

## **Metropolitan governance and democracy in Switzerland**

### **An attempt of operationalisation and an empirical assessment**

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## Abstract

*This paper presents an empirically informed reflection on the implications of new modes of governance for democratic policy-making in metropolitan areas of Switzerland. In the first section, we formulate an attempt of specifying the somewhat fuzzy term of governance, in order to define operational categories for an empirical inquiry. We propose to think of governance in terms of a continuum government - governance, and suggest some definitional elements we would retain to do so. In the second part, we then address the question of democracy and legitimacy with respect to governance on a conceptual level. More precisely, we propose an operational framework, with which the issue can be empirically examined. This framework basically builds on two major lines of argument: The first is rather pessimistic, and considers these mechanisms of governance as a menace to democratic legitimacy and accountability. The second, rather optimistic, emphasises the potential for democratic renewal and empowerment which reside in the new mechanisms of governance. Each of these lines of argument highlights two hypotheses suitable for empirical analysis. In the third section we use this framework to analyse some of the major mechanisms of policy coordination in four urban areas in Switzerland (Zurich, Lausanne-Geneva, Berne and Ticino). The conclusion discusses the results of this analysis, as well as the usefulness of the conceptual framework.*

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**Introduction : policy-making in *metropolitan areas***<sup>1</sup>

In most western industrialised countries, cities can no longer be considered in the traditional (weberian) sense of territorially integrated socio-political entities. Rather, they must be considered “metropolitan areas”, that is multi-centered urban regions created by the social, economic and cultural dynamics of the modern societies, and held together by powerful systems of communication and mass transportation (see for example Leresche et al. 1995). Metropolitan areas are urban systems that extend and develop mainly along functional social and economic networks, more or less independently from institutional boundaries of communities or other sub-national entities. In most OCDE countries today, metropolitan areas are characterised by a high degree of “governmental fragmentation” (Dente 1990: 60). Their territory is split up into multiple political and administrative units (communes, cantons, provinces), leading to difficulties regarding the management of metropolitan problems. There have been attempts, throughout Europe, at institutional reforms, aiming at the creation of encompassing political institutions for metropolitan areas (e.g. creation of urban provinces of Amsterdam and Rotterdam, merger of Berlin and Brandenburg, etc.) (Jouve et Lefèvre 1999). However, these reforms have repeatedly failed. In spite of multiple initiatives in many countries, 'metropolitan governments', i.e. political institutions encompassing metropolitan areas, are exceptional (Lefèvre 1998). This is also true for Switzerland: institutional fragmentation of metropolitan areas is high (Schuler 1994)<sup>2</sup>, and almost no territorial reforms have taken place since World-War II (Joye et Leresche 1999).

The absence of encompassing metropolitan institutions does evidently not mean that policy making in metropolitan areas is necessarily confined to the boundaries of single municipalities. As a consequence of the slowed-down or failed attempts of setting up encompassing metropolitan institutions, policy co-ordination in metropolitan areas is nowadays mostly achieved through issue-based, network-like mechanisms of co-ordination.

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<sup>1</sup> Our paper draws on an ongoing research project funded by the Swiss National Science Foundation in the context of its Priority Programme "Switzerland Towards the Future" conducted at the *Institut de recherche sur l'environnement construit* of the Swiss Federal Institute of Technology Lausanne (Grant number #5004-058522/1) on the issue of democratic legitimacy with respect to recent developments in metropolitan governance.

<sup>2</sup> For instance, the metropolitan area north of the lake of Geneva (roughly 0.9 million inhabitants) comprises 150 municipalities located in two different cantons and two different countries. The metropolitan area

Indeed, in most metropolitan areas there exist mechanisms of co-ordination and co-operation that allow to overcome territorial fragmentation for the formulation and implementation of policies. They are best described by the term “*metropolitan governance*” (Lefèvre 1998), i.e. various types of flexible, purpose-oriented co-operational arrangements in metropolitan areas, involving municipalities, different governmental agencies at various levels as well as private service providers. Because they are heterogeneous conglomerates of actors and agencies from various backgrounds and with various legal competencies, they can conduct public policies in metropolitan areas in a way that is relatively independent from the territorial boundaries of local institutions. Such network-like mechanisms of “governance” appear as the major thrust of metropolitan policy-making today, and are generally considered as an effective means to address metropolitan problems<sup>3</sup>.

However, this new approach appears as a mainly managerial answer to metropolitan problem-solving. In most mechanisms of metropolitan governance, the rationale behind the involvement of various actors and institutions is an incremental mixture of criteria such as technical know-how, control of financial resources, as well as diffuse impressions of 'concernment' - the main idea is to 'get things done'. As such, the new metropolitan governance has raised uneasy feelings regarding democratic quality: with the major emphasis residing on implementation and hence on the 'output-side' of the policy process, the 'input side' of policy formulation - the main locus of democratic control - seems to be put at distance. In the modern state, both representation and participation are strongly linked to the territorial structuring of political institutions. If governance makes possible an efficient production of metropolitan policies independently from the territorial institutional structure, it is unclear how metropolitan democracy - still very much confined to territorially defined institutions - is affected by this. In the light of the well-known tension between efficiency and democracy, there is thus reason to think that metropolitan governance profoundly affects the relationship between policies and democratic politics in metropolitan areas (Joye 1995; Hendriks et Tops 1999; Heinz 2000).

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around Zurich (roughly 1.5 million inhabitants) comprises about 160 municipalities, located in four different cantons.

<sup>3</sup> This argument is supported by research on metropolitan areas throughout Europe [Dente, 1990 #213; Van den Berg, 1993 #533; Healey, 1995 #529; Bagnasco, 1997 #210; Klöti, 1997 #531; Kübler, 2000 #554].

The objective of this paper is to test an operational framework with which the issue of democracy with respect to recent developments in metropolitan governance can be examined. In the first part of the paper, we formulate an attempt of specifying the somewhat fuzzy term of 'governance' for empirical inquiry: indeed, if we want to examine the supposed consequences for democracy due to a transition from government to governance, we need to identify operational criteria with which we can distinguish government from governance in empirical situations. In the second part, we will discuss theoretical propositions on the issue of democracy in the context of governance and derive four working hypotheses with which this issue can be empirically examined. In the third part, we will use these hypotheses to analyse some of the major mechanisms of policy-coordination in four metropolitan areas in Switzerland (Zurich, Lausanne-Geneva, Berne and Lugano). In the conclusion, we will discuss the consistency and the usefulness of the used framework in the light of the empirical analysis.

