sub national units, supporting regional identities; the presence or not of minorities on the territories.

The central states

As already said, three « blocks » can be distinguished among the new EU member states. The first one refers to the Baltic states which due to the massive presence of Russians on their soil, have opted for a rather “bureaucratic” regionalization leaving no place to decentralization but on the opposite, limiting any dynamic of financial devolution. Moreover, the size of the three countries is rather « small ». Latvia has 2.2 million inhabitants, Estonia, less than two million and Lithuania 7.5 million (there the Russians represented less than 10% of the population). In these conditions the maintenance of centralization is not irrational. For the same reasons, the Balkan Bulgaria which has less than 7 million inhabitants and which hosts an important Turkish minority, has opted for the NUTs option (the administrative European Nomenclature of Statistical Units). Moreover, since 1990, this minority has had considerable political power allowing it to set alliances with different links and right ruling parties (Ragaru, 2008, Rey et alii, 2004). The other Balkan State, Romania, shares the same concerns about the important Hungarian minority located in the Transylvania region and therefore has also used the NUTs option (Lhomel, 2002, 2006). Do these remarks mean that the four central countries present a more unified picture, supporting a strong dynamic of decentralization and reshaping the polities? Absolutely not, because in Hungary the historical particularity is much more represented by the local unit than by the regional one. In Slovakia, due to the small size of the country (5.5 million people) the decision to create 7 small regions is rather surprising (Illner, 2002, Wollmann, 1997). Concerning the Czech Republic, the dynamic of decentralization has been impeded since the very beginning by the ruling party ODS. This party which has ruled the government from 1990 to 1997 then came back after a short break has been built on a very strong centralistic pattern, leaving no place at all for the different regional components. Organized from the capital Prague, it has been led by a very authoritative leader, Vaclav Klaus. The former minister of finance then Prime Minister and finally President of the Republic has never hidden his hostility against any sign of power sharing, be it the civil society, the trade unions or the regions. For these liberal and centralistic heirs to the communist period, regionalization has represented an unbearable intrusion of the EU into domestic affairs. Therefore, such a “power sharing” or “balance of power” has been violently rejected, despite the welcomed reception of the structural funds. The EU commission had to wait until 2004 to get the map of the Czech regions which have been finally designed but without any real power, and up to now, there is a huge conflict about the financial devolution between them and Prague (Yoder, 2003, Myant, 2003, Perron, 2008).

Finally when one examines the different designs adopted by the eastern countries, only Poland has presented a comparable case to the western one, and that makes this case so interesting. Once more, the huge historical legacies, the weight of the regions in the past, the importance of the civil society won during the 19th century and reactivated during the communist period, finally the public debates and the regained democracy have been the major pillars of this major policy of the post communist transformation.
Poland

Poland can be defined as a “model” of what has been said about firstly the importance of the legacies supporting the new institutional design, and secondly, about the causal links between deepening the rule of law-based state and the administrative modernization. Poland has experienced huge changes during its history, mostly against its will. Being cancelled from the European map from 1795 to 1918 by the former European empires, it only reemerged at the end of the First World War, during only 20 years. Then, it disappeared once more from 1939 to 1945. When it re-emerged, national freedom lasted only 54 months, then the State fell under the communist rule, once more against its own national will. The core of the nationalism has, therefore, linked together the national sovereignty to a very sensitive idea of a too often alienated territory. Even if the borders were so often changed during the recent last two centuries, this notion of “territory” is deeply anchored in the national memory. “Poland” means “the Land of the Poles” (like Germany, “Deutschland”) whatever the borders are. Re-winning the national sovereignty in 1989 meant not only re-winning its own national institutions, but also protecting the territory like a sanctuary against all enemies; the internal (the irredentist ones) and the external (the foreign neighbors). Because its borders have been violently moved and its population brutally pushed and pulled during the last decades, the polish territory is indeed sanctified. That explains on one side the huge difficulties met by the authorities to allow the selling of the national soil (within a free European market): it means to sell it to the hostile foreigners and to alienate the national property. On the other side, such a representation explains the difficulty to decentralize because of the high value conferred to the central State, which is the guarantee of the homogeneity of the national territory. Moreover, because of the former belonging to different supra national States (German empire for its western part; Russian empire for its central and eastern one, and Austrian one for its southern one), different local cultures have to be identified. Various languages are used in different parts of Poland. If the Catholic religion is now recognized as its own for more than 94% of Poles, it was not the same before the Second World War when the polish population represented less than 70% of the whole Polish territory, challenged by Germans, Jews, Ukrainians, Muslims, etc. The huge regional diversity is mirrored through the different public images, supposed to translate the traditional belonging: the western Poles would be more disciplined (in accordance to the so called “German discipline”) and the eastern ones, less eager to work (in accordance with the so called “Russian laziness”); in-between one could isolate the Silesian (from lower and upper Silesia, both being characterized by the coal mining industry), which the regional identity would be shared by the German and by the Russian legacies. Within the upper Silesia, the former part of the Russian territory is stigmatized for supposedly being more lethargic than the German cousins, far from a few meters only.

