

### 3. Characteristics and perspectives of cross-border governance

"At the turn of the millennium, the term governance was one of the favourites in the competition for the title of the most used term in the social sciences"<sup>98</sup>. At the same time, this finding is linked to another observation: "The understanding of what governance research is supposed to be about is correspondingly varied and diverse"<sup>99</sup>. It is therefore not surprising that the concept of governance has also found its way into a field of research that has so far been relatively little explored by academics: cross-border cooperation in Europe. It was therefore only logical that the present publication should attempt to approach the concept of governance as well as its empirically and conceptually identifiable characteristics in the field of cross-border cooperation, in addition to other relevant questions.

The aim of this chapter is to make a contribution to this in two respects: firstly, in a comparative perspective, using the example of four very different cross-border-cooperation areas, it will be worked out in a cross-sectional manner, which forms of governance can be observed in cross-border practice, how these patterns can be characterised and how their functionality is to be assessed. Secondly, from a normative point of view, the question is whether and if so, which generalisable characteristics of cross-border governance can be worked out from this cross-sectional analysis, how these differ from other governance approaches, especially "regional governance", and which perspectives can be derived from this for the conception of a holistic understanding of cross-border governance.

The question posed in this chapter is closely related to two conceptual forms of the term governance itself. On the one hand, there is the more normative concept of governance, as it was first expressed in the concept of "good governance" in development cooperation<sup>100</sup> (what should governance achieve and how must it be structured?) and a more neutral, empirical understanding of the concept, as it was based in particular on the work of the circle of authors around Arthur Benz<sup>101</sup> (what are the forms and characteristics, what is the effectiveness and functionality?).

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98 Blatter 2006: 50

99 Grande 2009: 77

100 Theobald 2001

101 Benz et al 2007

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As far as the definitional approach to the concept of governance is concerned, Renate Mayntz has presented a broad conceptual variant of governance: This serves to "designate the various mechanisms that create order in a population of actors. This can happen through unilateral adaptation (market), command and obedience (hierarchy), through negotiation in networks, or ...through the common orientation of action towards the norms and practices in a society"<sup>102</sup>, whereby, in the sense of a narrower variant of the term, it is ultimately a matter of distinguishing between different forms of the "intentional regulation of collective circumstances"<sup>103</sup> and clarifying which are the circumstances in question and which are the regulating actors and their patterns of interaction.

Following Fürst<sup>104</sup>, two analytical differentiations can be derived from this: On the one hand, there is the question of the procedure for reaching collective regulations (e.g. decision-making processes, decision-making rules, political styles, etc.), i.e. "governance in the narrower sense" as a process dimension<sup>105</sup>. On the other hand, there is the question of the different organisational forms of this procedure (e.g. classical institutions vs. networks), i.e. in the sense of a delimitation of "government in the narrower sense" as a structuring dimension.

In addition, further differentiations should be considered here. In this way, a third analytical dimension can be developed, which is of great importance especially in political science, namely that of governance as a specific form of governance in which private corporate actors participate in the regulation of social circumstances and which, from an analytical perspective, involves a distinction between a specific form of non-hierarchical regulation and the interaction of hierarchical and non-hierarchical or state and non-state forms of regulation<sup>106</sup>. Finally, as a fourth dimension, a differentiation of the concept of governance according to different levels can be made, which in the vertical perspective refers to the question of the different spatial levels of action and in the horizontal dimension to the typology of the actors involved (state/non-state; public-private-social), and which thus integrates the perspective of so-called multi-level governance.<sup>107</sup>

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102 Mayntz 2009: 9.

103 Ibidem

104 Fürst 2010

105 Botzen et al 2009

106 Mayntz 2009: 10

107 Benz 2009

What most conceptual definitions of governance have in common is that it is obviously something complementary that (has) developed as a rule in addition to the already established public and/or private institutions and organisations, whether because the given institutional framework for action is seen as deficient for new challenges and/or because given market or state patterns of governance need to be complemented by new forms of interaction<sup>108</sup> of (societal) self-governance.

In view of the complexity and great variety of existing definitions, this chapter will be based on a rather simple self-understanding of governance<sup>109</sup>. This refers to a complementary, vertically (spatial/functional levels of action) and horizontally (actor-specific composition) differentiated interaction and steering structure for the solution/development of collective problems/potentials, whereby its functionality/effectiveness is determined by the material-strategic content (policy dimension) in question. Especially the last feature, i.e. the material-strategic dimension of policy, which is deliberately included in the working definition, is in danger of disappearing in current governance approaches, some of which deliberately seek to distinguish themselves from the older "steering approaches" and "policy research" or sometimes focus on conceptual term innovations<sup>110</sup>. Especially for the analysis of cooperation approaches that are in the field of cross-border cooperation and that are characterised by a high and (as will be shown) very presuppositional practical relevance, it seems necessary to give due consideration to this rather classical dimension of analysis.

The content of the first part of this chapter is based on the results of a research project carried out within the framework of the Model Project for Spatial Planning (MORO) project partnership<sup>111</sup>. Within the framework of the study, the following seven analytical dimensions in particular were examined more closely in the form of a cross-sectional analysis of the cross-border cooperation areas of Lake Constance, the Upper Rhine, the Greater Region and the Euregio Meuse-Rhine: 1. Contextual conditions that represent overarching spatial, historical, cultural, socio-economic and structural determinants of the respective cross-border integration areas; 2. the most important phases and characteristics in the genesis of cooperation, their similarities but also their respective differences in terms of sub-spatial cross-border development paths; 3. the actor structures and

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108 Scharpf 2006

109 Beck/Pradier 2011

110 Töller 2018

111 Federal Office for Building and Regional Planning 2009

typologies that are characteristic of the respective cross-border integration area, with a special focus on recording the respective vertical (level-specific) and horizontal (sector-specific) degree of differentiation; 4. the legal and organisational forms to be found in each case, which allow statements about the spectrum to be found, the specific characteristics as well as the functionality of the degree of organisation in the cross-border cooperation areas; 5. contents and results of cooperation, which can be regarded as constitutive for the cross-border integration areas; 6. strengths and weaknesses of the current governance in the cross-border cooperation areas, on the basis of which, finally, 7. the strategic challenges and innovation-oriented discourses can be worked out and evaluated.

On the basis of the insights gained from the cross-sectional analysis of the individual key questions, this chapter attempts to generate core elements and possible variants of a target concept for the governance of the spatial type "cross-border interlinked area" as well as differentiated practice-related suggestions for the future design or further development of the existing cooperation and governance structures in the cross-border cooperation areas of Europe, with special consideration of the dimension of large-scale communities of responsibility.

#### *3.1 Results of a cross-sectional analysis of four cross-border cooperation areas*

Within the framework of the above mentioned research project to analyse cross-border interdependencies in western German metropolitan regions (MORO), the author conducted a cross-sectional analysis of the governance processes in four selected cross-border cooperation areas<sup>112</sup>. The main findings of this cross-sectional analysis of the cooperation and governance structures in the four cross-border cooperation areas studied – Upper Rhine, Greater Region, Lake Constance, Euregio Meuse-Rhine – can be summarised under the following points.

