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## **Actors of the Common Interest? The Brussels Offices of the Regions<sup>1</sup>**

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### **Abstract:**

The absence of a formal place in representative democracy at EU level casts sub-national authorities more as actors of EU participatory democracy. Where they have specific interests to pursue their Brussels offices act in the same way as 'lobbyists', but public authorities are also capable of acting on broader interest sets. This analysis is geared to understanding variation in the extent to which the diversely constituted Brussels offices of the regions can act on a broad spectrum of civil society interests, and thus have potential as actors of European integration in connecting civil society with EU institutions. Differences in the orientation of offices towards either highly defined or broad agendas can be conceived in qualified principal-agent terms, in which the autonomy of offices to develop activities is the critical explanatory factor. This autonomy can be derived more from the structure of principals and from degrees of purpose they have than from asymmetries of power between principals and agents, which in turn can be drawn from typologies of degrees of devolved authority present in different member states. It predicts that territorial offices from member states with medium degrees of devolved authority have the greatest potential to act on a broad range of civil society oriented interests.

**Keywords:** Territorial EU interest representation; representation offices; principal-agent theory.

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As the first two contributions to this special issue elaborate, the passage of functional interest representation through territorial channels at EU level raises a variety of intriguing issues. There are no direct links between regions and the EU Committee of the Regions (CoR), because it is member states which propose CoR members via the Council of Ministers. Appointed CoR members act as 'experts' in regional matters (Piattoni, this volume) rather than as delegates, while the CoR only has advisory status. Whilst there are established arrangements which permit member states to designate regions to act for them in decision making in

the Council of Ministers, these arrangements primarily concern member states which are federal or quasi-federal, are limited in scope, and ultimately depend upon member state agreement. In terms of the Lisbon Treaty, sub-national authorities are thus more actors of participatory democracy than of representative democracy. Yet as public authorities acting in their own back yards, they are familiar with the roles of representative democracy, aggregating demands from civil society and seeking to reconcile competing claims. They are not required by EU decision making structures to do these things, but they can do, and need to conform to expectations that they do so by the populations they serve. These factors place them in a distinct position in EU interest representation, sentiments which are expressed in the following excerpts:

*"Concerning the question of legitimacy, the local government organisations are distinct from other interest groups. As the elected government bodies nearest to the people, they are able to express the interests and concerns of the broad citizenry and do not represent just the concerns and demands of certain (self-interested) stakeholders."* (Heinelt and Niederhafner 2008, p.175)

*"Brussels can indeed be considered the world capital of lobbying for local and regional authorities. The activities of their representations in Brussels, present, however, a specific profile that partly distinguishes them from classic interest groups and lobbies. The activities of regional representations in Brussels are broader and not focused solely on direct lobbying and interest representation."*

(Huyseune and Jans 2008, p.10)

Yet sub-national authorities can and do become 'lobbyists' for their own distinct interests as public authorities, responding in similar ways to other producer interests so as to diffuse the costs of regulation of their service provision (such as responsibilities for waste collection from electronic equipment) to other parties. In such circumstances, they act as 'lobbyists' would, taking collective action and seeking where possible to appeal to public interest advocates for tactical alliances likely to carry the broad support necessary for EU public policy-making. Where EU public policy produces distributive and re-distributive benefits with territorial effects (such as funding schemes or where there is reliance upon a

particular industry), territorial authorities also have interests to maximise, which may structure patterns of collective action. Many sub-national authorities now have offices in Brussels in pursuit of such goals. Yet when public authorities do not become direct stakeholders in the distribution of costs and benefits, they have the opportunity to become players in wider systemic goals, with the potential to act as agents of EU democratic legitimacy by bridging territorial civil society with EU institutions. The key question addressed by this article is: which of the territorial Brussels offices are likely to act as wider agents of EU democratic legitimacy?

