

## 1. Cross-border cooperation as a horizontal integration perspective – an introduction

Cross-border cooperation in Europe is constantly gaining in importance. At the latest with the realisation of the European Single Market, i.e. the official abolition of internal borders in Europe, it became obvious that European border regions play a very specific and central role in the European integration process<sup>1</sup>. This was again reinforced by the eastward enlargement, which expanded the spectrum of what we can define as cross-border territories in Europe quantitatively, but above all qualitatively<sup>2</sup>. The importance of cross-border territories can be illustrated by a few figures: Approximately 40 % of the EU area can be classified as a cross-border area at NUTS 2 level. An estimated 30 % of the EU population lives in border areas. Of the 362 regions registered with the Council of Europe, more than 140 are border regions<sup>3</sup>. Although only about 7 million nationals of EU countries (=3.3 % of the European labour force) are mobile within the EU in the sense that they live or work in a country other than their country of origin in the course of their lives, about 1.2 million work as posted workers in another EU country and 1.1 million commute daily as cross-border commuters from their country of residence to a neighbouring country for work<sup>4</sup> – a high proportion of this overall very relative mobility phenomenon nevertheless takes place in the border regions of the European Union.

This specific type of territory, which has so far played a rather minor role in the official documents and in the technical and spatial development strategies of the European Commission<sup>5</sup>, performs specific functions for the realisation of the European integration process. Especially in connection with the redesign of the European Cohesion Policy (2014–2020) and the realisation of the Treaty objective of territorial cohesion<sup>6</sup>, it became

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1 Wassenberg/Beck 2011

2 Foucher 2007

3 Ricq 2006

4 Eurostat 2014

5 See for example Sixth progress report on economic and social cohesion. COM(2009) 295 final; Beck 2011

6 Ahner/Fuechtner 2010

clear, that the border regions in Europe should experience a political and functional upgrading in the future.<sup>7</sup> This can also be illustrated by the fact that the effects of the progress of European integration can be studied here with particular clarity: horizontal mobility of goods, capital, services and people are very obvious in border regions, but also the remaining obstacles to this horizontal mobility. This is why the border regions have often been described as laboratories of European integration<sup>8</sup> and why cross-border cooperation as such can be interpreted as a specific horizontal dimension of European integration<sup>9</sup>.

The following diagram, created by the Association of European Border Regions (ABER) illustrates the density of cross-border cooperation links that have developed in Europe since the Second World War. In an international comparative perspective, this represents an important unique selling point of the European continent and illustrates the functional potential that can result from such a horizontal European integration perspective:

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7 Beck 2012

8 Lambertz 2010

9 Wassenberg 2008; Beck/Thevenet/Wetzel 2009; Beck 2018

Figure 1: Cross-border territories in Europe



(source: <https://www.aebr.eu/>)

Looking at the historical development of cross-border cooperation in Europe, however, it can be stated that for a long time, Europe was dominated by confrontation rather than cooperation, in which nation states as central actors sometimes aggressively redefined or changed territorial and state borders in the form of armed conflicts. Ultimately, it was only after the Second World War that one could speak of cross-border cooperation in the

true sense of the word – the recognition and thus stabilisation of borders through international and intergovernmental treaties formed the basis<sup>10</sup>.

Cross-border relations were initially established in post-war Europe in the form of town twinnings. In 1958, the first institutionalisation took place with the founding of the EUREGIO Gronau in the German-Dutch border region, which was followed in the 1960s by many analogous local initiatives in Western European border regions, which finally led to the founding of the Association of European Border Regions (AEBR) at the end of the 1960s<sup>11</sup>. In this respect, it can be said that cross-border cooperation in post-war Europe developed from the bottom up. It was not until the 1970s that cross-border cooperation was recognised and ultimately codified at the level of the participating states, in the form of specific intergovernmental agreements in which the fields of activity and the actors involved in cross-border cooperation were defined and joint cross-border government commissions were set up to implement them. This state practice was raised to a broader European level in the 1980s. Worth mentioning here is the so-called Madrid Framework Convention on Cross-Border Cooperation of the Council of Europe, in which standards and foundations for cross-border cooperation were laid for all 46 member states of this international organisation<sup>12</sup>.

The 1990s marked an important turning point. On the one hand, in the wake of the fall of the Iron Curtain, the European Commission actively took up the issue of cross-border cooperation and installed INTERREG, a central funding mechanism in financial and conceptual terms. On the other hand, numerous new border regions were formed in Eastern and South-Eastern Europe, which defined themselves programmatically as "Euroregions" right from the very beginning. On the other hand, the realisation of the single European market from 1993 onwards and the associated implementation of the so-called four fundamental freedoms (freedom to provide services, freedom of capital movement, freedom of movement of persons, freedom of movement of goods) brought about a considerable dynamisation of horizontal socio-economic interdependencies, from which the European internal borders in particular profited to a considerable extent.