Due to this diversity, the projects aiming at introducing any change to the “territorialisation” of the public policy have been very sensible ones, provoking strong debates. The important law on local prerogatives adopted in March 1990 had to be achieved by restoring the former sub regional units which the communist had destroyed in 1975. At that time, the first secretary of the PZPR (the communist Party), Edward Gierek intended to limit the power of some concurrent comrades in the regions and to limit their power, he decided to enlarge his own basis, by winning more rural regions and middle cities. Pursuing a classic ruling policy, by dividing his adversaries in order to better control, he decided to liquidate the former historical sub regional units (the powiat, meaning the departments) and to replace the 16 existing regions by 49 new ones (the voivodships). In this way, he

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5 See below the article, Frédéric Durand, “ “, pp.
called 49 prefects (voivods) in charge of the regional policies and directly under his authority. The new elite was much more representative of the rural areas and of the middle cities which gained important administrative prerogatives. The centralism was reinforced and thanks to it the posture of great “modernizer” that Gierek wanted to win.

As already mentioned, the first step of the new architecture was set up in March 1990 by the law delivering more strategic capacities to the local municipalities. But this dynamic was not accompanied by a transfer of funds. Moreover, the regionalization process was blocked for the international reasons mentioned above. During the following years, nevertheless, the public debate was not closed. A special high civil servant was called in 1993 for proposing a new administrative design, and based on this mandate, important public discussion occurred. A lot of reports were written. The core debate was firstly about the amount of regions. Which was the right number? 8 macro regions (centered around the eight main regional cities) for more macro efficiency and comparable to the western regions? 11 in the case of the inclusion of the eastern regional cities (Lublin, Rzeszow, Bialystok)? 15, in accordance to the design of 1945, when Poland regained its national sovereignty? Or more by including some other particular regional features like the presence of two important cities in the same regions? One thing was sure: Most of the participants understood the necessity of reducing the size of the regions to better restore the historical intermediary level, the “powiat” (department). The main issue of course was the capacities of the actors to gain a regional basis or to maintain it. All the political parties were central ones and there was not a regional one at that time except in Silesia, where it had a small impact. The Catholic Church was afraid of losing its strong local authority in the rural areas because the loosing regions would be for sure the rural cities. The strong Peasant Party (which ruled the government in 1993 associated with the neo socialist party) shared these fears because its electorate was mainly rural and. Only the (rather weak) associations and NGOs favored the reform of the liberal parties. They were suspected of destroying the national unity, like the liberal minister of Finance Balcerowicz was suspected to have alienated the main industrial units in favor of the foreign investors. Finally, the economic aspect outweighed the debate because it was clear that any modification of the regional map would induce considerable economic change for the former middle cities which had acquired in 1975 the status of voivodship. Because of the reforms they now ran the risk to loose it. And it was, indeed, an important issue since that in the transforming process after 1989, these middle cities were those which had to suffer the most from the economic crisis. In fact, the first dynamic of liquidation of the industrial plants and lay off did not occur in the big cities where the headquarters were located. They affected on the opposite the suppliers located in the middle / small cities. Liquidating their administrative function meant strengthening the economic crisis and running the risk to plunge these cities into an irremediable crisis. It is interesting to note that the regions which after 20 years of transformation show up currently a depressive figure, are exactly those which were before a regional unit, built around one single industrial monostructure, and having no alternative but to be the replacing “dormitory city” of the main regional city. That is for instance

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6 It will be the case in the final design with the case of Torun and Bydgoszcz in the region of Kujaw and with the cities of Zielona Gora and Gorzow Wiekopolski in the case of the region of Luberec. In both these cases, the authorities have innovated by dividing the two functional responsibilities, and by allocating the deconcentrated function to one of them, and the regional elected assembly to the second one. (The risk is to promote two political distinct heads of the region, the first one called by the president (the national assembly) and the president of the regional assembly from another political camp. In this rather frequent case, the hostilities are focused on the control of the structural funds.