The ambivalence in the role of sub-national authorities at EU level is reflected in the European Transparency Register. The first version (2008) set apart public authorities from 'lobbyists' by declaring that 'public authorities of any level or geographical origin are not expected to register' (European Commission 2008, p.2). In a change of direction, the proposals for a revised version of the scheme (2011) expect representative offices of such authorities to register. Are the Brussels offices of the regions somehow a category apart from 'special interest groups'? and thus have the capacity to act as wider agents 'of the broad citizenry.' What significant differences arise between different sub-national representations in Brussels to act as such agents, and why? Are some preoccupied with using the Brussels venue for other purposes? Do some offices have more potential than others to act as agents of wider civil society (rather than of particularistic types of – primarily producer - interests)? And if so, what are the predictive factors, and how are these operationalised? Such questions matter, because the potential for sub-national actors to act as two way conduits between the populations they serve and EU institutions has long been recognised in EU initiatives oriented towards popular legitimacy, most notably in the 2001 White Paper on Governance.

Such questions about the role of the Brussels offices of the regions inevitably draw upon issues of 'principals' (those who fund such offices, and in turn those to whom these funders answer), and 'agents' (the offices and their employees). Instead of following well-trodden pathways about degrees of homogeneity amongst principals, and mechanisms linking agents to principals, an alternative frame is the degree to which the principals start off with distinct goals. Where principals have distinct goals, so it may be expected that offices act as tightly controlled 'mandated delegates', with mechanisms deployed to keep agents tied to those goals. Where there are more generalised factors in the establishment of offices, so agents would have considerable structural autonomy to develop activities of their own choice, provided they can be 'sold' to principals as generating value. In such a scenario, agents would not be treated as mandated delegates. If employee agents are recruited from the EU 'circuit' rather than solely from the ranks of regional administrations, they may be more likely to develop activities which build European integration by linking territorial civil society with EU institutions.

## Characteristics of the population: the Brussels offices of the regions

A detailed interrogation of the most recent edition of a *repertoire* produced by the Committee of the Regions (CoR) of 'Associations/Bureaux de Representation Regionale et Communale a Bruxelles' (CoR 2009) reveals a population of 215 sub-national territorial representations in Brussels from the member states. While this population is diverse, most of the organisations listed are territorial public authorities within the member states. In a survey by Marks et al, two-thirds of the Brussels offices of the regions represented a single sub-national government (Marks et al 2002). There are also collective units of local and regional authorities drawn from a distinct concept and created for the purpose of pooling resources for Brussels representation.

Some of the Brussels territorial representations have a more diverse range of direct stakeholders than sub-national territorial governing authorities. One such type is the public-private partnership. Some of these are a concept which (as discussed later) reflects historic national controversies in the very concept of the establishment of a territorial 'representation' in Brussels. Some public-private partnerships are more pragmatic creations which are orientated towards funding, partner-searching, and branding a region. Another concept is a widely drawn stakeholder membership model, embracing public authorities and regional development agencies alongside territorial organisations drawn from business and commerce, trade unions, universities, public agencies, organisations of the professions, and 'third sector' organisations. This latter model is common among UK offices, which often provide a range of 'member services.' Whereas offices tied to a regional authority have the preoccupations of that authority, usually with political guidance, offices based on serving members are likely to have a wider range of activities which reflects membership diversity. Table 1 summarises the population data extracted from the CoR *repertoire* chosen as the focus of analysis here:

### Table 1 (About Here): Territorial Representation Offices in Brussels

Balme and Chabanet note how EU mobilisation has been particularly strong among 'medium range subnational authorities' (p.62), and in particular the UK and the Nordic countries, where offices were established at an early stage, and in the case of Nordic countries ahead of accession. Their explanation for this is because more powerful regions from federal or quasi-federal states are caught up through their domestic linkages in a consensus between national governments and the Commission not to address domestic political issues (Balme and Chabanet 2008). Conversely, regional authorities from 'medium' devolved countries have a particular niche which makes them well placed to take up a broad set of issues related to European integration.