##### *3.1.1 Specific contextual conditions of divergent polycentric structures*

The comparison of the four study areas makes it clear that the delimitation of what is to be understood by a "cross-border interlinked area" is not given per se. In addition to the area, which ranges from 65,400 km<sup>2</sup> (Greater

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112 Beck et al 2010

Region) to 10,800 km<sup>2</sup> (*Euregio* Meuse-Rhine), the number of inhabitants also varies greatly. The same applies to the population density, the number of sub-regions included, as well as that of the participating states and their characteristics: Thus, three states are involved in the cooperation in the Upper Rhine, four in the Greater Region and four in Lake Constance. On the other hand, Lake Constance is bordered by federal states, whereas the Upper Rhine and the Greater Region are not (the latter, in turn, has an entire state, Luxembourg, as a cooperation partner). Even the common characteristic of polycentricity is very different on closer inspection. While on Lake Constance Zurich, with over 200,000 inhabitants, is linked to a city network of around 50,000 inhabitants, the core cities of Karlsruhe, Freiburg, Strasbourg, Mulhouse and Basel on the Upper Rhine tend to be of a comparable size (> 100,000 inhabitants). The urban system of the Greater Region, in turn, is characterised by a great variety of different size categories, whereby here the urban network of the major centres "Quattropole"<sup>113</sup> has its own networking function. With Aachen and Liège, the *Euregio* Meuse-Rhine is again home to two large cities with over 200,000 inhabitants as well as the large city of Maastricht with over 100,000 inhabitants.

Differences are also apparent with regard to cultural and linguistic disparities. While these must be classified as relatively strong in the Greater Region and the Upper Rhine (very different cultural circles and administrative cultures meet in these areas), Lake Constance cooperation is characterised by the fact that, on the one hand, there is no language barrier and that, on the other hand, the cultural differences between the partners are also rather slight. The situation in the *Euregio* is more in between: Although there is a greater linguistic proximity of involved actors (Dutch/Flemish/German speakers), linguistic and cultural barriers definitely play a role with the French-speaking partners (Liège). In all four study areas, the regional cross-border identities of the population (beyond those parts of the population that have an explicit cross-border life orientation, such as cross-border commuters) are relatively weak. At the level of the actors of cross-border cooperation, on the other hand, this can be identified as significantly more pronounced, whereby the Lake Constance region has a particularly strong cross-border identification feature with the lake, while the Greater Region, on the other hand, tends to lack this due to the size

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113 See the "Quattropole" city network: <https://quattropole.org/> (accessed 30.03.2022)

of its area. In the *Euregio* Meuse-Rhine, the shared history of Belgian and Dutch Limburg offers special points of contact for a sub-area.

Overall, the comparison raises the question of the optimal size of a cross-border interlinked area. This seems to be the case for the Upper Rhine and Lake Constance, while the question arises as to whether the Greater Region is not ultimately too large on the basis of the real internal interdependence structures<sup>114</sup> and whether the *Euregio* Rhine-Meuse is not too small in view of the increasingly differentiated socio-economic interdependencies. Here the *Euregio* also competes with other more extensive regional networks.

#### 3.1.2 Comparable development phases with different finalities

All four study areas have a long tradition of cross-border cooperation. It is characteristic that the basis of cross-border cooperation was established in the early 1970s of the last century, that this form has largely been preserved until today, but that very specific adaptations and developments have taken place over the years, in which different finalities of the conceptual and practical design of cross-border cooperation are recognisable<sup>115</sup>.

The first phase (late 1960s to early 1970s) can be characterised as administrative institution-building: After gathering initial experimental experience and establishing selective relations in the 1960s, official government commissions with sub-regional regional committees or regional commissions and corresponding thematic working groups are set up in the Greater Region (1971) and the Upper Rhine (1975) on the basis of corresponding state treaties. The *Euregio* is established in 1975 in the form of a foundation under Dutch law, and in the Lake Constance region the International Lake Constance Conference (IBK) is constituted, with its Conference of Heads of Government and its thematic commissions.

A second phase can be seen in the governmental differentiation from the late 1980s to the early 1990s: The Greater Region establishes the Interregional Parliamentary Council in 1986, followed by an Interregional Economic and Social Committee; on Lake Constance, the Lake Constance Council is formed in 1991; the *Euregio* is expanded to include the *Euregio Council* in 1995; and on the Upper Rhine, the Upper Rhine Council is founded in 1997.

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114 Niedermeyer/Moll 2007: 297

115 Similar Wassenberg 2007

At the same time, a third phase began in the early 1990s, which can be described as project-oriented professionalisation: Through the Community Initiatives *INTERREG*, not only is substantial funding available for concrete projects, which leads to a quantitative and qualitative expansion of cross-border cooperation, but a very specific model of action is also introduced through the European funding policy, which with elements such as consultation, partnership principle, co-financing necessity, programme planning and monitoring, internal and external reporting, public relations, evaluation, etc. – albeit with very different intensities – directly shapes the practical design of the existing cooperation approaches in the four study areas.

A fourth phase, which began at the beginning of 2000, can be described as level-specific differentiation. In the case of the Upper Rhine, the Greater Region and the *Euregio*, this is characterised on the one hand by the creation of (municipally supported) Eurodistricts and city networks, which began in 2004, and in the case of the Lake Constance region by the implementation of a cross-border Agenda 21 process, in which the municipal level in particular was very strongly involved<sup>116</sup>. The most recent example from the *Euregio* Meuse-Rhine is the declaration of intent of the Aachen city region and Parkstad (a Dutch association of municipalities) to establish a European Grouping for Territorial Cooperation (EGTC).

At the same time, all four regions began to consider the further development and reform of the existing cooperation structures (reform of the *Euregio Council* 2000<sup>117</sup>, reform of the Greater Region 2005<sup>118</sup>), which continues to this day. However, in the overall view, only the Upper Rhine currently shows a consistent level-specific differentiation in the area of cross-border cooperation, in which there are not only institutional but also task-structural and functional approaches to a vertical division of labour between the (inter-) national (government commission), overall spatial (Upper Rhine Conference, Upper Rhine Council) and partial spatial levels (Eurodistricts) on the one hand, and on the other hand (in the area of common cross-sectional tasks) between the four Eurodistricts themselves.

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116 For the evaluation of the Lake Constance Agenda 21 see: <https://www.alexandria.unisg.ch/id/project/31757>

117 Decision of the Executive Board of the *Euregio* Meuse-Rhine of 13.12.2000 and of the *Euregio Council* of 31.1.2001 amending the Declaration of Principles and the Rules of Procedure for the functioning of the *Euregio Council*.