7 That is currently the case, because if Poland has experienced a remarkable trend of growth during the last ten years, this general growth des not mean a balanced development. On the opposite, if the 11 regional cities are rather in a good, even very good situation (from the perspective of growth and employment), it is not the case of
the case of the new central region of Mazowia, where the capital, Warsaw, is located. Before 1999, this region embraced 5 smaller regions. Five small cities (having less than 00 00 inhabitants benefited from the status of voivodship, that they lost in 1999). All of them (but one, the location of the most powerful polish firm Orlem) are now fully dependent on the capital and face a huge economic and social crisis.

Finally when the law passed in July 1998 16 regions had been created, after long and vivid public discussions (Ferry, 2003, Lhomel 2007, Dabrowski, 2008). The smallest region, the southern one of Opole, involving 1,2 million inhabitants, had to be rescued because of the location of the so called “German minority”, although nobody exactly knows how many people it represents. Two other regions are characterized by a twin regional city. The other 13 regions, more or less, reshape the former pre war “designs”, identifying clear regional identities. The administrative model which has been adopted has been rather borrowed from the French one : in face of the representative of the State (the voivod – prefect - in charge of the ex post control of the public funds) one finds the most important political figure, the Marshal (the president of the region), elected by the regional assembly whose deputies are elected by all the citizens of the region. At the sub regional level, one finds the “powiat” led by the Starosta, (an old word for “chief”), elected by the local assembly, and which is more or less the district. Under this level, but independent from the two upper levels, one finds the commune (Gmina), which benefits of a free statute to develop its own plan of development. What is remarkable in this new architecture is the capacity left to all the levels to be independent from the other. Such a feature complies to the very historical legacy of freedom of the administrative levels in this country, but has been very often blamed for fostering paralysis and blockage. Indeed, the fact that the regional authority (the regional assembly and the Marshall) cannot constraint its sub-regional levels has often impeded the regional development. The very bad situation of the transport system can be explained by this. On the other side, because the structural funds are used under the condition of their economic efficiency, it has forced the different sub regional units (and particularly the gmina) to create some intercommunal links for some common projects.

Compared to the other former soviet-type countries, Poland has been exemplar for three reasons. Because the public discussions held before the adoption of the law have been indeed an important period of deep democratic debate. All the participants have been invited to discuss and the used arguments have been often drawn from the national and local past. On this occasion, it was really interesting to see how the local people had a clear idea of their own regional interest, and a clear memory of the ancient regional administrative divisions. In no other eastern state such a local democratic debate has taken place, except in the New German Lander, where the discussions about the 
Kreise were in 1991 very acute (Wollman, 1997).

Secondly, because the law was passed very quickly in July 1998 and triggered no definite disputes. This dynamic has reflected the maturity and the clear consciousness of the public authorities that from this moment a new political axis took place in the political life. Indeed, the polity has been deeply modified thanks to the new balance of powers. That explains why the “learning process” has been huge in this country. It has been supported by the EU funds, the PHARE program. Within the twining teams, the western experts have provided assistance to their local counterparts in each region, promoting intense networks (Bafoil et alii 2004). In a very short period, the regional civil servants have learnt how to elaborate a regional strategy and build a program. Consequently they have the middle intermediary cities, which are largely dependent on the latter and are often reduced to being “dormitory cities”. Too few academic studies have analyzed them.
understood how to build in each regional administration the new units in charge of the management and control of the structural funds.

For these reasons the dynamics of regionalization / decentralization have triggered the huge modernization of the State, by inviting the public administrations to specialize themselves and to individualize the jobs. They have emerged by breaking down the former centralistic administration within which the civil servant had no specialization and finally no responsibility at all. This “patrimonial bureaucracy” as Weber has depicted it, had lead to a deep “irresponsibility” of each civil servant. What the EU has done is deliver the constraint of achieving modernization of the state (after that the States have been able to modernize the political scene and the economic market). The post communist transformation through the regionalization process has made rational the bureaucracies and therefore, made them accountable to the citizen. Fighting against corruption and against the hold up of public goods by some elites was one of the major targets of the reform.