The variation between territorial offices in size of establishment is very marked. Unsurprisingly, offices from countries with high territorial devolution are well populated among the top size quartile in the Marks et

al survey of 2002. Those from Germany, Austria, Belgium and Spain, spent an average of €447,000 each year, with some occupying 1000m<sup>2</sup> space (Marks et al 2002) and a budget in excess of €1m (Vleva 2008). The German Länder together employ 400 staff, as opposed to 150 in the German permanent representation (Moore 2006); some of their representations have the feel of sizeable diplomatic missions, complete with bier kellar cabins and gardens for entertaining. At the other end of the spectrum, the lowest quartile of all offices in the Marks et al survey had budgets of less than €150,000 and floor space of less than 80m<sup>2</sup>, where a local government or small group of localities in the same region might employ a single person on a shared-time basis.

There are very few territorial representative offices in Brussels from centralised countries. Portugal, Greece, and Ireland, had virtually no presence during the 1980s and 1990s, highlighting the weakness of linkage between funding receipts and a Brussels presence. The small number of territorial representative offices from these countries arrived at a later time, often led by a regional development agency. Most central and eastern European countries remain highly centralised, with the partial exception of Poland and Hungary. From 2004 accession countries, Poland has the greatest presence of territorial offices in Brussels, with a small office for each of its eighteen administrative regions. These are undertakings of typically 1-3 staff, exercising minimal functions such as information tasks, and working under some degree of co-ordination assistance from the national permanent representation (Riedel 2010). These offices also provide a means of EU oriented training for future civil servants, often relying upon internships for their staffing. 'Offices' from some of the other accession countries have proved somewhat more transient. In worst-case scenarios, there are symbolic directory entries listing no more than a Brussels postal address box.

Classifying countries by degrees of devolved authority to the regions is a cottage industry in itself, with a variety of complexities, but a variety of sources yield a 'rough and ready' broad consensus as to the following contemporary degrees of classification:

Table 2 (About Here): Degrees of Devolved Authority in the Member-States

Only regions from 'Medium' and 'High' devolution countries have offices with sufficient capacity to be a focus of analysis here. The extent of competence of territorial authority will always be a key, though not sole, factor, in shaping the nature of Brussels regional offices (Marks et al, 2002). The categories of 'low' and 'medium' and 'high' to some extent overlap, with the possibility to create sub-categories such as 'high-medium' and 'medium-low' based on a variety of indicators which structure centre-regional relationships (Watts, 2006). Nonetheless, as is discussed below, the concept of categories of devolution, with a broadly based distinction between 'medium' and 'high,' does help to predict which types of offices are most placed to develop broad agendas connected with European integration. The starting point for this is that offices tied to a single regional authority are the norm for countries with a high level of

devolved authority apart from Belgium, where Flanders and Wallonia have spawned public/private partnership models. Belgian 'exceptionalism' is discussed later.

### **Variance in goal specificity: which factors explain the emergence and development of the Brussels territorial offices?**

Offices from the regions started to appear in Brussels in the mid 1980s, the first in 1984 and rising in number to almost 100 ten years later, and to 170 in 2001 (see the review in Mamadouh 2001). Some aspects of the development of these follow EU milestones which seemed likely to boost the 'regional agenda' in future years. These general stimuli included: the creation of the Committee of the Regions; the Treaty on European Union clauses on subsidiarity; permitting the representation of member states by sub-national authorities in the Council of Ministers (BELO 2009); and significant investment in structural and research fund instruments.

The establishment of some territorial offices in Brussels related to these events seems to have lacked specific focus other than a growing sense of the need to be where the action seemed to be happening, a recognition that a Brussels representative office had become the norm among territorial authorities (Riedel 2010), a response to a competitor region establishing a representative office, a status symbol, or to 'signpost' a region. The Brussels cocktail circuit flourished while some offices were seeking to develop their role, with regional delights freely proffered. Where there was a lack of focus, offices needed to find useful things to do and attract constituencies of support along the way aimed at organisational maintenance. This latter pathway of development is of particular significance to this enquiry, because in such offices lay the autonomy to develop activities with wider connections to European integration, rather than following more specific goal pursuits laid down by principals.