## **1. How to distinguish government from governance: operational categories for an empirical inquiry**

The widespread use of the vocable of *governance* in recent years by political and economic decision-makers, as well as by social scientists pertaining to various schools of thought and traditions of research has resulted in the emergence of many different understandings and definitions of this term<sup>4</sup>. Drawing on a major distinction made by Leresche (2001), our understanding of the term of governance is not *normative* - such as the World Bank's *good governance* for example - but *analytic*: the main purpose of its use is to analyse interactional systems with respect to the political organisation of power, as well as with respect to public policy-making. More precisely, we use the term of governance in order to examine whether and how the *state* has changed its role - the supposed transition from government to governance suggested by many scholars [among the more prominent, see \Le Galès, 1995 #51][Rhodes, 1996 #233][Stoker, 2000 #695]. In this sense, our use of the concept of *governance* is not generic (or neutral)<sup>5</sup>, contrary to that of *Steuerung*, for example, the way it is often used in the German political science literature (e.g. Mayntz and Scharpf 1995). *Steuerung* (steering) is a generic term in that, as such, it does not express any specific features. To make the term specific, one has to provide an appropriate suffix: *Steuerung* can be

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<sup>4</sup> For a review, see Le Galès(1995), Rhodes(1996), Stoker (1996), and, more recently, Leresche (2001).

"hierarchical" or "self-regulating" (*Selbststeuerung*); or it can be "successful" or "unsuccessful". Similarly, the concept of *network* is often used in a generic manner as well by allowing it to designate any form of actor constellation (Börzel 1998; Dowding 1995; Van Waarden 1992): networks may be hierarchical or horizontal; they may be dense or loose etc. In contrast to these generic terms, when we speak of *governance*, we mean specific forms of *Steuerung* or networks. Hence, what are the specific features of *governance* ?

### **Specific features of governance as opposed to networks or *Steuerung***

Rhodes succinct definition of governance as “self-organizing, interorganizational networks” (Rhodes 1996: 660) provides a good starting point, in that it sets the tone of virtually all political science and sociological approaches to governance, namely that the policy process is envisioned as a “bargaining game between different types of actors” (Dowding 1995: 147). Governance thus is about organising public action beyond the state and supervising, co-ordinating and steering a network of actors to produce certain outcomes. It is about bringing together all relevant actors in order to effectively and efficiently implement certain measures and services. The state tends to provide nothing more than "contextual steering" (Papadopoulos 1995: 106ss; Willke 1997: 72ss) by creating incentives to exchange experiences and pool resources. State agencies may remain in charge of the network management by taking on the role of "public managers" (Agranoff and McGuire 1999: 26). But the concept of governance implies that its powers are not hierarchical.

However, such definitions are still much too general and too superficial when it comes to the question of distinguishing governance from non-governance in empirical situations. Thus, if operational criteria are to be provided, we need to extract separate analytical dimensions from such definitions, which allow us to classify actor constellations, patterns of interaction, action orientations etc. that prevail in an urban context or in a policy field. Once these elements are empirically defined, we should be able to detect whether or not, and to what extent, the empirical reality observed should be called governance and distinguished from other forms of regulation - and especially from traditional government which most tenants of the governance concept implicitly consider as being something like the antipode of governance.

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<sup>5</sup> "Generic" refers to a use which is "common to a whole group or class, not special" (Oxford Advanced Lerner's Dictionary of Current English).

The urban governance literature provides a helpful starting point. Le Galès (1998), for example, suggest a useful distinction between the *internal* and *external dimensions* of urban governance: the internal dimension refers to the integrative capacity of urban governance, while the external dimension says something about the city's capacity to represent itself and to defend a strategy towards the outside. These dimensions also appear in his definition of urban governance: "Governance is the capacity to integrate and give form to local interests, organizations and social groups and, on the other hand, the capacity to represent them outside, to develop more or less unified strategies towards the market, the state, other cities and other levels of government" (Le Galès 1998: 496). According to Stoker (2000: 93), another urban governance scholar, "[g]overnance involves working across boundaries within the public sector or between the public sector and private or voluntary sectors. It focuses attention on a set of actors that are drawn from but also beyond the formal institutions of government. A key concern is processes of networking and partnership." Stoker argues that this narrow definition of governance, which is after all not very different from Rhodes' general definition of governance, should be put in perspective with urban politics. To do so he draws on Stone's definition of "urban regimes". According to Stone, an urban regime consists of "an informal yet relatively stable group *with access to institutional resources* that enable it to have a sustained role in making governing decisions" (p. 4, original emphasis). Depending on the predominant action orientation of the governing coalition, different types of regimes can be found in different cities (Stone 1993). Both Le Galès' and Stoker's urban governance frameworks put a strong emphasis on the urban and territorial (versus sectoral) logic of governance, thus blurring potential differences between policy fields. Very useful is, however, the fact that from a regime theory perspective urban governance stresses the importance of "meso level" analysis (Le Galès 1998: 485). The regional, urban or "territorial" level is seen either as a level at which "the" political and "the" social are structured or regulated, or as a level at which both macro logic (features of the nation-state) and micro logic (actor-related variables) become apparent and are translated into day to day actions.

On a higher level of abstraction, i.e. moving beyond *urban* governance, we find Rhodes' (1996: 661) suggestion of the following shared characteristics of governance in comparison to any other form of regulation:

1. Interdependence between organizations. Governance is broader than government, covering non-state actors. Changing the boundaries of the state meant the boundaries between public, private and voluntary sectors became shifting and opaque.
2. Continuing interactions between network members, caused by the need to exchange resources and negotiate shared purposes.
3. Game-like interactions, rooted in trust and regulated by rules of the game negotiated and agreed by network participants.
4. A significant degree of autonomy from the state. Networks are not accountable to the state; they are self-organising. Although the state does not occupy a privileged, sovereign position, it can indirectly and imperfectly steer networks.

Along similar lines Gaudin (1999: 122) suggests to identify governance through three concrete characteristics:

1. Cooperation between various public and private actors,
2. the relationships among whom are organised through continuous interactions and form multi-polar networks,
3. and where the rules of the game are negotiated independently from the traditional institutional hierarchies.

### **An analytical grid to identify governance**

In sum, although using a varying terminology, these various discussions of the term of governance (implicitly) refer to a relatively stable grid of analytical elements serving to classify forms of interactions in the organisation of political power and policy-making including at least actors, conventions of interaction and structure.