118 Updated exchange of notes of 23.5.2005 in: Niedermeyer/Moll 2007.

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The four study areas are representative of different logics of action and cross-border cooperation finalities, which represent interesting conceptual alternatives for the question of structuring integrative cross-border cooperation<sup>119</sup>. The *Euregio* Meuse-Rhine, for example, follows the classic *bottom-up* principle of an *Euregio*, in which functional solutions are developed for a smaller cooperation area with regard to achievements of cross-border integration at proximity-level.. The Greater Region and the Lake Constance cooperation, on the other hand, stand for a larger spatial-structural interdependence context, in which there is a stronger interregional moment, whereby the difference is to be seen in the existence/non-existence of an identity-forming common frame of reference ("Lake Constance riparian"). The Upper Rhine, on the other hand, can be seen as a cooperation model of vertical networking of different spatial levels of action, with which a synchronisation of different spatial reaches of cross-border cooperation is aimed at.

#### 3.1.3 Different actor structures with the same mono-sectoral orientation

In all four study areas, the analysis shows a very strong dominance of public actors. This is a characteristic that is representative of cross-border cooperation as a whole<sup>120</sup>. On the one hand, this can be explained by the fact that cross-border cooperation, as a so-called "secondary foreign policy"<sup>121</sup>, is always at the interface and boundary of competences of different states and that this state level is therefore – depending on the institutional differentiations in the respective state organisation – *per se* always involved – be it as a direct actor or indirectly via the general or the specific supervisory function or via the financing function from ministerial action programmes. On the other hand, it can be historically understood that the initiators and promoters of cooperation in cross-border interlinked areas were and are primarily public actors, be they regional or local politicians or actors of the deconcentrated state administration or the regional and local authorities.

On the other hand, in all four cooperation areas, cross-border cooperation traditionally takes place in thematic fields that can be assigned to the core area of compulsory or voluntary public tasks in the participating

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119 Ricq 2006

120 Lang 2010

121 Klatt/Wassenberg 2020



countries: When developing cross-border approaches to action, for example in spatial planning, environmental protection, local public transport, education, public services or public safety and order, public actors are first and foremost responsible. Finally, cross-border projects, especially if they are funded by European programmes such as *Interreg*, sometimes require substantial financial participation in the form of national and regional co-financing. Since the project costs must first be fully pre-financed in accordance with the relevant funding criteria, actors from the social sector, for example, quickly reach the limits of their capacity. Direct funding to private actors, such as companies, is also legally very difficult due to European state aid law and the relevant *Interreg* guidelines.

Within this general pattern, the four study areas nevertheless show some interesting variations in terms of actor structures. For example, in the Greater Region, actors of the economic and social partners are institutionally integrated at the interregional level in the form of the Economic and Social Committee (ESC) – even if the ESC has a purely consultative character and thus a rather limited scope, and have additional formal participation opportunities via specific interregional association structures (Trade Union Council, Chambers of Industry and Commerce (CCI) and Chambers of Skilled Crafts (CHC)). A similar involvement, which is even more intensive in terms of the degree of integration, can be found in the *Euregio* Meuse-Rhine: there is a separate chamber of social organisations within the *Euregio Council*, and these actors are also intensively involved thematically at the level of the commissions.

Such institutional involvement at the decision-making level can only be discerned in the structures of the Upper Rhine and Lake Constance to date. The involvement of societal and economic actors takes place here in institutional terms more at the working level (e.g. working groups and expert committees of the Upper Rhine Conference or in the commissions of the IBK), via the chambers' own (INTERREG) project initiatives (e.g. advisory network of the Chambers of Crafts, network of Euro-advisors of the Chamber of Industry and Commerce) or via *Eurest-T*<sup>122</sup> (e.g. *Eurest-T* Upper Rhine).

Within the public actor segment, on the other hand, a strong regional/municipal momentum is noticeable in the *Euregio* Meuse-Rhine, while the municipal level has so far been included in the official cooperation of

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122 EURES-T sees itself as a competence centre for all questions concerning the cross-border labour market, for the Upper Rhine, see: <https://www.eures-t-oberrhein.eu/> (29.03.2022)

the IBK at Lake Constance rather selectively. The Upper Rhine and the Greater Region, on the other hand, represent cooperation areas in which a mix of state and municipal actors can be observed, with the state actors or representatives of the regional authorities dominating at the overall spatial level and the municipal actors dominating at the sub-regional level. The Greater Region has the special feature that Luxembourg is involved in cross-border cooperation as an independent state, whereby the question can be asked whether this has a promoting or rather inhibiting effect on cross-border cooperation.

Another interesting differentiation criterion within the public actor segment is the question of the degree of professionalisation with regard to the specific technical requirements of effective and efficient cross-border cooperation. In addition to the linguistic and intercultural competences of the actors involved, the question of whether and to what extent full-time actors are participating in the cooperation is an important indicator in this regard. This can be used to measure the extent to which the field of action of cross-border cooperation is established or consolidated as an independent policy field, or whether it continues to lead more of a "second-hand" existence, i.e. is more or less completely dependent on contributions to action from the national context with regard to its functional conditions. Here, the comparative analysis shows strong differences between the examined cross-border interdependencies. The most striking is the Upper Rhine region, where considerable personnel capacities have been built up in recent years, both at the level of institutional partners and within the framework of the cross-border institutions themselves: Around 100 people are involved in cross-border cooperation on a full-time basis at the various levels, in addition to around 600 experts in the Upper Rhine Conference alone, who are provided by their national administrations on a selective basis.

The less socio-economic interdependencies are oriented towards administrative borders, also in a cross-border context, and the more important the cooperative interaction of actors from different sectors becomes for territorial development, the more the question arises, also in a cross-border context, to what extent horizontal differentiations in the structure of actors, as can be observed in many national metropolitan areas<sup>123</sup>, are also of critical importance for cross-border interdependencies<sup>124</sup>. How the targeted mobilisation and integration of the potentials and contributions of

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123 Ludwig et al 2009

124 Beck 2008a

public, social and private actors in the cross-border context can be ensured and, if necessary, even controlled, is – on the basis of the findings from the comparative analysis – a central question of future-oriented *governance* in functionally interdependent cross-border territories.<sup>125</sup>

#### 3.1.4 Different forms of organisation for comparable goals of action

With regard to the degree of organisation, the first thing that stands out in the comparative analysis is that the institutionalisation of the regions is based on different legal forms: Whereas at Lake Constance, the Upper Rhine and the Greater Region, beyond the respective state treaties, there is no uniform legal structure at the overall spatial level and the institutions created here are based predominantly on multilateral agreements between the partners, the *Euregio* Meuse-Rhine has a framework structure, a foundation under Dutch law. The legal instruments created specifically for cross-border cooperation (cross-border local special-purpose association (GÖZ) according to the Karlsruhe Agreement, EGTC according to European Union (EU) law) are not yet applied at the large-scale level, but are used (if at all) in the sub-spatial context (Eurodistricts, individual projects).