Not least because of the practical challenges arising from this, a dynamisation of cross-border cooperation in Europe can be observed from

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10 Wassenberg 2007; Lambertz 2010

11 AGE 2008

12 Ricq 2006

the year 2000 onwards<sup>13</sup>. Thus, numerous border regions located on Europe's western borders have questioned their established structural and functional patterns of cooperation and tried out new forms of cross-border governance. The border regions that emerged partly ad hoc on Europe's eastern borders from the 1990s onwards caught up with functional and organisational structuring, partly in a very innovative way from the outset. The European Commission also supported this dynamisation, on the one hand by successively increasing the funding available for the INTERREG programme, and on the other hand by providing specific cooperation instruments such as the legal institute of the EGTC (European Grouping of Territorial Cooperation)<sup>14</sup>. At the same time, some border regions repositioned themselves as so-called Euro-Districts, with the explicit aim of strengthening the experimental laboratory function at the decentralised level in a cross-border perspective<sup>15</sup>.

Complementarily, the European Commission also promoted the emergence of so-called transnational macro-regions and made its cohesion policy much more impact-oriented<sup>16</sup>. Finally, with the initiative to create a cross-border mechanism at the European level and the adoption of the Franco-German Treaty of Aachen in 2019, more recent initiatives have been taken at both the European and intergovernmental levels to make the legal and administrative framework for cross-border cooperation more flexible<sup>17</sup>.

When this book reflects on cross-border cooperation in Europe, it does so with the intention of placing the horizontal dimension of the European integration process symbolised by cross-border cooperation more firmly in the focus of academic and practical debate and, at the same time, to explore ways in which territorial as well as socio-economic development potentials in Europe can be better realised by improving cross-border cooperation.

Cross-border territories have enormous territorial development potential. The practical realisation of the four European fundamental freedoms is particularly concretised in this type of territory, which can be under-

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13 MOT 2007

14 Beck 2017b

15 Frey 2005

16 [https://ec.europa.eu/regional\\_policy/fr/policy/cooperation/macro-regional-strategies/](https://ec.europa.eu/regional_policy/fr/policy/cooperation/macro-regional-strategies/)

17 Beck 2021

stood as a proximity-level of European integration<sup>18</sup>. At the same time, border regions illustrate the practical obstacles that still exist with regard to the realisation of the European fundamental freedoms. At the level of individual citizens, but above all at the level of businesses and civil society, approaches to cross-border action are still hindered by a multitude of obstacles in real-world practice. According to a survey carried out by the European Commission in preparation of the so-called “b-solutions”-Initiative<sup>19</sup>, legal and administrative factors are the greatest obstacles to cross-border mobility in Europe (53 %), in addition to linguistic and informational obstacles. These obstacles not only have a subjective de-motivating effect on individual actors who wish to orient their everyday actions towards cross-border mobility, they also lead to considerable economic welfare losses in Europe. A study, commissioned by the EU Commission in 2017, proved that legal and administrative obstacles lead to a loss of 3 % of European GDP. However, the specific welfare losses within the socio-economic proximity-level within European border regions are likely to be many times higher. If all negative legal and administrative border effects in Europe were eliminated, this would lead to a growth boost of 485 billion euros and the creation of over 8 million jobs in European border regions<sup>20</sup>.

If one mentally removes the national border and looks at a cross-border territory from a 360° perspective, functional and institutional scales may well emerge that lead to comparability with national standards. For example, the cross-border cooperation area of the Trinational Metropolitan Region Upper Rhine (TMO) on the German-French-Swiss border covers an area of 21,000 km<sup>2</sup>, where more than 6 million people live in a polycentric settlement structure, where more than 200,000 companies of partly global importance exist, where more than 170 science and research locations exist and where important regional, national, European and international institutions are located<sup>21</sup>. In addition, as part of the European Commission's reorientation of cohesion policy, cooperation patterns have emerged in many border regions that follow the logic of multi-level governance and tend to realize territorial development goals through the interaction of

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18 Reitel/Wassenberg 2015; Blatter 2004; Böhm/Drapela 2017; Klatt/wassenberg 2020; Beck/Thevenet/Wetzel 2009/AGEG 2008

19 [https://ec.europa.eu/regional\\_policy/en/newsroom/news/2021/02/02-09-2021-b-solutions-to-cross-border-obstacles-a-complementary-cooperation-tool](https://ec.europa.eu/regional_policy/en/newsroom/news/2021/02/02-09-2021-b-solutions-to-cross-border-obstacles-a-complementary-cooperation-tool)

20 European Commission 2017a

21 <https://www.rmtmo.eu/fr/home.html>

different sectors (politics, administration, business, science, civil society). Initial experience with such approaches, however, shows that even in these new governance patterns, a dominance of public actors can ultimately be observed<sup>22</sup>. Obviously, there is also a particularly pronounced institutional (national) path dependency in cross-border affairs, which tends to hinder the development of existing potentials.