In an analogical way Van Waarden (1992) specifies policy-networks through (1) actors, (2) functions, (3) structure, (4) degree of institutionalisation, (5) conventions of interaction, (6) distribution of power, and (7) strategies of public administration. Van Waarden uses these seven elements to characterise various types of policy networks that associate state agencies and organised interests: statism, captured statism, clientelism, pressure pluralism, sectoral corporatism, macro corporatism, state corporatism, sponsored pluralism, parental relations, iron triangles and issue networks (Van Waarden 1992: 39-41). For our purposes, i.e. defining the specific features of 'governance' as an antipode to 'government', we can concentrate on the first and the last of van Waarden's types of policy networks: issue networks (governance) and statism (government).

### **Table 1: Issue networks (governance) according to Van Waarden**



<b>1. Actors</b>		<b>4. Institutionalisation</b>	extremely low
- number	Unlimited, very high	<b>5. Conventions of interaction</b>	
- type	a.o. individual experts	- Adversalism/consensus-search	Consensus on technocratic norms
<b>2. Function</b>		- Idea of serving public interest?	Yes, possible
- channelling access	Yes	- Formal or informal contacts	Extremely informal
- consultation	Yes	- Secrecy?	No
- negotiation	No	- Attempts at depoliticising	Yes, turning in technical problems
- co-ordination	Possible	- Ideological disputes?	No
- co-operation in policy formation	Yes	<b>6. Distribution of power</b>	
- co-operation in policy implementation & delegation of public authority	No	- Autonomy of state re society	Low
- broadness of policy issues	Narrow	- State dominant	Diffuse
<b>3. Structure</b>		- Societal interest dominant (capture)	Diffuse
- boundaries	Extremely open	- Balance, symbiosis	Yes, by collective technocracy
- type of membership	Voluntary	<b>7. Strategies of public administration</b>	
- ordered relations?	Extremely low	- Being accessible	Yes
- Intensity	Mixed	- Recognition	No
- Multiplexity	Medium	- Active support of interest associations	No
- Symmetry	Diffuse	- Creation/changing interest associations	No
- Subclustering?	Possible	- Delegation of state authority	No
- Linking pattern	Horizontal consultation, intermobility	- Attempts at destroying interest associations	
- Centrality	Extremely low		
- Stability	Extremely low		
- Nature of relations	Co-operative		

**Table 2: Statism (government) according to van Waarden**

<b>1. Actors</b>		<b>4. Institutionalisation</b>	Low
- number	Very limited	<b>5. Conventions of interaction</b>	
- type	Mainly state agencies (Not many)	- Adversalism/consensus-search	Adversarial
<b>2. Function</b>		- Idea of serving public interest?	Yes
- channelling access	No	- Formal or informal contacts	Informal
- consultation	No	- Secrecy?	Yes
- negotiation	No	- Attempts at depoliticising	Yes
- co-ordination	No	- Ideological disputes?	No
- co-operation in policy formation	No	<b>6. Distribution of power</b>	
- co-operation in policy implementation & delegation of public authority	No	- Autonomy of state re society	High
- broadness of policy issues	Broad	- State dominant	Yes
<b>3. Structure</b>		- Societal interest dominant (capture)	No
- boundaries	Closed	- Balance, symbiosis	No
- type of membership	Involuntary	<b>7. Strategies of public administration</b>	
- ordered relations?	Low	- Being accessible	No
- Intensity	Low	- Recognition	No
- Multiplexity	Low	- Active support of interest associations	No
- Symmetry	None	- Creation/changing interest associations	No
- Subclustering?	?	- Delegation of state authority	Yes
- Linking pattern	Hierarchic authority, interlocking leadership	- Attempts at destroying interest associations	
- Centrality	High		
- Stability	Low		
- Nature of relations	Conflictual		

The interest of this (very complete) categorisation for our search of an operational definition of “governance” resides in the fact that it makes plausible the identification of two antipodic forms of regulation ('statism', that can be seen as an ideal-typical opposite to 'issue networks', in that they differ on almost all dimensions) - of government and governance. However, two corrections need to be made for our purposes.

First, using van Waarden's typology, it might be difficult to account for national or local context-effects (such as national traditions or sectoral policy styles) in distinguishing different forms of policy regulation. For instance, 'statism' (government) may well be an appropriate characterisation of policy-making in some countries (e.g. France) or some policy fields (e.g. national defence), whereas 'issue networks' (governance) have more tradition in other countries (e.g. Switzerland) or other policy fields (e.g. social policy). Thus, van Waarden's typology might be too rigid to account for transitions *within* contexts that are already characterised by one or the other tendency, i.e. by a general "penchant" for either government or governance. Of additional use in that respect may be a further distinction proposed by Rhodes (quoted in Dowding 1995: 141-2) in which he suggests that policy networks can be categorised along a *continuum* ranging from state-orchestrated *policy communities* at the one end, through *professional networks*, *inter-governmental networks* and *producer networks*, to self-organising *issue networks* at the other end. The idea of there being a *continuum* of interaction-types ranging from state-orchestrated to self-organising - hence: from government to governance - puts the emphasis on *changes* and *transitions* within policy fields or territorial contexts. In other words, the question to be asked is not: is there government or governance in a given policy field or territory? but rather: does a given policy field or a given territory evolve *towards* government or towards governance?

Second, it is clear that the rationale behind van Waarden's typology is broader than the one of our objective here. Whereas van Waarden set out to identify the structuring of mediations between labour and business interests at the national level across countries, our aim is more modest, namely merely to examine different types of interactions for policy-making. Thus, it is possible if not to *reduce* van Waarden's seven analytical elements, at least to *emphasise* those which are more important than others. In other words, this means that we can 'strip off' van Waarden's analytical grid of those elements used for the purpose of characterising interest-mediation, i.e. namely (7) strategies of public administration.

