



A EUROPE OF THE REGIONS?

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The title of this seminar, *A Europe of the Regions?*, refers to a question which was particularly famous in the 1990s and which can still be considered an open question. My intention today is to link the continental dimension of European integration to the closer dimension of the territorial area which might be even termed as 'Heimat' – i.e. the close environment where one feels at home – and to explore in what relations these two dimensions are.

Everybody knows that there are 27 Member States in the EU. However, if I ask the question 'How many regions does the EU have?', the answer is not that immediate. We will start our *tour d'horizon* by first defining the concept of 'region'. We will then move on to define the relationship between regions and States, including the differences between a federal system and a regional system of government. Finally, we will explore the role regions play in today's Europe:

- What is a region?
- What are the relations between regions and States?
- What is the role of regions in Europe?

A definition of 'region'

I've chosen four examples – Bavaria, Austria, South Tyrol and Malta – which are very different in size, in population, in their geographical pattern, etc. to show the huge diversity we have in Europe, including in terms of both territorial government and territorial governance, i.e. the way we organise territorial government.

Bavaria, while claiming to be a State ('Freistaat Bayern', i.e. Republic or 'Free State' of Bavaria), is not an independent country, but a *Land*, i.e. a member State of the Federal Republic of Germany. It has 13 million inhabitants and is one of the economic powerhouses of Germany, with a huge economic output.

Austria, which is a Member State of the EU, is also a federal country with nine *Länder*. It has 9 million inhabitants and an economic output which is inferior to the Bavarian

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one. So if we compare these two areas, there is no reason why Bavaria should not be itself a Member State of the EU, apart from the fact that it is formally not an independent country.

South Tyrol is an Autonomous Province in Italy, with only half a million inhabitants, the majority of whom speak German. It also has a special autonomy in a country – Italy – which is ‘regionalised’.

Malta is a tiny island in the Mediterranean Sea which, despite having roughly the same population size as South Tyrol, is an independent country and a Member State of the EU.

Here is an interesting, colourful [map](#) of European regions which serves the purpose of showing the several different territorial subdivisions in Europe that are recognised as regions. What is the logic behind this? When can an area be considered a region?

Different criteria can be used to **define a region**:

- ✓ in *geographical terms*, the criteria could be the size of the area, its natural borders like the Alps or the River Rhine, etc.,
- ✓ in *historical terms*, often used in combination with the above-mentioned geographical criteria, some areas have been more or less together for hundreds of years. This is the case, for example, of Bavaria, which used to be an independent Dukedom and later Kingdom, or Catalonia, which was also a separate dynasty before merging with Castile, and Tuscany, Bosnia or Bohemia, to name a few,
- ✓ in terms of *economic development*, as shown in this [map](#) of EU regions with a breakdown of areas by their degree of economic development, with the less developed regions scattered in the south of Spain, Italy, Greece and Central and Eastern Europe,
- ✓ in *statistical terms*. In this regard, it is worth mentioning that the EU has developed a classification system, called [NUTS](#) (*Nomenclature des unités territoriales statistiques*, French for Nomenclature of territorial units for statistics), which is used to analyse data at a regional level across Member States to avoid comparing States like, for example, Luxembourg or Malta on the one hand, and France, Italy or Germany on the other hand. The statistical criterion was also used by the Fascist regime to create regions in Italy,
- ✓ in *political/institutional terms* (see below).

In most cases, a combination of the above criteria is used.

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State-regions relations

Regions are subnational entities - they exist at a level which is below State level. As such, they may be said to function at an intermediate level between the State and the municipalities. All regions which have a political or administrative function also fulfil administrative functions. Some regions have legislative powers, which means that they can make laws and have regional Parliaments. In the latter case, the number of regions in the EU decreases significantly (see [here](#)) to a total of only 73 regions distributed in eight Member States. This particular status has to be guaranteed and organised by the Constitution. Similarly important is the question of identity – there's a lot of debate, in particular in the field of political sciences, on the 'identity status', which involves issues at historical, language, political, etc. level, due to the fact that some regions were (re-)designed based on 'artificial' principles. Despite this artificiality, however, over time regions have developed their own identity.

Several models of relations between regions and State are available, including federalism, regionalism, decentralisation/deconcentration, devolution, etc. The important issue to keep in mind when looking at regions from this point of view is 'political autonomy', which to some extent could also be linked to the issues of identity and Constitutional status. Does a given region have political autonomy? How much? How is this protected or guaranteed?

Federalism. Federalism is historically an alternative to the unitary State. The latter implies unity and communality without diversity or autonomy – every part of the State is treated in a uniform way, as if the State was a homogenous entity. The United States and Switzerland are two historical models of aggregation of independent separate States in order to form one federal system, which implies joining for certain purposes (in particular, defence, the organisation of the economy, and foreign policy), while leaving other areas to the Member States. The federal ideal and principle has then been applied also in other countries like Germany, where there was a tradition of a federal principle of division of power among different territories, or Austria (1919) and Belgium.