Border regions and the cooperation processes taking place within them can be defined today as a separate transnational policy field, whose constitutive characteristics and functionalities in addition to its property as a sub-system of national and regional governance are more and more also determined by the European level<sup>23</sup>. From the point of European integration and the related multi-level perspective it can be observed how cross-border governance has – over time – become an increasingly significant object of European policy<sup>24</sup>. It is obvious that the cross-border areas of Europe have strongly benefited from the advances of the European integration process. Major European projects such as the Schengen Agreement, the Single European Act (SEA), the Maastricht Treaty or the introduction of the euro in the framework of the Monetary Union implemented important integration steps which have influenced the life of the population in the border regions significantly in a positive way. However, within these main European projects, border regions ultimately have not been explicitly defined as object areas, but still must rather be regarded as symbolic fields of application or rather 'background slides' of respective high-level European policy strategies. What has impacted, however, and strongly influenced both the emergence and the practical functioning of cross-border cooperation during the last 25 years, is the action-model of European cohesion policy<sup>25</sup>

Within the European cohesion policy, only relatively low funding for the promotion of cross-border cooperation was made available until the late 1980s. Yet, the introduction of the Community initiative INTERREG resulted in a veritable thrust. 100 cross-border programme regions have been formed since then and until 2020 29.5 billion€ in EU funds, as well as a nearly great amount of national and regional co-financing will have been invested in border regions. In addition – and alone for the period 2014–2020 – an additional 876 million euros have been invested within

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22 Beck 2013

23 Wassenberg/Beck 2011; Lambertz 2010

24 Beck 2011

25 Beck 2011

the framework of the cross-border component of the neighbourhood policy (IPA-CBC and ENPI-CBC). In these territorial fields of cooperation not only a variety of specific development projects are conceived and implemented jointly between partners coming from different territorial jurisdictions. The general governance model of European regional policy – beyond the narrower project reference – often also leads to optimised structuring of the overall organisation of cross-border cooperation itself<sup>26</sup>.

Between 2000 and 2006 alone, INTERREG III contributed to the creation or maintenance of 115 200 jobs, the establishing of almost 5800 new companies and the program also supported another 3900 already existing companies. More than 544 000 people participated in events, dealing with issues of territorial cooperation. In addition, cooperation within the framework of almost 12 000 networks was promoted, which resulted in the creation of nearly 63 000 cooperation agreements. More than 18 000 km of roads and railways in border areas have been built or repaired, investments in telecommunications and environmental improvements were forced and more than 25 000 specific local and regional initiatives have been promoted. With the 4th programming period (2007–2013), INTERREG became a so-called "mainstream programme" of European structural policy, by which cross-border cooperation in addition to the interregional and transnational cooperation has been upgraded as part of the new objective 3 "European territorial cooperation". Cross-border cooperation processes are thus considered explicit fields of experimentation for European territorial governance and are given an immediate cohesion-related action, which was further strengthened in connection with the objective of territorial cohesion, newly introduced in the Lisbon Treaty. The programme period 2014–2020 was characterised by a stronger thematic focus in programming as well as a more intensive impact-orientation when choosing and implementing new cross-border projects<sup>27</sup>. The indicators in the following table not only illustrate the quantitative significance of the overall impacts achieved, they also show that the programme has already achieved significantly more objectives than planned at an early stage:

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26 Desousa 2012;

27 Beck 2011; Ahner/Füchtner 2010



Figure 2: Interreg indicators: 2023 targets and achievements up to end-2019

Target value (number)	Implemented values (number)	Implemented relative to target (%)	
Firms engaged in R&D cross-border co-operation	10 319	24 879	241
Research institutes involved in cross-border cooperation	2 265	11 206	495
Participants in cross-border labour mobility measures	194 080	132 629	68
Participants in cross-border labour and training programmes	65 740	108 282	165
Participants in cross-border inclusion measures	31 900	15 771	49
Participants in cross-border youth schemes	62 761	147 535	235

Source: European Commission, Directorate-General for Regional and Urban Policy, Eighth report on economic, social and territorial cohesion, 2021, p. 292

The following chapter two examines the connection between European integration and the genesis of cross-border cooperation in Europe on the basis of established discourses on integration theory.