In synthesis, by emphasising those elements which are important features to define governance, we suggest the following set of features with which we can position empirically observed interactions on a continuum governance - government:

**Table 3: Features setting apart governance from government** <sup>6</sup>

<b>Government</b>	<b>Category</b>	<b>Governance</b>
<ul style="list-style-type: none"> <li>• very limited number of participants</li> <li>• mainly state agencies</li> </ul>	Actors	<ul style="list-style-type: none"> <li>• high number of participants</li> <li>• public and private actors</li> </ul>
<ul style="list-style-type: none"> <li>• no consultation</li> <li>• No co-operation in policy-formation / implementation</li> <li>• policy issues broad</li> </ul>	Function	<ul style="list-style-type: none"> <li>• consultation</li> <li>• Possible co-operation in policy-formation / implementation</li> <li>• narrow policy issues</li> </ul>
<ul style="list-style-type: none"> <li>• closed boundaries</li> <li>• involuntary membership</li> <li>• low frequency and duration of interaction</li> </ul>	Structure	<ul style="list-style-type: none"> <li>• extremely open boundaries</li> <li>• voluntary membership</li> <li>• extremely low frequency and duration of interaction</li> </ul>
<ul style="list-style-type: none"> <li>• hierarchic authority, interlocking leadership</li> <li>• Adversial interactions / conflictual relations</li> <li>• informal contacts</li> <li>• secrecy</li> </ul>	Conventions of interaction	<ul style="list-style-type: none"> <li>• horizontal consultation, intermobility</li> <li>• Consensus on technocratic norms / co-operative relations</li> <li>• extremely informal contacts</li> <li>• openness</li> </ul>
<ul style="list-style-type: none"> <li>• high autonomy of state re society (steered organising) / state dominant</li> <li>• no capture of state by societal interests</li> <li>• no balance or symbiosis between actors</li> </ul>	Distribution of power	<ul style="list-style-type: none"> <li>• low autonomy of state re society (self-organising) / diffuse domination of state</li> <li>• diffuse capture of state by societal interests</li> <li>• balance or symbiosis between actors</li> </ul>

## **2. Governance and democratic legitimacy: the pessimist's and the optimist's view**

The section above makes clear that 'Governance' differs from 'Government' in great many respects. The transition from government to governance thus corresponds to a significant change in the regulation of interaction between policy relevant actors. For this reason, when it comes to questions of democratic legitimacy of public policies - tightly linked to the

<sup>6</sup> The table is structured according to van Waarden's analytical elements and shows those categories where 'statism' (government) show different characteristics from 'issue networks' (governance).

functioning of the traditional democratic *Rechtsstaat* - scholars have ever viewed governance with a somewhat uneasy feeling. In western industrial democracies, the legitimacy of the state and state policies is generally seen to rest upon transparent procedures that give good reasons to believe that decisions made and policies implemented are, ultimately, the result of public deliberations among free and equal citizens (Habermas 1992). This is the *raison d'être* for mechanisms assuring democratic accountability and citizen control over state activities and public policies (Ingraham et Romzek 1994). From that perspective, it becomes clear that, when looking at the transitions from government to governance, one must keep an eye on eventual consequences that new mechanisms of governance may bear not only at the 'output-side' of policy implementation, but also at the 'input-side' of formulation and democratic control of public policies. This point is evidently not overlooked in the governance debate. As Rhodes, for example, points out, governance is likely to pose a considerable “challenge for democratic accountability” (Rhodes 1996: 53).

In our view, in the ongoing intense debate on this point, two main lines of reasoning can be distinguished, which we propose to term the *pessimistic* and the *optimistic view* on governance and democracy.

### **The pessimistic view**

One line of reasoning mainly rests upon the classic argument of democracy theory, according to which democratic political systems are structured by an intrinsic tension between *authenticity* and *effectiveness* of policies (Scharpf 1970), i.e. quality of inputs versus quality of outputs. In the extent to which governance mechanisms are mainly concerned with 'making things happen', i.e. to increase the effectiveness of policies at the output-side, there is reason to think that this will happen at the expense of authenticity at the input side. Tenants of this line of reasoning thus argue that transitions from government to governance threaten democratic quality and legitimacy. More precisely, they have considered that mechanisms of governance could be a menace to two important fundamentals of democracy: democratically elected bodies, as well as the political community itself.

First, they argue that governance relativises the weight of instances of democratically elected bodies in the policy process. Governance relies on self-governing networks associating various public and private actors and agencies, which, by the same token, leads to a dispersal of political power and to a loss of importance of traditional elected bodies in making decisions

that are relevant to a policy field. More precisely, some observers have pointed out that the increasing participation of non-government organisations ('quangos') narrows the responsibilities exercised by formally elected authorities thereby modifying the relationships between voters and the government: lines of accountability become murky (King 1996; Deleon 1998). Some claim that networks of governmental and non-governmental actors where the main criterion for membership is technical know-how, leads to a technocratic style of policy making where elected bodies increasingly loose grip (Gaudin 1995; Gaudin 1996). And, referring particularly to structures of multi-level governance, others have observed that networks associating governments, public administration and non-government from different state levels in a non-hierarchical way, contribute to a disenfranchisement of parliaments and councils at all levels (Scharpf 1993).

Second, they argue that governance may affect the very fundamentals of community-identification. Networks of governance are mostly concerned with and structured by single policy issues, thus contributing to societal fragmentation and altering the ways through which the legitimate version of the common interest is identified and negotiated (Gaudin 1999). As some researchers have noticed (Rose 1995; Duran et Thoenig 1996), governance conceives the citizen primarily as a taxpayer and a consumer of various public goods, whereas his/her role as a political subject seems somewhat in retreat. In their view, this fosters a conception of the political as just another sphere for the pursuit of individual goals, thereby calling into question the idea of the political community as a collective being with a public interest that is different from the sum of particular interests. In other words: governance would tend to make us forget that citizenship in the democratic state rests not only on the republican ideals of liberty and equality, but also fraternity (Hill 1994: 3).

To us, this line of reasoning seems basically a pessimistic perspective in the sense that its thread is the willingness to examine threats to democracy and legitimacy by mechanisms of governance and to ring alarm bells if necessary.

### **The optimistic view**

A second line of reasoning with respect to the implications of governance for democracy rolls up the issue from another end. Instead of centring around the tension between quality of inputs versus quality of outputs put forward by classic democracy theory, the second line of reasoning focuses on another key feature of democratic politics: the relationship between the

state and civil-society, i.e. the “nexus of associations through which people organise independently to manage their own affairs and which can also be a channel of influence upon government and a check on its powers” (Beetham 1994: 29). It emphasises the idea that popular control over public policies is not only exercised by elected bodies in a top-down way, but also directly by citizens and their associations. Tenants of this perspective insist on the prospects of governance with respect to direct citizen involvement and participation in public policies, independently from representative elected bodies. Two main elements have been examined with respect to how transitions from government to governance affect the relationship between civil society and the state: the pluralisation of policy-making by the pluralisation of policy-networks, the emergence of new instances of deliberation and dialogue between state and citizens.