For that reason, the decision taken by the EU commission to change the rule of the games just before the accession in 2004 has not been understood from the local perspective. In 2003, indeed, although the decentralization dynamics run well in Poland, the DG Regio has decided by its own to suspend the possibility to the regions of managing by themselves the structural funds, arguing that they were not ready to do it. Unilaterally, the commission decided to recentralize the whole process, getting, of course, the support of the central level (the ministries and mainly the ministry of economics in charge of the structural funds at that time in Warsaw) which intended since the very beginning to reduce the local capacities of the regions, perceived as concurrent instances. Therefore, the regional program (IROP) was placed under the decision of the central unit in Warsaw (and for this reason widely criticized for having forgotten all the particular regional features). To explain such a decision, one has underlined the conflict between the DG enlargement which absolutely wanted to speed up the process of accession and the DG Regio which was afraid of too much speed and lack of skills. Having accepted the deadline of 2004, the DG Regio would have won the guarantee to see secured the management of the funds by the central states. Other scholars have mentioned the uncertainty of the DG Regio concerning the capacities of the regional administrations (Bafouil, 209; 7chapter). All have concluded that such a decision was rather unfair because of the state of preparation of the regional / local administration. A few years after this decision, a question is still unresolved. In a period of transition, what it the best rationale : To decentralize the decision making process to comply to the common law or to centralize it because only the central level can decide upon the national priorities ? One can conclude by saying that during the second programming period (from 2007 – 2013) the regions continue to be the last pillar of the structural funds, since they only manage 28% of the structural funds allocated to Poland (and in the other new members, this level is even lower). It means that the key projects remain under the central responsibility. But the most important output is not of economic nature. It rather refers to the considerable political capacity that this reform has triggered. For sure, the relevant management of the structural funds was a fundamental target of this reform. But the achievement and the consolidation of the democratic order was also of definite importance. By redistributing the powers between the center and the periphery, Poland has proven to be a real democratic EU member.

3. Some theoretical outputs. From the rule of law to the Europeanisation dynamics

These different positions adopted in the aftermath of 1990 invite us to conclude by mentioning different theoretical outputs highlighting the decision making process of regionalization. The first ones concern the “path dependency” located in the institutionalist approach; the second are about the
different regional designs depending on the social components; the last one about the causal link between rule of law, modernization of the state and access to the EU.

The first conclusion is based on the seminal articles written by David Stark. Some scholars have insisted on the neo institutionalist approach for understanding the different post communist transformation paths. The concept of “path dependency” has been used for understanding that the new economic, political, administrative and social institutions in the aftermath of 1990 did not come from scratch but were made of different “recombined” elements drawn from the past. Far from adopting a simple “foreign” model – be it in the privatization policy, the welfare reforms or even in the administrative transformation – all the central states have drawn from their own experience to build the new economic and political architectures. They have “recombined” the past components with the new rules coming from the EU or from the international liberal market, opening the path to a mixed picture. In this way, one can understand that far from complying to a single “external” or “foreign” rule, the new states have negotiated their own trajectory by mixing the different economic and political patterns, involving different partners. The long lasting post communist transformation process cannot be understood as a single “transfer of norms” as German sociologists have asserted. It has much more to be considered like a long, difficult and sometimes tortuous negotiation process, leading to the reassessment and the strengthening of the national sovereignty.

The second theoretical output has been explained by the German sociologist Artur Benz, who has isolated three types of regionalization, which prevail in the EU (cf the table below).

The first one refers to the capacity to recognize great powers to the minorities within a polity which lies peacefully on a power sharing between the majority and minorities. Great Britain is a good example of such a case, according important rights to the Scottish or Wales minorities, later to Northern Irish one. This “design” has been, nevertheless, in Central Europe widely rejected for the above mentioned reasons: the fear of irredentism from minorities which had previously at their disposal important economic if not political powers. In the case of the Baltic States, it would have been unacceptable to the local populations to see, voicelessly, the former Russian masters occupying the same economic jobs and therefore, claiming the same political rights. The fact that it was unacceptable led nevertheless the new sovereign Baltic states to adopt very unfair laws favoring the native Baltic populations and in this way, deeply undermining the Russian native populations. The linguistic tool has been the major tender in discriminating both populations.

The second «design» refers to the so called «balance of power» which Benz defines as the “administrative regionalization” or “political regionalization”. It is decided from the top and the EU has designed a tool for this second type: the Nomenclature of the Territorial Units (NUTS) which aims at respecting the homogeneity of the central state by defining “administrative regions” without forcing it to divide its sovereignty by organizing concurrency with these new regions. By fostering this way, the EU hopes that with time and thanks to the success of the economic development, the citizens of each region will develop a feeling of appropriateness, considering these units as their own. Such a case can be seen as processing an identification dynamic and some case studies exist in the EU which are rightly basing this EU hope.