When the Committee of the Regions failed to develop beyond a model of 'experts about the regions' into a model of political representation in EU decision making, some Brussels territorial offices found their feet with more focused agendas (Marks et al 2002; Huysseune and Jans 2008), generating workloads which demanded office expansion. Tatham argues that 'first league' regions (from countries with high devolution) became oriented towards influencing public policy, while 'second league' regions with less significant domestic powers primarily chased funding orientated goals (Tatham, 2008). For 'first league' regions, the possibility to represent a member state in the Council of Ministers meant the need to focus their resources accordingly, rather than seeking a role which might lead them into developing activities related to European integration. Among the German Länder, Knodt saw also an initial orientation towards the structural funds, and later as a response to poor information flows from federal ministries (Knodt 2002); there is now a 'Länderbeobachter' office in Brussels whose sole mission is to observe and report to the Länder on meetings of the Council of Ministers. All these activities



therefore denote goals which were highly defined by principals, but other offices had some autonomy to define other roles for themselves.

In the case of 'second league' regions, the establishment of an office in Brussels might have been a symbolic measure to help support claims of local political leaders to have played a part in 'winning EU funding', despite the reality that such funds are primarily distributed as a result of decisions made by national governments in putting forward regional candidates (Greenwood Levy and Stewart 1995; Marks et al, in Keating 2006; Olsson 2009). Once the symbolic function had been fulfilled, so offices had to find ways to develop their roles further. In funding pursuit mode, offices saw their role as being linked to economic development, becoming 'network brokers' for SMEs and universities so as to enhance the capacity of a region to access targeted funding instruments, looking to stimulate new cross-national partnerships. Once offices had gone as far as they could with funding, so offices sought to create other agendas to justify their existence, creating potential for the development of agendas related to civil society.

The act of devolving authority carries with it significant potential for centre-region power struggles (Watts, 2006). The degree of this naturally varies according to the extent of alignment of domestic governing parties between the centre and the regions, but the potential for structural conflict is generally higher with greater degrees of devolved authority, in which Brussels inevitably became the latest venue in the ongoing battleground of relations between territorial authorities and central government. The issue came to greatest prominence in cases surrounding the establishment of offices from the German Länder, the Spanish Comunidad Autonomas, and regions with special autonomous status in Italy. The presence of these offices in Brussels raised substantial national sensitivities about who had the right of external representation, leading to national constitutional court test cases to establish whether a regional 'representation' in Brussels was compatible with national law, or *ultra vires*. The cases themselves, and the structural tensions in centre-regional relations which underlie them, significantly shape the degree of purpose which the Brussels regional offices from these countries have, and the roles they undertake, and therefore here to assess their potential to undertake actions linked to European integration. Territorial offices locked in ongoing power struggles with central government, or with an institutionalised role in the EU policy process, have highly focused agendas which tie the workload of staff.

In Germany, the legal issues resulted in an early compromise whereby territorial offices initially<sup>ii</sup> chose low- key names such as 'information bureau' (Moore 2006). Once the right to a Brussels office was recognised, the result was the establishment of 'representative missions to Brussels' up to a substantial size, varying from municipalities to state level. Territorial presences in Brussels from Spain<sup>iii</sup> and Italy,<sup>iv</sup> typically had to operate under camouflage within the offices of a chamber of commerce mission, until such time as the court rulings went in favour of the regional authorities (Badiello 1998). The final outcome was that the regional authorities from high devolution countries, typically representing a

regional government, could establish larger and more prominent capacities in Brussels in which a significant part of their activities were taken up either by protect/promote their own political agendas in EU or in domestic politics, or/and acting as 'watchdogs' of their member states in Brussels. This is also reflected in the nature of relationships with permanent representations. In countries of 'medium' devolved authority, where centre/regional relations are less fraught than in 'high' devolution countries, there is typically an informal working relationship between the regional office of the country concerned and the national permanent representation in Brussels, with notably close ties on dossiers of mutual interests to be found in the Dutch, British, Swedish and Finnish cases. In 'high' devolution countries, such as Germany and Spain, this relationship can be more formal, and sometimes tense, and in the case of Germany some of the municipal authority offices have no access to the permanent representation.