First, drawing on the tenet of “associative democracy” (Hirst 1994), it is argued that self-governing networks, that include not only state agencies but also varieties of non-government organisations and associations, are an important vector of pluralism and civic culture. The presence of associations in these networks increases the influence of the civil society on public policies and fosters civic culture. The involvement of non-government organisations and associations in the enforcement and administration of policies would result in increasing the points of view and the interests served by a particular public policy. Thus, recruiting the energies of citizens' organisations into public governance could be a step away from an oppressive state and towards a more egalitarian-democratic order (Cohen et Rogers 1992: 465). In that sense, through the link of association involvement in public policies, transitions from government to governance have been viewed as an opportunity for empowering the citizen and pluralising the state (Bang et Sorensen 1998).

Second, it is argued that governance structures may foster discursive processes and thus increase deliberative quality of public policies. The reason for this lies in the augmentation of interdependencies due to the great number and variety of actors and agencies involved in governance structures. Hierarchies are mostly absent, and when they are not, veto power of single actors and agencies are often considerable. Hence, negotiation and compromise, or deliberation and consensus appear as the only way of achieving agreements on the course of collective action in self-governing networks. In this sense, the emergence of new spheres of negotiation and deliberation, such as neighbourhood forums, citizen juries, user boards etc. has been interpreted as an increased importance of discursive processes in the formulation and

administration of public policies as consequences of the transition from government to governance (Burns et al. 1994; Donzelot et Estèbe 1994; Khan 1999).

The central tenet of this second line of reasoning is thus to emphasise the potential for democratic renewal "from below" which resides in the new mechanisms of governance. This view can be termed *optimistic*, in the sense that it set out to examine whether the transition from government to governance opens up the state towards civil society and, if so, where these new openings occur and what their potential is for reinvigorating democratic civil society.

#### **Four working hypotheses**

In the light of this debate, the assessment of issues of democratic legitimacy with respect to government, respectively governance-type regulations in policy fields or territories leaves us with four working hypotheses, two of them pessimist and two of them optimist:

##### 1) Two pessimist hypotheses:

H1: Unlike government, governance leads to a relativisation of the role of democratically elected bodies.

H2: Unlike government, governance leads to a fragmented vision of the political community.

##### 2) Two optimist hypotheses:

H3: Unlike government, governance leads to pluralism and to the empowerment of citizens.

H4: Unlike government, governance fosters deliberation and consensus as a main mode of decision making.

### **3. Metropolitan governance and democratic legitimacy: a primary test of the framework with the empirical material collected so far**

The remainder of this paper is dedicated to a primary test of these four working hypotheses to an empirical case<sup>7</sup>. More precisely, we will use them to examine issues of democratic legitimacy with respect to the major mechanisms of territorial policy-coordination in Swiss metropolitan areas<sup>8</sup>.

In Switzerland, metropolitan areas were identified for the first time at the occasion of the 1990 population census (Schuler 1994), as groups of agglomerations defined according to a certain intensity of commuter movements. They are exclusively statistical categories and have no institutional or political function. According to this definition, five metropolitan areas were identified on the basis of the 1990 population census (see map in the appendix): Zurich (172 communes located in six different cantons), Geneva-Lausanne (150 communes located in two different cantons and two different French Départements), Basel (72 communes located in four cantons, one French Département and one German Bundesland), Bern (34 communes all of which located in the canton of Bern), Ticino (119 communes located in the canton of Ticino and two Italian Provincie).

We examine issues of democratic legitimacy with respect to the major mechanisms of territorial policy-coordination in four Swiss metropolitan areas: Geneva/Lausanne, Bern, Zurich and Ticino<sup>9</sup>. In order to do this, we will first use the analytical categories used to distinguish governance from government type regulations (cf. Table 3) to position these various mechanisms on the continuum government versus governance. In a second step, we will test each of the four working hypotheses by applying them to the various mechanisms.

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<sup>7</sup> The empirical material is drawn from an ongoing research project on metropolitan governance in Switzerland in several policy fields. The analysis rests on a press articles, information material produced by the various stakeholders, as well as on about several informative interviews conducted with the secretaries of the mechanisms under scrutiny.

<sup>8</sup> NB: the research on which this paper is based is still ongoing. It is clear that the following analysis is somewhat superficial and needs to be deepened and refined, based on empirical material that still remains to be collected. In this sense, the idea of this analysis mainly is to submit the analytical framework to discussion.

<sup>9</sup> The Basel metropolitan area was left aside because of the high complexity of the case, in the sense that it is a metropolitan area involving three different countries and governance structures are first of all transnational before being metropolitan in scope.



**Position on the continuum: government or governance?**

In all four metropolitan areas, there exist a myriad of institutions that aim at the coordination of policies with a metropolitan scope, i.e. that go beyond the boundaries of single territorial entities (communes or cantons) that compose the metropolitan areas. For the purpose of this paper, we will limit ourselves to the examination of those coordination schemes with a logic going further than sectorial preoccupations (related to one specific topic). According to their territorial scope, two types of such schemes can be identified.

First, intercommunal schemes - associating the communes located in the metropolitan area - exist in every of the four areas under scrutiny and they are all private associations according art. 60 ff. Swiss civil law: In the Geneva-Lausanne metropolitan area, there is the *Association des communes genevoises (ACG)* associating the totality of the 45 communes located in the canton of Geneva, as well as the *Communauté de la région lausannoise (COREL)* reuniting the communes located in the agglomeration of Lausanne. In the Bern metropolitan area, there is the *Verein Region Bern (VRB)*, linking the communes located around the city of Bern. The *Gemeindepräsidentenverband (GPV)* was found in the Zurich metropolitan area, and the *Associazione dei comuni urbani (ACU)* reuniting urban communes of the canton of Ticino.

Second, except for the Zurich case, there exist higher level coordination schemes which associate various types of private and public actors with various territorial scopes (communal, cantonal, even international). For the Bern region, there is the *Espace Mittelland*, an association of five<sup>10</sup> cantons reunited to defend the interest of the greater Bern area located in between the two very strong urban centres of Zurich and Geneva-Lausanne. In the Geneva-Lausanne metropolitan area, appeared first the *Commission mixte franco-genevoise* put up in 1973 by the Swiss and French government with the scope to coordinate transnational relations in the Geneva area, it involves the city and the canton of Geneva, as well as the French Departments of Ain and Haute-Savoie. In 1987 was also created the *Conseil du Léman* involving public actors located on the Swiss and French territory around the lake of Geneva (same actors as in the *Commission mixte franco-genevoise* plus the cantons of Vaud and Valais). Last, but not least in the Ticino area, there is the *Regio Insubrica*, a transnational organisation involving public and private actors from Ticino and the three adjacent Italian Provinces (Como, Varese, Verbano-Cusio-Ossola).