Furthermore, it is noticeable that in the *Euregio* Meuse-Rhine, as well as in the Greater Region and the Upper Rhine, there is a significantly higher degree of formalisation and institutionalisation compared to Lake Constance. While Lake Constance consciously relies on a policy of "strength of loose coupling" within decentralised (sectoral) networks<sup>126</sup>, the other three regions are dominated by a pattern of classic institution building with a conscious regulation of business processes and decision-making procedures. Accordingly, the actors on the ground in these three regions consider the degree of formalisation to be relatively high, whereas in Lake Constance they consciously see the need for informal cooperative relationships and specifically promote them.

In addition to the organisational structure, there are also considerable differences between the four study areas in terms of financial resources. In all regions, the *INTERREG programme* plays an important role for the realisation of strategic projects, but there are some interesting differences with regard to the question of how strongly this also determines the overall material spectrum of cooperation. Since in the *Euregio* Meuse-Rhine there are

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125 Kolisch 2008

126 Scherer/Schnell 2002

almost no proper funds for projects available, INTERREG and its model of action very much dominate practical cooperation, as well as the discourses and decision-making patterns geared to it. A strong influence of *Interreg* can also be observed in the Greater Region, as none of the diverse cross-border bodies has a significant cross-border action budget and therefore, as a rule, the problem pressure in the various areas is not sufficient in itself to develop lasting cross-border cooperation without additional financial incentives. In contrast, Lake Constance does not define itself through the *INTERREG programme* but wants to be its own platform for cross-border cooperation that uses the *INTERREG programme* to realise project ideas developed there. A similar, rather instrumental understanding is also found in this respect in the Upper Rhine. Here, the institutional partners of the cooperation have in some cases even created their own cross-border budgets with which smaller projects can be financed autonomously and very flexibly (the financing here takes place via fixed keys or annual contributions based on population figures): Eurodistricts, Upper Rhine Council, Upper Rhine Conference and Three-Country Congresses are not primarily defined by the *Interreg* programme, but each represent their own platforms for cross-border policy development and its implementation. As on Lake Constance, many projects are also initiated here outside of *Interreg*.

An important feature of the cooperation areas studied for further reflection on the future design of cross-border integration areas is that, overall, the degree of cross-border organisation is rather low. The administration and political shaping of cross-border affairs is usually carried out through a very strong reference back to the political-administrative context of the partners involved, whereby cross-border cooperation is primarily perceived there as a cross-sectional task located in the political management area: this usually enjoys a high level of political and strategic attention, but in organisational terms has the latent problem of a functional anchoring in the technical-sectoral line (specialist departments, specialist administrations, etc.). Even in cases where own cross-border structures and institutions have been created, they are very much dependent on the functionality of the underlying inter-institutional networks of their partners for the effectiveness of their work. This regularly results in challenges in interface management and inter-institutional coordination. They underline the tension between an expansive cross-border task policy at the level of the interlinked areas and the systemic limits of a corresponding integrative, competence-based institution building.

### 3.1.5 Strengths and weaknesses of the current cross-border cooperation systems

The main strengths of the cooperation structures studied lie first of all in the fact that they each represent specific responses to individual challenges and needs for action in different spatial and political-administrative starting conditions. In all four study areas, functional patterns of cross-border cooperation have developed that are characterised by a strong tradition, which in turn has led to independent cooperation cultures. These cooperation cultures are both internalised and shaped by the actors involved. They are mainly supported by functional inter-institutional and inter-personal networks of public institutional key actors. They are supplemented by individual personalities from business and society.

As a rule, these cooperation patterns involve high-ranking political and administrative leaders who contribute to strong media visibility and political-strategic importance: in all the cooperation areas studied, cross-border affairs are "boss business".

This pattern is complemented by a very strong project orientation, which has gained importance especially with the *Interreg programme*. At this level, as well as at the technical level of the bodies of the various cross-border structures, specialists are very much involved. These form a second, complementary level, which is also characterised by inter-institutional and inter-personal network structures. At both levels, cooperation in the four study areas is very much based on and characterised by mutual trust.

Thematically, a very broad range of policy and thematic fields can be observed within the cooperation system – again for all study areas. As a rule, permanent working structures (commissions, working groups, committees, etc.) have been set up for the individual topics at the institutional level, which lead to a stabilisation of the performance of tasks within the overall system.

On the other hand, these strengths are contrasted by a number of weaknesses in the four study areas, which can also be considered characteristic for cross-border cooperation as a whole. In summary, these can be outlined as follows: With regard to decision-making, the first thing to mention here is the unanimity principle, which in combination with the principle of "national" delegations and the resulting "compulsion to parity" tends to slow down innovations in cross-border cooperation. In addition, the mostly practised principle of rotation in the chairmanship of the committee tends to stand in the way of continuity. Furthermore, a tendency towards resolutions instead of real decisions can be identified,

which very often results in a certain implementation deficit. Low meeting frequencies at the decision-making level can also lead to breaks in the continuity of decision-making. In addition, a relatively low level of information about actual cross-border problems or potential needs for action in the cross-border context can often be observed: Projects often emerge as a result of selective initiatives by individual actors rather than in the form of a systematic implementation of action strategies, based on a joint cross-border need-analysis..

With regard to cross-border business processes, one can generally observe a significantly higher coordination effort compared to the national context, which – especially in intercultural terms – leads to a high level of complexity and a certain momentum of the processes. The work of the various institutions and bodies is usually largely decoupled, and there is a lack of joint, result- and impact-oriented work processes. Since there can be no institutional „hierarchy" in cross-border cooperation, a not insignificant lack of leadership can be observed (the steering option of cooperation "in the shadow of the hierarchy" is ruled out<sup>127</sup>). In connection with relatively closed working structures, the politically highly sensitive cross-border business of "secondary foreign policy" therefore often leads to a high degree of informality, but also to a lack of transparency in the processes. Conversely, the high institutional and personal feedback and coordination effort leads to comparatively lengthy process patterns (there are no easy questions across borders), which also means that a certain dominance of encounter/exchange (actors and their institutional backgrounds have to be presented and explained again and again) instead of results-oriented meeting processes must be considered characteristic in many cross-border constellations. Cooperation of autonomous actors instead of integrated structures and procedures as well as selective project work instead of consolidation on the basis of common goals, in combination with the lack of common effective working tools (diaries, databases, etc.), lead to a tendency towards lower efficiency, which must be compensated for in each case by a comparatively significantly higher personnel commitment of the actors involved.