Territorial authorities from high devolution countries typically staff their Brussels offices from amongst their own pool of employees, rather than looking to rely upon recruitment from the pool of EU orientated staff to be found in Brussels who might be more orientated towards agendas about European integration. When these staff are sent as secondees to Brussels on limited life appointments, it increases the control of the 'principal' over the 'agent', and reduces the likelihood over time that the agent might 'go native' in Brussels. For regional governments it has been a common (but not exclusive) arrangement to second civil servants to their Brussels office for a limited duration; from Germany, a norm is for periods of up to four years (see also Moore 2006, who gives a figure of 2-3 years). A variation is the regional offices from Italy, which employ a mixed model of office staffing based on a core of 'civil servants' sent by, and tied to, the regional authority, but supplemented by a number of 'consultants' working on fixed duration EU funded projects who are recruited from the pool of EU specialists in the Brussels job market. These latter staff may bring with them a set of interests and experiences which are not tied to those of a specific regional authority, but more European in orientation. In tandem with arrangements for staff deployment is that the work of offices from countries with regional governing authorities is overseen by a deputy of the President of the region (see also Badiello, 1998).

Employment related conditions can thus ensure that the principals have the means to keep their agents true to their goals, and restrict the ability of agents to develop a wider range of activities (such as those related more to European integration). In Pitkin's terms, these civil servants are more 'delegates' than 'agents' with significant degrees of autonomy (Pitkin 1967), operating to specific instructions from 'head office', and there is therefore limited scope for agents to stray from agendas designated by principals. The cumulative effect is that the roles of Brussels offices from 'high' devolution countries are more orientated towards interest agendas prescribed by regional authorities than wider agendas connected to European integration.

Where the staff of Brussels offices are not career public servants on limited period secondments from a sender authority back home, but come

instead from a general pool of 'EU experts' on the Brussels scene, so they are more likely to have orientations towards European integration. There is just such a cadre of career mobile, Brussels based staff with strong EU connections, typically with a multi-lingual (and sometimes multi-national) background, and extensive knowledge of how the EU works. The cadre of *anciens* from the College of Europe are typical members of this pool, and some of the regions have specific schemes to fund scholarships at the College. They have a strong European orientation, are highly networked, and have interests in working on issues which are European in nature rather than tied to a remit of a principal sending authority. Such individuals can be identified among the pool of Brussels offices, with remits including citizenship and e-participation health, social policy, youth and education. In Pitkin's terms, these qualify as 'agents' rather than 'delegates' (Pitkin, 1967). These staff are disproportionately more likely to be found in the offices of countries of 'medium' devolution where the working language is one of the main languages of the EU.

Saurugger sees the presence of such EU professionals in a somewhat problematic way, in that the 'professionalisation' of EU interest representation denotes the distance of organised civil society from 'grass roots' civil society (Saurugger 2006), characterised by a narrow, almost private dialogue in which 'Brussels talks to Brussels'. Saurugger's thesis has echoes of the rather hostile treatment of professionals in 'public choice' traditions, where the pursuit of private interest is seen as a core problem resulting in damage to wider public interests, and the solution is in finding ways of increased accountability to principals. Another interpretation is of a 'new class' with the capacity to perceive and represent common interests, a kind of emancipatory force as a result of their distance from the 'old classes' of capital and labour, with a liberal 'culture of critical discourse' (Gouldner 1979). Such a tradition applied here would place emphasis upon a cadre of European orientated, Brussels based professionals working for territorial offices who use their relatively autonomous positions to create civil society-wide agendas.

Another issue with the potential to impact upon the extent of functions performed by a Brussels territorial office is whether it represents a single or multiple municipalities. Multiple authority offices (most frequently found from the Netherlands) have been found to be much more oriented towards seeking to exercise political influence than are single locality offices (Marks et al, 2002). Over time, some territorial offices have consolidated into a model which involves some degree of collaboration so as to operate from the same address. Such scales of collaboration might involve sharing back-office facilities, through to a concept designed to facilitate functional collaboration on topics of common interest. In the Dutch 'G-4' Brussels office, an individual represents one each of the large four Dutch cities (Amsterdam, The Hague, Rotterdam, Utrecht), but share a collective office identity. These distinctions may carry implications for the type of work an office will undertake. In principal-agent terms, the dilution of control among multiple principals might result in a higher degree of autonomy for agents. But give that the establishment of such offices require a degree of purpose in their establishment between

multiple funding principals, the scope to develop activities beyond these those defined by principals might be limited.