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<sup>10</sup> Bern, Fribourg, Neuchâtel, Solothurn, Jura

Table 4 and 5 in the appendix show various elements of information on these coordination schemes according to the above defined features, with which we suggest to distinguish government- from governance-type regulations. It is clear from these tables that none of these metropolitan coordination schemes can be considered as purely 'government'-like in the traditional weberian sense of constitutionally structured political institutions exercising a power monopoly on a given territory. In fact, all of them are private associations from a legal point of view and include quite a high number of participants who are themselves state agencies.

However, the coordination schemes do differ in some of the central categories used to distinguish government from governance. In general, all intercommunal associations (i.e. ACG, COREL, VRB, GPV, ACU) include only public actors and membership is (except for the ACG and the GPV) voluntary. They integrate generally a high number of actors, but private actors are associated only as experts, without having the status of member and the right to vote. This is also the case for the *Espace Mittelland* and the *Conseil du Léman*. The *Commission mixte franco-genevoise* instead has one private actor member (the *groupement des frontaliers de l'Ain et de la Haute-Savoie*). Last but not least, the *Regio Insubrica* definitely appears as the coordination scheme which is most 'governance-like', with its extremely heterogeneous types of members (public, private, associational), its extremely open boundaries and its explicit attempt to find a balance between all the actors, independently from whether they are public, private, local, supra-local, Swiss or Italian. The boundaries of these institutions are generally open (except for the ACG and the GPV), in the sense that they encourage the adherence from supplementary territorial entities. On what their function and political role is concerned, the intercommunal schemes of coordination have a lot of similarities: they all have a consultative role of policy-proposition. The *Association des communes genevoises* also has a role of policy implementation, it manages the computer equipment for the communes, organises para-school activities for children and burns animal carcasses for the communes. The intercantonal (-national) institutions also have a role of consultation, but whereas the *Commission mixte franco-genevoise* has a relatively significant political weight, the others are politically not very important. The conventions of interaction are in general very formal (except for the *Gemeindepräsidentenverband*) and put up in a way to balance the influence of the different territorial members.

What appears from this general overview, is that there are in fact few differences between these mechanisms of coordination. The main difference resides in the weight of state-actors within these institutions. If we now try to classify these various coordination schemes on the continuum government versus governance, the most government-like would be the *Association des communes genevoises*, the *Gemeindepräsidentenverband* and the *Commission mixte franco-genevoise*, and the most governance-like the *Regio Insubrica*<sup>11</sup>.

### **Government, governance and democratic legitimacy**

In order to discuss eventual consequences of governance on democratic legitimacy, we will test the four working hypotheses on these various contrasted cases. For instance for this paper we will compare four of the above mentioned coordination schemes. On the one hand, we will take a look at three government-like type of coordination schemes: the ACG and the GPV as representing the schemes with an intercommunal scope, as well as on the *Commission mixte franco-genevoise* as a government-type scheme with a higher level of territorial scope. On the other hand, we will examine the *Regio Insubrica* as a 'governance-type' contrast.

### **H1: Unlike government, governance leads to a relativisation of the role of democratically elected bodies.**

In the ACG and the GPV, communes are represented by elected officials (the mayor or an other member of the executive). The *Commission mixte franco-genevoise* involves representatives from the different Swiss and French territorial levels<sup>12</sup> it includes for the French part even the presidents of the Parliaments of *Ain* and *Haute-Savoie*. There is thus a certain link of accountability from the electorate of the member institutions to the representatives in the associations. Furthermore, all important decisions taken by these associations must be ratified by the members. In practice, these coordination schemes

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<sup>11</sup> It is evidently questionable to study these coordination schemes in general, but that one has to consider their role and functioning in concrete policy-cases, and study in detail the different features identified above, in order to specify whether the regulation in a given policy-case was more government- or more governance-like. This will be done in the remainder of the research, where we concentrate on the role of these coordination schemes in the four specific policy fields.

<sup>12</sup> For the French part : The préfets de la Rhône-Alpes, des Départements de l'Ain et de la Haute-Savoie, the Consul general de France in Geneva, as well as the presidents of the Conseil généraux de l'Ain et de la Haute-Savoie / For the Swiss part : Members of the executif of the commune and the canton of Geneva, a high functionary of the Federal Department of External Affairs, and a representative of the Association des communes genevoises

therefore have almost no discretion, and the importance of local parliaments (who ratify decisions on the allocation of a credit, for instance) remains important.

In the *Regio Insubrica*, the same is true for the public members who are represented by elected officials (the mayor in the case of communes, members of the provincial or the cantonal executive in the case of the canton and the Province). However, representatives of the private members (businesses, associations, etc.) are not designated according to any transparent procedure: the decision whom to send is totally left to the member. Concerning the position in the policy process, the *Regio Insubrica* explicitly states that it does not want to be a substitute to the elected bodies. The *Regio* only has a very small budget - covering costs for its secretariat - and needs to search for special funding from its members, when it wants to implement activities for which some budget is needed. Hence, where the transfer of public resources to the *Regio* is concerned, the role of local governments and parliaments remains important.

## **H2: Unlike government, governance leads to a fragmented vision of the political community**

This question would require an inquiry among the members of the political community (the citizens) to see whether fragmented or unitarian vision prevails - and it would be even more difficult to assess whether this is the result of the activity of any coordination scheme...

However, we can assess the vision of community that is portended by the participants of these coordination scheme. From our interviews, it appears that in the case of the ACG and the GPV, conflicts between representatives of various types of communes (e.g. those receiving money in the cantonal compensation mechanism versus those who contribute to the compensation mechanism) is quite frequent. In other words, one can not really speak of there being a vision of a new territorial identity that would be present in the discussions within the ACG. On the contrary, the rationale rather is one of a congregation of local interests, where common positions are rather hazardous. The case of the *Commission mixte franco-genevoise* seems intermediate: it has been put up with the very clear scope to coordinate transnational relations, so there is a concrete common interest (concerning for example public transportation) and a vision of community.