In addition to the one-sided "public-law" actor structures already outlined above, the personnel structures of the partners involved themselves sometimes show specific weaknesses. Here, a lack of knowledge and func-

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127 There can be no cross-border hierarchy, which of course does not exclude the relevance of the shadow of institutional hierarchy from the home context (*principal-agent problem*).

tional compatibility of the national partners can be observed time and again, which can only be rudimentarily countered even with specific training measures: Very often the "cross-border reflex" takes a back seat to a certain "national tunnel vision". This is partly due to the fact that there is very little horizontal mobility at staff level. In addition, a dominance of individuals rather than a true "regional collective" can be observed. Restrictions on direct communication arise particularly at the level of the technical experts due to the need for simultaneous translation – although this problem is not significant at Lake Constance. Finally, another overriding weakness in the area of personnel structures lies in the latent tendency towards demotivation: Due to the factually low task-related cross-border competence to act, as it results from the national and European legal systems, the real scope for action is often rather low – this must be worked out and justified again and again in the intersection of different systems and competences in the subject areas to be dealt with.

### 3.1.6 Discourses and reform concepts

Against the background of the weaknesses outlined above, it is not surprising that intensive discussions took place in all four study areas on optimising cross-border cooperation and that concrete measures and projects have already been implemented in some cases. In the *Euregio* Meuse-Rhine, for example, a stronger opening to the state actors was currently on the agenda, in the context of which a transformation of the foundation into an EGTC was also being discussed<sup>128</sup>. In addition, the question arised as to how the existing administrative territorial delimitation could better accommodate changed, rather large-scale cooperations (e.g. in the area of medical university cooperation). Furthermore, the idea of creating a European experimental region with special competence models has been discussed and it was examined how Euregional committee structures and tasks (e.g. *Euregio Council*) could be optimised in the future, for example by strengthening subject-specific working groups or developing strategic annual programmes. In addition, closer cooperation between municipal actors in the future (Städteregion Aachen/Parkstad) was about to change the current *governance* model in the *Euregio* and the question as to how the work of the *Euregio* (in the current foundation structure) will have

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128 Unfried 2009

to be aligned with this. In contrast, the creation of a real budget beyond *INTERREG* was not seriously pursued.

In the Greater Region, the positioning of the sub-regions with regard to the Vision 2020<sup>129</sup> was on the reform agenda. Furthermore, under the guiding principle of a Greater Region of two speeds, there were isolated discourses on the territorial reorganisation of the scope of cross-border cooperation, which repeatedly also raised the question of naming. In addition to the reflection on making the work of the Greater Region Summit more effective through more regular working meetings<sup>130</sup>, the creation of a separate budget and the improvement of the working capacity through a joint permanent secretariat supported and financed by all partners has also been raised in particular. In this context, the creation of an EGTC as an integrative supporting structure was also considered. In addition to approaches for an optimised inter-communal networking and greater involvement of civil society, the creation of a University of the Greater Region<sup>131</sup> was and still is a key project.

On the Upper Rhine, the realisation of the Trinational Metropolitan Region Upper Rhine (TMO) was and still is at the centre of internal and external modernisation discourses. Internally, cooperation was to be optimised in the future through the synergetic networking of the four pillars of politics/administration, economy, science/research and civil society, with which sectoral and horizontal networks are to be consistently oriented towards the strategic development of the existing cross-border potentials<sup>132</sup>. In addition, task-structural divisions of labour between the Eurodistricts (inter-communal) and the region as a whole (inter-regional) have been developed in relevant policy fields in the sense of vertical *multi-level governance*. Each pillar has developed its own strategies for action for the realisation of lighthouse projects with which critical masses are

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129 Cf. on the Future Vision of the Greater Region: [https://www.grossregion.net/Institutionen/Weitere-Akteure/Haus-der-Grossregion/Institut-der-Grossregion-IGR;Niedermeyer/Moll 2007](https://www.grossregion.net/Institutionen/Weitere-Akteure/Haus-der-Grossregion/Institut-der-Grossregion-IGR;Niedermeyer/Moll%202007)

130 Although the summit is to take place only every two years from 2011, there are to be regular meetings of the specialist ministers (transport, environment, research, spatial planning, etc.) in addition to the summits; Cf. on the whole in detail: Wille 2011; 2012

131 Cf. website of the University of the Greater Region: <http://www.uni-gr.eu/> (30.03.2022).

132 Cf. contribution of the Upper Rhine to the " Green Paper on Territorial Cohesion – Territorial Diversity as a Strength " of the European Commission {SEC(2008) 2550} of 25.2.2009



to be reached. These lead to corresponding task-critical optimisations and networking approaches in and between the existing institutions of cross-border cooperation. In the perspective of external positioning, targeted lobbying strategies towards the level of the EU and the governments of the participating nation states have been defined, which have already led to very concrete external support.

On the other hand, in Lake Constance there were signs of a conscious retention or further development of the existing informal cooperation culture, which was and still is also very much based on personal and decentralised networks. At the same time, however, there was definitely a focus on strengthening the personnel capacities for cross-border cooperation in the individual sub-regions and on how cross-border cooperation could be made even more dynamic in the future and, above all, structured in such a way that even conflictual issues can be tackled and effectively dealt with<sup>133</sup>. In addition, the question of even better integration and networking of the municipal level was also on the agenda, which, in addition to targeted projects (e.g. in the area of regional marketing and tourism promotion), also addressed questions of institutional strengthening of this level. The International Lake Constance University continues to be a European lighthouse project, within the framework of which innovative approaches to inter-institutional collaborative research are currently being conceived.

### 3.2 Perspectives of cross-border governance

The comparative analysis of the existing cooperation and governance structures has made it clear that in the cross-border integration areas studied, the encounter of different political-administrative systems and cultures in particular leads to a high degree of complexity and momentum in the procedures. The networking of different national political arenas implies a pronounced multi-level problem, in which the level-specific functions and functionalities are still relatively unclear in the overall view<sup>134</sup>. In addition, it is particularly difficult at the large-scale level to find cross-border recognised "leading figures" to initiate, promote and symbolise cross-border cooperation. Original competences to act for substantial cross-border policy production (in the sense of regional self-governance) do not exist per se, but must be justified on a case-by-case basis and specifically legitimised

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133 Scherer/Schnell 2002

134 Beck 20010

in each case. Cross-border cooperation is network-like but mostly interpersonal and not really intermediary. Important preconditions that exist in regional governance approaches in the national context must therefore still be created systemically in the cross-border perspective. Whereas in the national regional context networks, due to the loose, intermediary linkage of their members, represent suitable modes of governance for a needs- and potential-oriented regional development, which is oriented on the basis of functional socio-economic interdependencies and not only on the basis of administrative distributions of responsibilities, the cross-border context is, at least so far, much more strongly relegated to public-legal and political-administrative functional conditions. In particular, the governance of large-scale interdependence contexts still shows characteristics of cross-border government rather than governance in the normative sense.

The analysis of the four cross-border cooperation areas examined also allows the conclusion that the specific characteristics of what one seeks to understand as cross-border governance are very strongly determined by the respective spatial and structural starting conditions as well as the resulting genesis of a specific cooperation culture in each case. Just as it is very difficult to identify the one standard model of regional or sectoral governance in a national context<sup>135</sup>, it is hardly possible to work out a uniform empirical pattern that could justify a normative target concept of cross-border governance.