Thus, some extent of difference between the remit of Brussels territorial offices cannot be explained by comparing national degrees of decentralisation. Differences can be found among the remit of offices from individual countries. Knodt, for instance, finds that competition between Länder helps explain differences in the capacities of their Brussels offices, noting differences in their abilities to interact strategically with EU authority on the basis of their involvement in networks. Using network analysis, she finds Baden Württemberg's participation in EU networks to be 'tighter' and 'denser' when compared to Lower Saxony (Knodt 2002; see also Knodt in this volume). Network participation can be expected to influence the extent to which an office is likely to become drawn into corresponding activities; as is described later, Brussels territorial offices participate in a variety of networks with orientations towards citizen interests. But the variation between Brussels territorial offices is greatest when comparing offices by degrees of decentralisation, in which national traditions are a foremost factor.

Thus far, a proposition seems to be emerging; that *territorial offices from member states with a 'medium' degree of decentralised authority may have had sufficient autonomy and agenda space to develop self-generated activities which cover broad segments of civil society interests, and which may therefore have the potential to contribute to deepening EU democratic legitimacy.* To develop this further, some analysis is undertaken of the activities and structures of offices from member states with 'medium' degrees of devolved authority.

### **Brussels Territorial Offices as Actors of the Common Interest**

A key issue in assessing differences of activities among Brussels territorial offices is the way in which the purposes of the individual offices are defined and interpreted by those concerned with their governance. In turn, the preceding discussion has indicated a number of ways in which the structure of 'principals' will influence the agendas of their agents. Some types of Brussels offices of the regions have been agents relatively free to use their station to create diverse agendas and activities.

The survey by Marks et al confirms that the population as a whole undertake an eclectic range of activities, in which the offices rated just about every type of activity reviewed above as of some importance in their overall workload (Marks et al 2002). These activities might be summarised as helping to connect the region – and the interests embedded within it - with Brussels, as well as Brussels with their region. However, in a (2008) survey of the Directors of 40 Brussels offices, Olsson notes a great variation in the extent to which the offices communicate 'the regional goals achieved in Brussels to the constituents at home' (Olsson 2009, p.26). Olsson notes that most of the interviewees saw it as their role to 'bring Europe closer to the elites at home' (Olsson 2009, p.26). Many had invested time in bringing local elites to Brussels; in a survey

involving the participation of 123 of the Brussels regional offices, Huysseune and Jans report that an office hosts an average of 635 visitors each year (Huysseune and Jans 2008). Brussels office specific websites of the territories are full of news about a visit by a regional political figure, but also about visits by stakeholder groups in their own territories.

Whilst the agendas of most of the Federal countries are dominated by institutional participation, and centre-local relations, the Belgian regions are less pre-occupied with monitoring central government. This is because the centre is too weak relative to the regions, with the regions undertaking national functions for EU representation; thus, the Brussels Capital office is located within the Belgian permanent representation (Goergen 2006). The result is that Belgian regions having the space to develop agendas beyond domestic power struggles, which can be citizen oriented. Thus, the EU agency of Flanders includes within its mission 'interface with Flemish civil society' and 'raising awareness among the general public' (Vleeva 2008, p.4), while its Annual Report advises the EU institutions to 'find a different way of listening to the European citizens, in order to decrease the democratic deficit' (ibid, p.8).