A totally different picture is given by the *Regio Insubrica*. Indeed, decisions and debates seem rather consensual, grounded on the basic consensus that there is a vague common interest to

jointly developing the Region against the concurrence of Milan. However, the fact that there have been no important conflicts at the *Regio Insubrica* may also result from it concentrating mainly on topics of promotion, whereas distributive issues haven't been tackled so far.

**H3: Unlike government, governance leads to pluralism and to the empowerment of citizens**

Concerning the government-type coordination schemes ACG and GPV, it is not plausible to speak of them as a vector of pluralism or for empowerment of the citizens. Indeed, it appears as a coordination scheme of representatives of the communal executives: neither are there any civil-society associations represented that could transmit societal pluralism into the coordination schemes, nor are there any new procedures of citizen consultation or involvement.

As for the *Regio Insubrica*, there is involvement of civil society associations: besides public institutions and private business, members include about a dozen civil society associations with full membership rights. However, formal citizen empowerment or involvement in the *Regio's* activities has not taken place so far, either.

**H4: Unlike government, governance fosters deliberation and consensus as a main mode of decision making**

When it comes to the mode of decision making (majoritarian versus consensual), there is a striking similarity across all coordination schemes under scrutiny here. From a formal point of view, the statutes of each coordination scheme allow majority decisions in the various organs. However, according to our interviews, majoritarian decisions are extremely rare. Decisions are taken at unanimity, or they are not taken at all: when participants cannot reach a consensus on some topic, they tend to drop it.

This general mode of functioning does not differ between the three government-type of coordinations schemes and the *Regio Insubrica* as a more governance-type scheme. This can be explained by the fact that the competences of these various coordination schemes are very limited; no member can be forced to adopt any behaviour against her/his will. In such a context, it does indeed not make much sense to take majoritarian decision who are likely to be followed only by those who backed them...

It is clear that this analysis of the functioning of metropolitan coordination schemes needs to be deepened and refined if we want to make sound statements on the issue of democratic legitimacy with respect to metropolitan governance. In particular, it can be argued that the territorial coordination schemes examined here are "light-weights" and thus do not represent a good case for inquiry. Indeed, be they more government- or more governance-like: all of the coordination schemes examined here appear basically as mechanisms of consultation rather than of policy-making. It is thus questionable, whether it is appropriate to study supposed consequences of governance on democratic legitimacy on the basis of these coordination schemes which do not quite appear as "the real thing". In this sense, the remainder of our research project will be dedicated to the study of metropolitan governance specific to four policy fields where territorial coordination is highly relevant: medical and social service provision for drug users, public transport, urban cultural institutions and water provision. Nevertheless, even with the limited analysis on the metropolitan coordination schemes presented above, it is possible to draw some preliminary conclusions on the issue of governance and democratic legitimacy, as well as on the analytical framework used to examine this issue.

#### **4. Conclusion**

##### **Metropolitan governance and democratic legitimacy: no need to worry...**

Concerning the issue of democratic legitimacy with respect to metropolitan governance, the above analysis yields a picture that somewhat confirms the "optimist's view".

One pessimist working hypothesis is clearly falsified (H1): we did not find that the role of democratically elected bodies was any less important in the context of the governance-type coordination scheme than in the context of the government-type schemes. Thus, one major point of the pessimist's view does not correspond to the empirical reality. Furthermore, one optimist working hypothesis (H3) tends to be rather confirmed: the governance-type coordination scheme with its heterogeneous membership structure is clearly more open to civil-society. Hence, one major optimist point reveals quite true with respect to the empirical situation.

The results on the remaining two hypotheses are less clear. With respect to H2, according to which governance puts forward a fragmented vision of the political community, the analysis

shows that both in the government- and the governance-type schemes, there is a certain identification of participants with a territory that goes beyond the scope of the local corporations to which they initially belong. However, because of there being more often conflictual situations among participants, it may well appear that this collective identification is more challenged in the government-type schemes. Thus, even if H3 also seems falsified at first sight in the extent to which collective identification definitely is not confined to government-type schemes, it may well be that their 'performance' in this respect is higher since situations are more often conflictual. Concerning H4, according to which governance-type regulations foster deliberation, the results show that type of decision making - formal and real - do not differ greatly from government- and governance-type of coordination schemes. However, the analysis also shows that citizen empowerment does not necessarily accompany governance-type of regulations.

In sum, concerning the metropolitan coordination schemes under scrutiny here, the optimist's view on governance is more corroborated than the pessimist's view.

### **Assessing the analytical framework**

Throughout this paper, an analysis of the empirical evidence through the theoretical framework based on four working hypotheses on governance and democratic legitimacy appeared possible and feasible. In particular, although drawn from two lines of argument that we felt to be normatively oriented - pessimist or optimist - the confrontation with empirical evidence produced quite differentiated results. We thus conclude that these four working hypotheses can be fruitful for structuring and orienting empirical research on issues of democracy with respect to (metropolitan) governance.

Our analysis also suggests that it is far from evident that transitions from government to governance have *intrinsic* consequences on processes and procedures related to democratic legitimacy - such as it is suggested by major scholars of the field. In other words, beyond the evaluation of consequences of legitimacy with respect to governance, it is necessary to assess the circumstances and contextual elements which condition that in some empirical situations one or the other line of argument reveals true (pessimist or optimist). We feel this to be the major research agenda related to the topic of governance and democratic legitimacy.