What can be identified, however – and this is a first conclusion of the analysis – are common features of cross-border cooperation that can be worked out from the cross-sectional analysis of the case studies and which can be interpreted as constitutive basic components of cross-border governance, and with which the specifics of the corresponding functional conditions can be explained at the same time. Four constitutive features appear decisive in this context.

The first characteristic is that cross-border governance first of all always has a territorial dimension<sup>136</sup>. The cooperation and coordination processes that can be observed are constituted within a spatial parameter that encompasses the territories of two or more countries bordering each other. The respective given cross-border spatial structure (e.g. existence of natural borders, population density, degree of socio-economic interdependence,

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135 On the great institutional and functional diversity of German metropolitan regions, see Ludwig et al 2009.

136 Casteigts 2010

polycentricity)<sup>137</sup> as well as the resulting challenges with regard to the production of coordinated spatial solution approaches (development of given potentials, creation of infrastructural prerequisites, balancing of sub-spatial functions, etc.) form both the occasion and the framework for this form of cooperation<sup>138</sup>. Characteristic here is both the strong reference to political-administrative boundaries and the existence of socio-economic spill-over effects that transcend these boundaries. This results in the tension and challenge of adapting the spatial parameters of cooperation to the scope and content-related references of the various degrees of functional interdependence, as well as mobilising the relevant territorial actor structures in the sense of a "regional collective"<sup>139</sup> by networking them intermediately. In this respect, cross-border governance has strong links to the challenges of classic "regional governance"<sup>140</sup>.

The second characteristic of cross-border governance is that this regional governance operates in a context that concerns relations between different states. The transnational dimension of cross-border governance is thus a specific characteristic that contributes significantly to explaining the specific functions and functionalities of this cooperation approach. Unlike "classic" regional governance, cross-border governance is characterised by the fact that decision-making arenas of different political-administrative systems are linked to each other. The resulting cross-border negotiation systems are characterised by a much stronger principal-agent problem than national regional governance. Here it is not only a matter of the encounter and functional coordination of different system characteristics, but also of the specific challenge of mediating back and thus of the possibilities and limits of the functional "embeddedness" of a cross-border territorial subsystem<sup>141</sup> into its respective constitutive national political-administrative systems. In addition, there is the intercultural function of mediation and understanding, which is also closely connected to the transnational dimension of cross-border governance. This refers not only to the interpersonal but also to the inter-institutional components of the cross-border negotiation system and explicitly includes the question of the compatibility of divergent European administrative cultures<sup>142</sup>. Finally, features such as the

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137 Ricq 2006: pp. 18

138 Federal Office for Building and Regional Planning 2009

139 Prince 2010

140 Kleinfeld et al 2006.

141 Frey 2003

142 Beck/The dieck 2008

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consensus principle, the delegation principle, the non-availability of hierarchical conflict resolution options, the rotation principle in committee chairmanship, the tendency to postpone decisions or the structural implementation deficit can also be explained by this transnational dimension. Cross-border governance thus obviously also shares to a large extent those general characteristics that have been elaborated in international regime research with regard to the functionality of transnational negotiation systems<sup>143</sup>.

The third constitutive feature of cross-border governance can be seen in its European dimension<sup>144</sup>. It is true that national patterns of regional governance also generally have European references, especially when it comes to questions of external regional positioning and/or the use of corresponding funding programmes. However, cross-border governance is comparatively much more strongly related to this European dimension in terms of its character and its finalities. Thus, on the one hand, cross-border cooperation in the European context fulfils a specific horizontal integration function<sup>145</sup> – not only in the political discourses of the acting actors on the ground, but also and especially in the objectives of European policies and institutions: the "growing together of Europe at the borders of the member states", the "Europe of the citizens", "territorial cohesion" or the "European Neighbourhood Policy" are concepts that directly refer to the European dimension of cross-border cooperation<sup>146</sup>. Thus, in perspective, cross-border cooperation is constituted as a separate level of action in the European multi-level context<sup>147</sup>. In addition, there is the (sectoral) laboratory function that cross-border territories have for European integration: In all those policy fields that are either not harmonised at the European level or in which European regulations are implemented differently at the level of the member states, adapted cross-border solutions must be developed as answers to real horizontal interdependence problems. These often represent a proper innovation perspective with regard to the development of a European cross-borderproximity-level. In addition, with the INTERREG programme and its characteristic functional principles, cross-

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143 Hasenclever et al 1997; Müller 1993; Kohler-Koch 1989; Finger et al 1990

144 Lambertz 2010

145 Schwok 2005: pp. 123

146 This is also illustrated, among other things, by the fact that only 7 % of the EU population is cross-border mobile, but that over 80 % of this mobility takes place in European border regions. On the functions of border regions in this regard in detail see: Beck/Thevenet/Wetzel 2009: pp. 3

147 Benz 2009: pp. 134

border governance is very strongly structured by an external model of action conceived at the European level. As a rule, this model of action shapes cooperation more strongly than it is the case in the national context, in which, in case of doubt, other than European funding and/or programme logics can also be resorted to. Finally, cross-border cooperation, and thus also its governance, is particularly strongly shaped by specific structuring approaches at the European level, for example at the instrumental, procedural and/or regulatory level, which has a comparatively high influence in the bilateral or multilateral constellation of cross-border cooperation between actors coming from different European countries<sup>148</sup>.

Finally, the fourth characteristic of cross-border governance can be seen in the factual-strategic dimension. At the substantive level, cross-border issues are by no means a separate policy field, but contain more or less integrated cooperation approaches in and between different policy fields. The character of these individual regulatory, distributive, redistributive, allocative, innovation- or production-related policies<sup>149</sup> not only shapes the respective actor constellations and the corresponding degree of politicisation of the issues in question, it also decisively determines the different institutional requirements of the governance structures necessary for this<sup>150</sup>. These vary considerably from policy field to policy field and thus complicate the functionality and practical design of an overarching cross-border governance related to the overall territorial development control. The complexity of such a highly presuppositional governance is increased by the fact that the (variable) policy type in question also directly influences the interests and action strategies of the actors involved and thus significantly shapes the style of interaction, the decision-making rules applied and ultimately the efficiency of cross-border problem-solving patterns. The difference to the functionalities of cooperation patterns that take place within the uniform institutional system context of one single jurisdiction<sup>151</sup> can be seen in the fact that the systemic determinants and thus also the intersections for actor qualities, decision-making competences, action resources and the synchronisation of strategic interests in the cross-border context can vary greatly here from policy field to policy field. Constellations and

148 As an example, the EU regulation on EGTC can be considered, which – irrespective of the material necessity – causes a relatively strong " regulatory push " of cross-border cooperation in many border regions and thus has direct consequences for the design of cross-border governance regimes.