What is then a federal State? A federal State is characterised by the idea that there is not one unitary State, but a dual government, that is two levels of government – the central government (the 'Federation') and the State governments. The shortest and, in my opinion, most effective definition of federalism is 'shared rule and self-rule', which means that some issues are decided jointly at federal level, while some others are decided in autonomy by the federal members.

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This leads us to consider the elements of a federal system, which are important also for both its concrete functioning and for the federal 'spirit' which is the philosophy underlying the federal system. These elements are:

- ✓ *free agreement*, an underlying free agreement (in Latin: *foedus*, a root word for 'federalism') according to which single States decide to join forces to do something together but to continue to operate on their own in certain areas,
- ✓ *balance of power*, between the federal government and the national governments. This element can be very different in different systems. The idea, though, is that the States have a meaningful area of competences in which they can govern and make laws,
- ✓ *a Constitution*, where these principles are stated. Most federal systems have a federal Constitution for the whole country, and several State Constitutions that are valid on the territory of the member States (for example, there's a Bavarian Constitution),
- ✓ *financial autonomy*, each of the two levels of government have their own financial resources and budgets, they usually have taxation powers, etc.,
- ✓ *participation*, this is a fundamental point. There's the idea that members participate in the decision-making process at central/federal level, very often through a second Chamber (e.g. the US Senate or the German *Bundesrat*).

Regionalism. The federal system was adapted in some States which have established regional systems, mostly after World War 2. The best examples in the EU are Spain and Italy. The idea is to take some elements of the federal principle and apply them to a unitary State which is characterised by a huge degree of diversity within its territory, in order to deal with these differences in a better and more efficient way. Think of the Italian North and the Italian South, or think of the French-speaking population in Valle d'Aosta, the German-speaking population in South Tyrol and the Slovenian-speaking population in Friuli-Venezia Giulia. In these areas, you don't need to have nation-wide regulations to cater for the needs of these minorities, but you can deal with them better at a local level. This is the idea of 'differentiation', or 'asymmetrical solutions', which is in contrast with the federal system, where each member has equal rights and equal powers. In a regional system there is typically differentiation. In Italy, for example, there are special autonomous regions and ordinary regions, the latter with less money, less power, and a different constitutional status. Another example is Spain, where there is differentiation at a financial level in the Basque region. What is typical of this system is that the regional structure does not question the unity and indivisibility of the State. This is very strongly and prominently stated in the national Constitutions (think of [Article 5](#) of the Italian Constitution, where you have both principles in one article: 'The Republic, **one and indivisible, recognizes and promotes**

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local autonomy [...]'; another example is Spain and the quest for self-determination first by the Basque country and, more recently, by Catalonia which the central government met emphasising the integrity of the Spanish territory).

Very often this system is also legally and constitutionally guaranteed by a strong form of central control and by supervision of what the regions do, because the idea is that these are still structures of the State. A significant impact is also seen on the level of participation at central level, which is totally underdeveloped in most regional systems.

Decentralisation. There are other types of regions. First, there are regions that only have administrative powers, i.e. the model of France, with territorial divisions – the prefect system, with a mere representation of the central government as the head of these provinces or regions. The idea is that the Ministries are not the only administrative authorities, but there is some kind of decentralisation of the Ministries in the single territorial areas, however without political autonomy.

Devolution, on the contrary, has a strong political dimension. In 1999 there was a referendum in the UK in order to decide whether the three entities – Northern Ireland, Scotland and Wales – should become devolved and receive powers from London, have their own Parliaments and make their own laws. The devolution of powers proved very beneficial for Northern Ireland because it facilitated the solution of the Northern Ireland conflict, and is actually embedded in the Good Friday Agreement. Scotland received many powers and the fact that there was a party (SNP) which opposed the national government in Westminster (Tories) led to the independence movement and the Independence referendum of 2014, which very narrowly decided in favour of maintaining the Union with England. These examples clearly show the political dimension of devolution and the exercise of legislative powers, in a way that is very close to the federal system. What is different, however, is the direction – with devolution it's not about 'coming together', but it's about 'staying together'. You devolve, you decentralise, in order to keep the country together. Another interesting example is Belgium, where there have been six reforms of the Belgian State since the 1980s, which transformed Belgium more and more into a very separate federal country, where the entities – three regions and three communities – received more and more powers, while the centre was increasingly weakened.

Once again, Europe is characterised by diversity, by a lot of different approaches, a lot of different ways of organising a country, even where you have (strong) regions.