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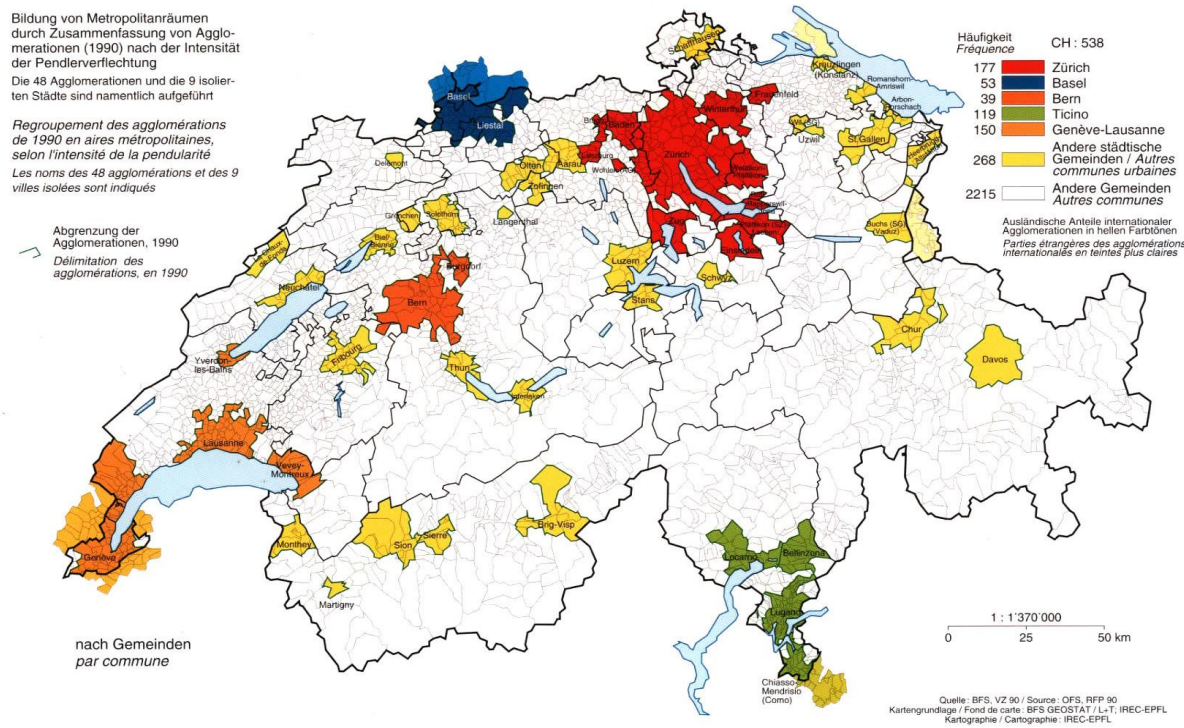
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Appendix

Map 1 – Metropolitan areas in Switzerland



According to the definition of the Federal Office of Statistics (Schuler 1994) on the basis of the 1990 population census five metropolitan areas in Switzerland were identified: Zurich (1.42 million residents, 10 agglomerations, 172 communes located in six different cantons), Geneva-Lausanne (0.96 million residents, 4 agglomerations, 150 communes located in two different cantons and two different French Départements), Basel (0.6 million residents, 2 agglomerations, 72 communes located in four cantons, one French Département and one German Bundesland), Bern (0.4 million residents, 4 agglomerations, 34 communes all of which located in the canton of Bern), Ticino (0.4 million residents, 4 agglomerations, 119 communes located in the canton of Ticino and two Italian Province).

**Table 4 - Intercommunal schemes of policy-coordination**

Name		Communauté de la région lausannoise (COREL)	Verein Region Bern (VRB)	Association des communes genevoises (ACG)	Associazione dei comuni urbani (ACU)	Gemeindepräsidentenverband (GPV)
<b>Legal form</b>		Private association (art. 60 Swiss civil law)	Private association	Private association	Private association	Private association
Actors	type	Only state actors	Only state actors	Only state actors	Mayors of urban communes of the canton of Ticino	Mayors of the communes of the canton of Zurich
	number	high	High	Very high	Medium	High
Function	Consultation	Yes	Yes	Yes	Yes	Yes
	Co-operation in policy formulation / implementation	In policy formulation	In policy formulation	In policy formulation and implementation	Only in policy formulation	Mainly in policy formulation, exceptionally in implementation (drug policy,
	Policy issues	broad	broad	broad	Broad (no restriction to any specific issue)	Broad (no restriction to any specific issue)
Structure	boundaries	open	open	Closed	Relatively open	Closed
	membership	voluntary	voluntary	compulsory	Voluntary	Compulsory
	Frequency of interaction	high	high	medium	Low	High
Conventions of interaction	Authority vs consultation	consultation	consultation	consultation	Consultation	Consultation
	Adversial/conflictual / vs Cooperative/consensus on technocratic norms	conflictual	cooperative	cooperative	Most of the time cooperative; conflictual on some issues	Most of the time cooperative and consensual; conflictual on some issues
	Formality of contacts	Very formal	formal	formal	Formal	Formal
	Secrecy vs openness	openness	openness	openness	Relative openness	Secrecy (explicitly refrained from public relation strategy)

Distribution of power	Degree of autonomy / domination of the state	State dominant	State dominant	State dominant	State actors dominant	State actors dominant
	Capture of state by societal interest	no	no	no	No	No
	Degree of balance between actors	Balance between actors	Balance between actors	Balance between actors	Balanced (one member one vote)	Balanced

**Table 5 - Intercantonal (-national) schemes of policy-coordination**

		Conseil du Léman	Commission mixte franco-genevoise	Espace Mittelland	Regio Insubrica
<b>Legal form</b>		Private association (according to 1980 Madrid Convention on transborder cooperation)	Agreement between the French and Swiss government	Private association	Private association (according to 1980 Madrid Convention on transborder cooperation)
Actors	Type	Only state actors	Mainly state actors, 1 private actor	Only state actors	State and private actors (canton, province, communes, private firms, unions, associations)
	number	High number of participants	Limited number of participants	High number of participants	Very high number
Function	Consultation	yes	yes	yes	Yes
	Co-operation in policy formulation / implementation	In policy formulation	In policy implementation and formulation	In policy formulation	In policy formulation
	Broadness of policy issues	Very broad (no restriction to any specific issue)	Relatively narrow (transborder cooperation)	broad	Relatively narrow (basically transborder cooperation, area promotion)

Structure	boundaries	open	Closed	Extremely open	Extremely open
	membership	voluntary	voluntary	voluntary	Voluntary
	Frequency of interaction	Extremely low	medium	low	Relatively low
Conventions of interaction	Authority vs. consultation	Horizontal consultation	consultation	consultation	consultation
	Adversarial/conflictual / vs Cooperative/consensus on technocratic norms	cooperative	Consensus on technocratic norms, cooperative norms	cooperative	Cooperative, based on consensus (economic promotion and development of the area)
	(in) formal contacts	Formal contacts	Formal contacts	Formal contacts	Formal contacts
	Secrecy vs openness	openness	openness	openness	openness (explicit PR strategy)
Distribution of power	Degree of autonomy / domination of the state	State dominant	State dominant	State dominant	State not dominant
	Capture of state by societal interest	no	no	no	No (too many participants that one could dominate)
	Degree of balance between actors	Balance between actors	Balance between actors	Balance between actors	Balance (one member, one vote)