The third case corresponds to what is in EU usually held for decentralization: the emergence of regions having their own political institutions elected by the citizen, and which can negotiate their budget with the central level. Facing the regional representative of the central State (the deconcentrated unit) which is often in charge of the ex post control of the public budget, the regional elected body (the regionalized unit), conceives, elaborates, and implements the regional development
strategy. To this extent, the regionalization takes part in the redefinition of the politics by adding an essential step to the polity, by competing with the central level on the use and the targets of the public expenditures and tax collection and by introducing democracy in the local affairs.

For these reasons, this third case was targeted by the EU authorities for fostering local democracy and putting an end to the former communist centralistic model. Moreover, such a design allows a better use of the structural funds because of the knowledge of the local needs and the capacity of political control: if the funds are mismanaged, the citizen can vote and punish the political parties. When since 1997 onward the commission redefined its strategy with the candidates, by imposing to all of them the adoption of the *Acquis Communautaire*, it forced them to take as their own the 21th chapter concerning regionalization. But, once more, the EU did not impose a “one model fits all”. On the opposite, it left the sovereign states decide by themselves about their own national institutional design. By refusing to deliver more details on what the regions and what the optimal regional institution should be – the EU only indicates the fact that the regions, by respecting the subsidiary principle have the responsibility to manage the EU funds – the EU runs the risk of being sharply criticized for leaving the candidates alone. A lot of critics indeed blamed the commission for its formal and strictly judicial assistance, without concrete support. These critics were exactly the same as said when the EU promoted the so called “Copenhagen Criteria” supporting market and democracy. No indication was delivered about how the market had to be implemented, how the privatization policies had to be proceeded with and which were the optimal political scenes. These critics forgot the principle that the EU is a judicial union, led by lawyers and aiming at respecting the rule and the formal rule, not its content which depends on each member state. The EU is the Union of States and within the central states are sovereign and therefore the main pieces of the architecture. The EU is not a confederation.

Different types of regionalisation

<table>
<thead>
<tr>
<th>Basic Aims</th>
<th>People Treated As</th>
<th>Conflicts</th>
<th>Main Problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural Regionalism</td>
<td>Preservation of culture and protection of the minority rights</td>
<td>Ethnos</td>
<td>Interregional tensions</td>
</tr>
<tr>
<td>Political Administrative / Regionalisation</td>
<td>Access to authorities. Balance of Power</td>
<td>Demos</td>
<td>Intergovernmental tensions</td>
</tr>
<tr>
<td>Economic Regionalism</td>
<td>Increasing wealth</td>
<td>Bourgeois</td>
<td>Economic competition</td>
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A. Benz, art. cit., p. 255

Thirdly, the dynamics of regionalization in Central Europe has explained the central role of the State during the whole dynamic of the post communist transformation and to this extent it has highlighted the primary importance of the rule of law, founding the different central policies. The basic policy has been represented by the policy of changing the property rights which has determined the whole process of changes. This pillar of the market society has been successfully built only because a strong state has committed itself to this process. Thanks to a network of rights, control, and duties guaranteed by the central state, it was possible to change the other pillars of the society, like the
welfare ones and the administrative ones. The necessity to set up firstly a system of the rule of law was of definite importance for guaranteeing then the success of further policies. It is only under the condition of a rule of law based states that the changing of administrations could be envisaged. It means that the administrative modernization which was so important not only for definitely ending the communist centralistic states but also for managing the European funds had to lie on an undisputed legal central state. That is why the central states which have launched the privatization process first in the former soviet type countries have better managed the administrative policies and have been the first to be called to join the EU. There is a clear link between rule of law, modernization of the State, administrative reform and access to EU. On the opposite, countries like Romania and Bulgaria which were initially reluctant to change the property rights, were the last countries to launch the administrative reforms and the last candidates to join the EU. During their transformation process, these central states were always under the pressure of different clans or interest groups which defended their own particular interests, rather than the rule of law. Going further Jan Winiecki has defended the thesis that the long term history can explain that the central European states (Czechoslovakia, Hungary and Poland) have been the quickest to restore the rule of law, because they had experienced it before the Second World War, as opposed to the Balkan States which came later on the European scene at the end of 19th century. These particular historical trajectories can explain that the Balkan states, forced under the ottoman rule for long centuries, experienced no civil society at all during the communist domination but a very brutal rule. On the opposite, the central European states have rooted their transforming process in a long tradition of enlightened elites, a deep civil society articulating national and regional claims, and having implemented democratic regimes in the past.