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The role of regions in Europe

As we have seen, there is not one single or uniform model of regions in Europe, there is not a European model of regionalisation or federalisation, there is no imposition, but we accept, recognise and work with the several regional structures that the States have developed through history, or with States that don't have regions. This makes it very difficult to think of a 'Europe of the Regions', because it is difficult to find a common denominator of the regions. This complexity is symbolised in the picture by the European flag surrounded by the national flags, which makes it clear that the Union is an organisation made up by its Member States, who have signed and ratified the treaties of the EU. One may remember, in this regard, that the Treaty of the EU doesn't start with the words 'We, the peoples of the European Union', but with the words 'His Majesty, the King of Belgium', because the treaties were signed by the Heads of States and Belgium is the first of the 27 Member States in alphabetical order.

'The Europe of the Regions' was a slogan of the 1990s, when the regions tended to be seen as an alternative to the States, because at that time Europe ceased to be divided into East and West and many people believed that this would lead to the end of the nation State. The European countries were about to join into a Union (the European Union was actually founded in 1992, which was followed by the euro, the internal market, etc.) and to operate more extensively at an EU level (defence, social policy, etc.). At the same time, the regions were strengthened in many countries – Italy had a reform in 2001, devolution was in 1999, Belgium and other countries federalised or regionalised, etc. So the following question started to circulate: Why do we need a State between a regional level and the dimension of European integration? This perspective, however, seemed quite unrealistic. Some political scientists in fact claim that nation States are still alive and kicking, and that they are still the 'gatekeepers' of the EU, i.e. they control the EU and the transfer of powers to the EU.

The idea behind the slogan 'Think globally, act locally' in the 1990s, which implied strengthening the role of regions, was also backed by a functional argument – it's the regions which are responsible for implementing policies, both domestic and EU policies, because it's the regions and the municipalities that are closest to the citizens, and by the argument of participation – it is useful to have those participating in decisions implement those decisions afterwards. This is why in the early 1990s, together with the Maastricht treaty, this perspective was recognised at an institutional level with the creation of the [Committee of the Regions](#), which is invested with consultative powers in the European decision-making process.

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In 2000s there was a shift to the new slogan 'The Europe *with* the regions', with the regions having an important implementing role as well as a complementary role which involved influencing the decision-making process. Nowadays the complementary role of regions is increasingly recognised and is becoming more and more accurate thanks to certain procedures. For instance, regions can now make their voices heard either directly, through the opinions of the Committee of the Regions, or indirectly. In the latter case we speak of 'subsidiarity control' – before transferring new powers at EU level, the EU institutions have to ask the national Parliaments whether they have something to object, and very often the regions have a voice in the national Parliaments.

Finally, there is a new possibility for regions, which can cooperate not in the vertical field (local, provincial or regional, and national), but finding new flexible spheres of action that foresee the possibility of linking horizontally to other regions, metropolitan areas, districts etc. in other countries. This is known as **cross-border cooperation**. Since the 1970s it has developed in many areas of Europe in very different forms ('Euroregions') and the EU has formalised this phenomenon in the so-called EGTCs (European Grouping of Territorial Cooperation), entities which are regulated at EU level and which regions and municipalities can use to cooperate across national borders. For example, in our area here in Trentino-Alto Adige/Südtirol, we have an EGTC with the Austrian Land Tirol. This is a very interesting new space where regions can act across borders. And because many of these forms of cooperation are also informal, i.e. they do not require signing formal treaties or envisaging formal transfers or powers, but operate by agreement or by engaging through private associations, you don't speak of an institutional system, but of *multi-level governance*.

There are a lot of different associations where regions come together to represent their own specific interests and needs. For example, it is certainly much easier to produce milk in huge farms in the Northern German plains or in Northern Italy compared to producing milk in our Alpine region. Consequently, it makes sense that Alpine regions come together to seek representation for the specific needs of mountain farming with one voice rather than only relying on the national Ministry of Agriculture, which represents the interests of all national farmers.

One last remark is about **standards** for regions in Europe, which is difficult because there is not one single European model of regionalisation. Therefore, there are no binding standards, but there are some soft laws, some principles, and a charter where these standards are laid down – the Council of Europe Reference Framework for Regional Democracy (redrafted in 2018). Furthermore, there is also a kind of 'sister' institution to the Committee of the Regions in the Council of Europe, that is the Congress of Local and Regional Authorities in Europe which comprises many countries

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that are not part of the EU, including Russia (until 2022), the Balkan countries, Turkey, etc. It also has the task of monitoring the developments in the States, so there's an element of transparency regarding regionalism.

Coming to the end, I'd like to conclude with a very clear statement – Regions are an integral part of Europe, and part of the construction of European integration, but as the EU is still based upon its MSs, the nation State is here to stay. This is exactly our problem today – the size and the internal markets of the States would be too small for the challenges of globalisation in the near future (think of climate change or the pandemic), so the only way of counting for the States is to yield sovereignty to the Union, on the one hand, and at the same time to differentiate within the States (e.g. the management of the pandemic). As usual, it is important to strike a balance between simple rules and rules that adapt efficiently to the situation in a given territory.

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