Among 'medium' devolution countries, similar orientations are evident. The Association of Finnish Local and Regional Authorities, which first secured a Brussels presence in 1992, defines one of the benefits of its EU policy that 'public discussion about EU affairs is deepened' (LOGON 2002, p.98). There is a dense collection of civil society orientated networks in which the Brussels offices of the territorial authorities participate, many of which were created on the initiative of one, or a small cluster, of offices. Examples include: the European Network of Social Authorities (ENSA); the European Local Inclusion and Social Action Network (ELISAN); the Social Inclusion Regional Group (SIRG); the European Association of Regional and Local Authorities for Lifelong Learning (EARLLL); ERRIN, the European Regions Research Innovation Network, which has a sub-committee structure which includes a Health Network; Euro Health Net; European Regional and Local Health Authorities' (EUREGHA) network. These networks are disproportionately populated by regional offices from countries with 'medium' devolved authority, while SIRG, ENSA, and EARLL, were all established from an initiative taken by one such office, and the Health network of ERRIN is led by another. ENSA has ongoing projects involving disability and inclusion, care of the elderly, and youth inclusion, as well as past projects focusing on immigrants' integration, foster carers, and child protection. The health networks have civil society orientations, including the prevention of suicide among young people. EUREGHA includes among its objectives 'to improve the collaboration among Brussels Regional Offices' as well as 'to cooperate with relevant stakeholders such as NGOs' (Euregha, 2011). And ELISAN declares itself 'towards a social Europe that fulfils the citizens needs' (Elisan, 2011).

Examples of social related agendas are apparent from the websites of the Brussels territorial EU offices. Stockholm region showcases its involvement in the Interreg (IV C) funded 'People Project', aiming 'to reinforce the cohesion and social welfare in the participating regions and find solutions to address some of the consequences of the economic down

turn' (People Project, 2010). One strand of this involves 'Civil Society empowerment', involving 'all those organisations through which citizens participate in social life,' (PEOPLE handbook p.110) in which such organisations are invited to participate in interventions aimed at their capacity building. The North West (of England) Brussels Office, which includes the North West Health Brussels Office (NWHBO), a partnership of the principal public sector health agencies in the territory, is a member of the EU NGO the European Public Health Alliance (EPHA). The NWHBO's '10 Areas for Action' to 'Prioritise our Health' (North West Health Brussels Office 2010) are very similar to those of the EPHA. Similarly, the Veneto office incorporates a unit of health policy staff which have participated in an EU funded project aimed at addressing health inequalities.

Whilst network participation is drawn from offices from a mixture of 'high' and 'medium' devolution countries, the majority of examples are drawn from the 'medium' category. It is nonetheless important not to over-state the case, and there will be exceptions to generally observed trends. In the case of medium devolved authorities, the website of a Brussels territorial office from a Finnish region states that it's 'website is not a general information site for the public at large, but rather a communication tool between the EU office and the region' (Tampere Central Region, 2010). Nonetheless, it is apparent from a scan of some of the 'most likely cases' drawn from countries with medium degrees of devolved authorities (plus the special case of Belgium, discussed earlier) that there are a broad range of civil society oriented activities undertaken, as well as more narrowly constituted economic development type actions. Conversely, there are examples to be found from regions in high devolution countries of attempts to link civil society with the EU, but these initiatives are more to be found in the regions themselves (such as the Catalan 'Horizon Europe') than among the Brussels representative offices of regional government from high devolution countries.

## **Further Discussion and Conclusions**

A qualified version of Principal-Agent theory seems to offer some interpretative clarification once adapted to the circumstances of the Brussels territorial offices. Waterman and Meier (1998) apply it to the circumstance of bureaucratic politics. The starting point is summarised by Gosnell (in Pitkin 1967), that 'any specialisation of function involves representation.' The central tenet of principal-agent theory is that there is an inevitable loss of control once a principal delegates a task to an agent, and that goal conflict arises between the parties in which the degree of information asymmetries can be modelled as to where the power resides. In turn, this can help explain policy related outcomes. As Waterman and Meier explain, this is a somewhat blunt instrument in that there are many different relationships between principals and agents, with highly varying degrees of potential conflicts. In particular, they point to critical variations in goal symmetry between principals and agents, among the number of principals, and the degree of information sharing (Waterman and Meier, op.cit). One scenario outlined by these authors is that of goal sharing between principals and agents, in which agencies are delegated a

task with a goal and then left to get on with it'; 'principals require regular reports, and if nothing is out of line they do nothing' (ibid p.191). These have been applied in circumstances of relationships between a 'central' and a regional office of public administrations (see, for instance, Schmidt 2002), but are also applicable here by connecting with Pitkin's work on representation.