For all these reasons, one can understand the process of Europeanisation which has supported the regionalization reforms like a negotiated process. It has not been decided from the top, but much more negotiated by the sovereign states, lying on very particular socio economic structures which can explain the dynamics of adaptation and of adoption of the EU rules. Far from explaining only a top down dynamic of the EU rules which would have forced the candidates to comply to the EU regulation without any opposition, this process has to be treated like a deep and difficult path to adjusting the different expectations, from the commission on one side and from the candidates on the other. To this extent, the definite importance of the national sovereignty for these countries has been underlined. These had to negotiate the sovereignty pooling just at the moment they re-gained it. But at the end of the process, far from having lost part of this sovereignty, all the countries have won more extension, having access to more political forum and more economic resources. From this perspective, the regionalization process which has really (re) started when the EU obliged the candidates to adopt the whole \textit{Acquis Communautaire}, is the turning point of the post communism period. Franck Schimmelfennig is right when he underlines the role of the “political conditionality” asserting the contract which has bounded the EU commission and the candidate within a network of rights and duties: rights for the commission to see guaranteed the internal market and secured its borders; duties by indicating the deadline of the entry, when all the 31 chapters would close. Duties for the candidates to fulfill all the obligations of a member, by guaranteeing collective security, and rights to benefit from the financial supports of the structural funds. Finally, Anna Vachudova is right as well when she underlines the role of the “liberal” actors (mainly the parties) which prevail on the “illiberal ones”, opposed to the EU rule. On the opposite, the majority of “illiberal “parties disqualify the country for joining the EU as long as the “veto power” forces are stronger that those in favor of the EU regulation. That explains the fact that during a long period in the 1990’s, Romania and Bulgaria were not allowed to join the EU. No clear majority in favor of the EU law emerged and it is only at the end
of 1996 when the civil societies pushed out definitely the central authorities still anchored in the communist legacies that a national consensus in favor of the EU was seen.

**Conclusion**

This short analysis of the regionalization process in Eastern Europe focused on Poland allows us to understand not only the definite importance of this policy in the run of the post communist transformation, but also the fact that the reality of decentralization supports one of the most important current evolutions of the EU cohesion policy. The high valued “knowledge place” represents in 2009 a crucial choice for the European policy makers. They have indeed to choose between the proposal to “renationalize” this extremely important European policy at the risk of breaking European solidarity and run the risk of extremism resulting from territorial inequalities; or they can decide to deepen the subsidiarity principle, and in this way reinforce the different levels of decision making. That is the proposal of Barca’s document, published in 2009, which restates the OECD invitation to consider the territorial development policy with an approach “that is place-based, multilevel, innovative and geared to different types of regions”. The general target should be in accordance with the OECD report, to enhance the “well being and living standards” of regions and to “generate and sustain regional competitive advantages” with a fuller and better use of regions’ assets. According to Barca (and based on different previous works from Sabel, Zeitlin, 2007, Bachtler, Meneder, 2007, Mlolle, 2006, Gelauff, et alii 2008), the “ place based development policy can be defined as a long term development strategy aimed at increasing efficiency, designed and implemented by eliciting and aggregating local preferences and knowledge through participatory political institutions and by establishing linkages with other places, and promoted by a system of multilevel governance…” (Barca, 2009, p.13). To be more relevant, the cohesion policy should be reshaped in two simultaneous directions: firstly it should reinforce the EU prerogatives and at this occasion Barca claims for more power sharing of the policies of R&D, migration, child and women protection, and climate change. Secondly it should be better locally targeted. For this reason, only a strong and mastered decentralization could allow what Barca’s report seeks to promote : a new paradigm which would aim at creating the local basis for the social trust the social agenda, for including the poorest and least privileged social groups 8. In this so important competition to guarantee the economic and social balanced development, the decentralization process is an essential step and Poland, a fascinating example of Europeanisation.

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8 “On this basis we can define a “place based policy aimed at social inclusion” as follows : a long-term, permissible and mobilizing, place-based (or territorial) strategy aimed at improving social inclusion in a set of multidimensional outcomes through the provision of public foods and services, by firstly guaranteeing socially agreed essential standards to all, and then by improving the well-being of the persons which are at least disadvantaged" p. 28.
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