149 Windhoff-Heritier 1990, 1993; Jann 2009

150 See already Beck 2007: pp. 279

151 Benz/Scharpf/Zintl 1992

logics of action that are evident in the domestic context and can thus be constructively shaped in the sense of a "social investment"<sup>152</sup>, lead to completely different patterns of interaction and decision-making styles in the perspective of cross-border governance. This, in turn, can be used to explain the specific culture of cooperation, which usually is characterised by a much higher complexity and inherent dynamics of the processes in question, with a simultaneous tendency to decouple factual and interest-driven interaction.

In addition, in contrast to national and international patterns of conflict regulation, where tying and deliberate cooperation in the area of the game-theoretical Kaldor optimum are relatively easy to achieve<sup>153</sup>, this is rather difficult in the cross-border context. Although the breadth of the issues dealt with offers, in principle, a good prerequisite for coupling transactions: due to the low binding effect of cross-border decisions and the highly complex nesting of thematic and factual decision-making arenas, coupled with the very low original competence profile of cross-border cooperation, coupling transactions, but above all the factual-logical "zoning up" of conflicting issues to higher decision-making levels, are, however, very difficult. The dilemma is that there is no hierarchy across borders and that complementary cooperation at the intergovernmental level follows other functional logics<sup>154</sup> (see transnational dimension). Thus, the functionality of cross-border governance in these areas is limited and patterns of negative coordination tend to dominate in such cases.

The particular distinguishing feature of cross-border governance is to balance the interdependencies between these four constitutive dimensions. A holistic understanding of cross-border governance is therefore much more complex and presuppositional than is the case in a regional, national or international context. The following diagram summarises the four constitutive dimensions of cross-border governance:

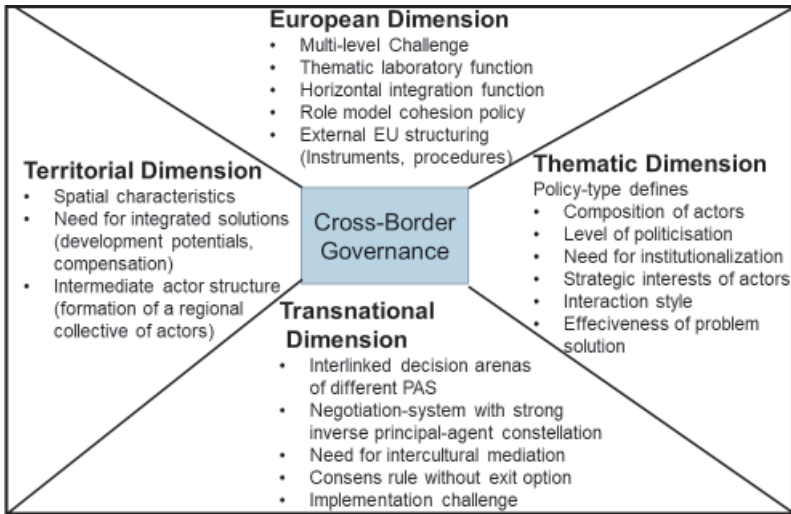
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152 Beck, D. 2001: pp. 297

153 The Kaldor optimum is reached when a policy measure brings an improvement for at least one individual and the losers could be compensated by the winners, cf. Scharpf 2006: pp. 123

154 Lamassoure 2005 speaks in this context of the "grey zone" of cross-border cooperation: the dimensions of the issues dealt with are often too "large" for the sphere of responsibility of local/regional actors, but too "small" for the national states, precisely because this relates only to partial sections of their own territory.

Figure 4: Dimensions of cross-border governance



Source : Beck/Pradier 2011

A second characteristic feature of cross-border governance can be seen in the fact that it can refer to different functional levels. Ideally, six functional levels of cross-border cooperation can be identified, which in practice – in the sense of a core process – very often build on each other sequentially in the sense of different development stages.

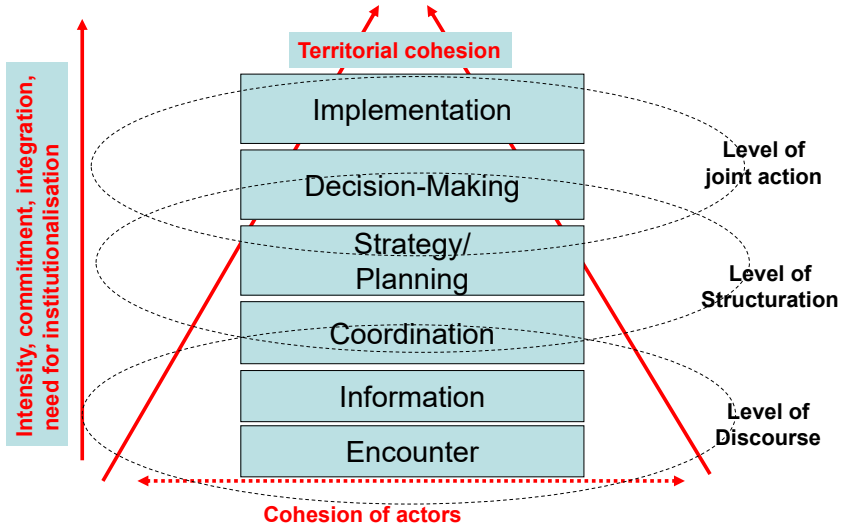
The encounter between actors from different national political-administrative contexts can be regarded as a basic function of cross-border governance. At this level, the focus is on aspects of getting to know each other and exchanging information about the specifics of the respective home context. Mutual encounters promote mutual understanding and thus form the basis for building trusting mutual relationships. On this basis, the partners can then enter the second stage, which is characterised by regular mutual information. If the informative relationships are sustainable, they lead in a third step to cross-border coordination of the respective actions and policy approaches of the partners involved. This then leads to the need to develop joint cross-border planning and strategies on a fourth level, which can ensure a coordinated, integrated approach in relevant fields of action (problem solving and potential development). Building on this, joint decisions can be made, that finally lead to an integrated, cross-border coordinated and jointly supported implementation of programmes and projects on a sixth level.

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The model of the six cross-border functional levels, which build on each other, stands on the one hand for the empirical observation that the intensity, commitment and integration of cooperation grow across the individual levels. Each level in itself represents a necessary and legitimate dimension of cross-border governance. On the other hand, it takes into account the practical necessity that the spectrum of actors involved tends to decrease across the individual stages, while the need for institutionalisation tends to increase. Thus, the six stages can be brought into a context with three overlapping interaction typologies: the first two stages primarily represent a discourse level, the following stages rather a structuring or action level. It is characteristic that the genesis of cooperation structures has historically passed through these different levels, but that in the practice of inter-institutional cooperation – depending on the subject matter in question – the different levels very often mix interactively. New topics and projects, on the other hand, tend to pass through the level model sequentially. Therefore, if we are to speak of holistic cross-border governance, the different functional levels of this governance would have to be recorded as a whole and evaluated in a differentiated manner according to the diverse factual, sectoral, actor-specific and/or thematic references of cross-border cooperation. Empirically reliable cross-border governance therefore only exists if all functional levels are at least partially realised in all the reference levels in question. The fact that many deficits can still be observed, especially with regard to the two functions "decision-making" and "implementation", illustrates the real world challenges to realizing an integrated cross-border governance. The following diagram summarises the functional stage model of cross-border governance.