For Pitkin, the key distinction to draw is that between a 'delegate' with a specific mandate to carry out, and an 'agent' with higher degrees of discretion and autonomy to carry out a task (Pitkin 1967). This latter role could involve a role in helping the principal to identify their goals where there is a high degree of asymmetry of expertise (Phillips 1995). This variation – between 'mandated delegate' at one extreme and quasi-autonomous actor at the other - seems to capture the variation in both the structure and the working conditions of the Brussels offices. An outpost of a specific public territorial administration where staff work towards highly directed goals will create entirely different working agendas to one where agents are left with the ability to develop their own activities. Whilst agency 'problems' arise in every type of traditionally defined principal-agent relationships, the impact of autonomy make it worthwhile emphasising the different outcomes through use of the (Pitkin derived) nomenclature 'delegate' in order to distinguish the wide gulf between one working in a highly mandated environment with little scope for autonomous activity, and another working with a relatively high degree of discretion.

The main departure here from the model presented by Waterman and Meier is also one over clarity of goals. For these authors, the clarity of goals is a given, with agents working with more or less autonomy towards these goals in shared goal situations. In the case of the Brussels regional offices, the degree of goal-setting by principals is highly variable; the federal states have significant regional authorities whose Brussels offices serve them with specific goal sets, whereas those from countries with medium degrees of devolved authority tend towards a different model. In the latter cases, offices were either established with little specific original focus, or as a public/private partnership model with member services, whose diversity of principals enable offices to develop a wide range of activities. This diversity also creates structural autonomy for agents, either to exploit by pursuing their own interests which are then 'sold' to a member within the cognate field. In these high autonomy/discretion circumstances, the explanatory drivers are not those of goal conflict or information asymmetries, but more the range of principals, the degree of purpose established by the principal/s, as well as the structural autonomy of the office from its principal.

The varying extent of activities of the Brussels offices of the regions can thus be explained by the degrees of devolved authority with which they operate. The workload of those from regional governing authorities endowed with considerable devolved authority have become orientated towards specific goals, such as formalised input into the EU policy process, and as stations reflecting their domestic power struggles viz. central government. Offices from Germany, and Spain, provided clear-cut

examples of such cases. Consequently, these principals have created mechanisms designed to retain their ability to control and prescribe the agendas and activities of their Brussels offices, such as the use of staff on limited time secondments. The latter actors are better captured by the nomenclature 'delegate', denoting the limited scope for 'agency problems' (in principal-agent terms) compared to agents with the autonomy to define their own agendas, because the impact of the difference is so substantial.

Thus, an altogether different model arises in the case of principals which are sub-national territorial entities from countries with 'medium' degrees of devolved authority. These tend towards diverse constitution, meaning that their energies have not been preoccupied with specific purposes such as domestic power struggles, or routine participation in the decision making fora of the EU institutions. Here, agents have been able to cast their agendas diversely, enabling them to pursue a broad range of civil society-wide activities, rather than those tied to particular interest stakeholders. Offices in 'medium' devolved authority states can thus bring Europe to the regions and localities, rather than just representing the interests of territories to EU institutions, often in more than just a superficial way. *Inter alia*, some offices see their role as explaining to the region the impact of 'Europe' upon it, and involving territorial civil society with 'Europe'. Here, autonomy is the key variable, in which the 'asymmetry' in favour of the 'agent' is defined not so much by the ability of the principal to exercise control, but the inclination to do so. Brussels territorial offices with significant autonomy are most likely to have developed activities which seek to connect territorial civil society with the EU, and it is the offices from countries with medium degrees of devolved authority which are most likely to have such autonomy. Thus, the Brussels territorial offices from countries with medium devolved authority have the most potential, among the entire population of offices, to help connect the EU with wider civil society.



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<sup>ii</sup> The legacy still exists today in the case of the 'Information Bureau of Mecklenburg-Vorpommern to the EU'.

<sup>iii</sup> Case STC/1654/94.

<sup>iv</sup> Law 52 of 1996; also Case 428/1997.