Figure 5: Functional levels of cross-border governance



From the combination of these two general characteristics of cross-border governance (reference levels and functional levels), conceptual foundations for the generalisation of basic components of cross-border governance can be derived as a first approximation. These lead to 24 strategic fields of action, the holistic realisation of which would have to be the normative orientation of cross-border governance in the narrower sense. The following diagram summarises the central fields of action of such a holistic cross-border governance in key words.

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Figure 6: Holistic model of cross-border governance

|                          | <b>Territorial Dimension</b>   | <b>Transnational Dimension</b>  | <b>European Dimension</b>   | <b>Thematic Dimension</b>  |
|--------------------------|--|---|---|--|
| <b>Implementation</b>    | Flagship projects for synergistic potential development                  | Delegation of the responsibility for cross-border tasks               | Obtaining funding for cross-border demonstration projects                               | Creation of cross-border organisations with their own task competence              |
| <b>Decision-Making</b>   | Creating vertically and horizontally integrated processes and structures | Targeted cross-border networking of political arenas                  | Mobilisation of European decision-makers (from the territorial environment)             | Management of cross-border policy-related negotiation systems                      |
| <b>Strategy/Planning</b> | Integrated CBC development concepts                                      | Anchoring cross-border goals at the level of the principals           | Practive participation in EU projects (consultations, EU Impact Assessment System)      | Anchoring cross-border objectives and opening clauses in national law              |
| <b>Coordination</b>      | Development of regional CBC collective                                   | Cross-border synchronisation of national missions and decision makers | Development of joint lobby strategies of the (intermediary) representatives in Brussels | Cross-border synchronisation of domestic sectoral objectives and action programmes |
| <b>Information</b>       | Development of cross-border spatial information systems                  | Institutional interface management                                    | Optimisation of vertical information flow   | Proactive cross-border dissemination of information on national policies           |
| <b>Meeting</b>           | Creation of CBC forums of intermediary actors                            | Intercultural mediation (systems, actors)                             | Intensification of joint direct contacts with European institutions                     | Cross-border networking of experts at all levels                                   |

In order to realise such a holistic cross-border governance approach, it is essential in the territorial dimension to enable regular meetings between actors from different sectors and to establish the necessary territorial references (real-world problems and potentials) of corresponding needs for action through the development of cross-border spatial information systems, on the basis of which regional key actors can be mobilised as an intermediary in the sense of a cross-border collective. The development of integrated territorial development concepts is of central importance, especially in cross-border terms: on their basis, vertically and horizontally

networked decision-making procedures and structures can be developed, which enable the integrated implementation of strategic lead projects for synergetic (cross-sectoral) territorial potential development.

In the transnational dimension, this requires active intercultural communication of the respective systemic<sup>155</sup> and actor-related<sup>156</sup> specifics of the neighbouring states, active interface management of the different informational levels and procedures, synchronisation of the task and decision makers as well as better anchoring of the cross-border sub-system at the level of the institutional headmasters (the principals) of cross-border cooperation. In this way, an optimised networking of cross-border and national decision-making arenas can be achieved, which strengthens the implementation functions of cross-border cooperation in the sense that the headmasters gradually delegate their own sponsorships for cross-border tasks to the cross-border area.

In addition to optimising the functional embedding of the cross-border cooperation system in its national political-administrative context, the step-by-step model for the European dimension in its basic function implies first of all the establishment of direct contacts with the relevant institutions at the European level, on the basis of which a then consolidated vertical flow of information can be developed with regard to relevant EU initiatives (top-down) as well as the communication of the results of cross-border flagship projects with regard to their contribution to the European model and laboratory function (bottom-up). The cross-border actors are thereby enabled to realise joint European lobby initiatives in order to speak with one voice in Brussels. This makes them attractive as actors and partners for the European institutions and they can also actively participate, for example, in the elaboration of relevant EU initiatives (e.g. in the framework of official consultations or more informally for the ex ante quantification of territorial impacts in the framework of the EU Impact Assessment (IA) procedure). An active mobilisation of European decision-makers from the sub-regions of the cross-border cooperation area (especially at the level of the European Parliament, but also e.g. at the level of the national or regional representations), who act as a cross-border "intergroup", can also accompany the process of cross-border cooperation at the European level and ensure that support for the realisation of cross-border pilot projects and/or programmes is actively provided by the European level.

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155 Beck 2008

156 Euro Institute 2007

Finally, the thematic dimension also contains different levels of intensity, the sequential and/or complementary realisation of which is to be regarded as a central prerequisite for a holistic cross-border governance approach. At the level of encounter, it will be important to optimise the functional networking of policy specialists and other sectoral actors in the sense of "horizontal professional fraternities", with which common professional, linguistic and conceptual understandings can take place. Building on this, the second step is to intensify the mutual information functions with regard to developments and reforms in the national sectoral policies in question, so that in a third step the necessary "cross-border reflex" is ensured with regard to the early synchronisation and coordination of sectoral needs, goals, strategies and policy-specific approaches to action. In the fourth step, it will be essential to anchor cross-border territorial objectives at the level of sectoral policies (e.g. cross-border opening and/or experimentation clauses at the level of legal regulations as well as the opening of cross-border perspectives in sectoral programmes) in order to provide an even broader basis for cross-border approaches to action in both technical and financial terms. Finally, in order to strengthen the decision-making and implementation functions, there is a need to make the existing structures and procedures more flexible, with which the policy and sector-specific interests and rationalities of the actors involved can be taken into account even better. Cross-border cooperation in higher education and research differs fundamentally in terms of the functionalities of the negotiation and interaction logics in question, for example, from those in the field of economic promotion, nature conservation, the health sector or culture and civil society<sup>157</sup>. Likewise, the policy-specific structuring needs of cross-border cooperation are variant and can neither be satisfactorily mapped exclusively by the alternatives of soft "functional/informal networking" nor the classic hard "institution building" or a simple temporary "project organisation". Here, cross-border governance must actually also be multi-level governance and enable differentiated, policy-specific approaches for the design of negotiation systems and the practical design of integrated sponsorships for cross-border tasks.

Such a holistic approach makes it possible to do justice to the real-world complexity and multi-layeredness of cross-border cooperation in perspective and to avoid conceptual narrowness that focuses only on selected indi-

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157 With regard to the respective sector-specific administrative cultures, there are close links back to the transnational dimension as well as the general question of what characterises sectoral action regimes in the transnational dimension, cf.

vidual aspects of governance (such as the creation of networks, integration of civil society, joint external lobbying). At the same time, it stands for the real breadth and differentiation of the fields of action to be tackled in order to make use of the potentials of cross-border governance as a complementary, vertically and horizontally differentiated interaction and control structure for the future-oriented development of cross-border areas in Europe.