Beyond this EU-wide dimension, border regions are characterised by a very specific structural situation: natural and/or socio-economic phenomena such as transport, labour market, service-delivery, individual consumption, migration, criminality, pollution, commuters, leisure-time behaviour etc. typically have a border-crossing dimension, directly both affecting and linking two or more neighbouring states in a given trans-border territory. These negative or positive spill-over effects of either structural or everyday policy problems require a close cross-border co-operation between those actors, which are competent and responsible for problem solution within the institutional context of the respective neighbouring state<sup>28</sup>. The wide range of possible inter-institutional and problem-specific constellations in Europe's border regions, however, does not allow a uniform classification of what the characteristics of this type of regions look like: not all border-regions, for instance, are isolated rural territories facing important

28 Drewello/Scholl 2015

structural problems which are ignored by the respective national government. During the last years many border regions have become rather important junctions of the socio-economic exchanges between the neighbouring states and their historical role as "crossing points" has even been positively reinforced<sup>29</sup>.

One common element of cross-border regions in Europe, however, can be seen in the fact that cross-border co-operation has a long tradition in the old member states of Europe, and that it was gaining fast significance for the new border regions in Eastern Europe. This history, constant changing institutional challenges and the specific preconditions have in each case lead to the development of specific solutions of the respective cross-border governance<sup>30</sup>. In contrast to the national context, where regional co-operation is taking place within a uniform legal, institutional and financial context, cross-border governance is characterized by the challenge to manage working together politico-administrative systems which have a distinctive legal basis and share a different degree of vertical differentiation both in terms of structure, resources equipment and autonomy of action<sup>31</sup>. The specific patterns of cross-border governance that can be observed in Europe are examined in more detail in chapter three of this book.

Borders<sup>32</sup> are a complex multidimensional phenomenon in Europe today. If one looks at the realities of the living and working environments as well as the leisure time of border residents<sup>33</sup>, the horizontal interconnections of business and research<sup>34</sup>, the cooperation between politics and administrations,<sup>35</sup> it can be seen that the border phenomenon and thus also the object of cross-border cooperation can no longer be reduced to a simple spatial separation function<sup>36</sup>. Cross-border territories and the cooperation that takes place in them are subsystems,<sup>37</sup> which in turn are constituted by the horizontal networking (and selective integration) of functional subsystems of the respective national reference systems involved. In addition to the spatial, the border thus also encompasses political, economic,

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29 MOT 2007

30 Benz 1999; Benz/Lütz/Schimank /Simonis 2007

31 Eisenberg 2007

32 Speer 2010; Blatter 2000; Rausch 1999; Beck 1997

33 Wille 2012; Beck/Thevenet/Wetzel 2009

34 Jakob/Friesecke/Beck/Bonnafoos 2011

35 Beck 1997; Wassenberg 2007; Kohlisch 2008;; Federal Ministry of Transport, Building and Urban Affairs 2011; Frey 2005

36 Casteigts 2010

37 Frey 2003

legal, administrative, linguistic and cultural dimensions, which broaden the analytical focus of the initial conditions, structuring, procedural patterns and material solution contributions of the „subsystem of cross-border cooperation“<sup>38</sup>. In this context, an important role for the practical functioning of this subsystem is played by the administrative-cultural factor<sup>39</sup>. In general, administrative cultures can be understood as the respective structural and functional specifications of the legal and administrative systems of different countries. As a rule, administrative cultural patterns are related back to superordinate country-specific cultural patterns. They manifest themselves at a macro-level, on the one hand, in the respective specific, culture-bound structure of an administrative system and, on the other hand, both through functional characteristics of administrative organisations that appear as institutional actors in cross-border cooperation. On the other hand, at a micro-level, administrative culture manifests itself through behavioural patterns of individual actors (=the agents), which in turn are shaped by the given administrative cultures – as they still represent national domestic institutions (=the principals), for example in cross-border working meetings. The following diagram schematically depicts the basic administrative cultural constellation of cross-border cooperation. The question of how problems or development potentials that are considered common can be dealt with in the form of cross-border cooperation within an inter-institutional transnational subsystem, is very much shaped by the respective institutional and individual administrative cultures of the countries involved. Chapter four of this book takes up the resulting analytical questions, namely firstly, to what extent different administrative cultural imprints shape the results of cross-border cooperation processes (in the sense of an independent variable), and secondly, to what extent specific administrative cultural patterns have emerged within a cross-border cooperation area over longer periods of time from the cross-border interaction between actors, coming from different administrative cultural backgrounds (in the sense of a dependent variable), and to what extent these can be interpreted as success factors of an effective cross-border cooperation related to the respective common need for action.

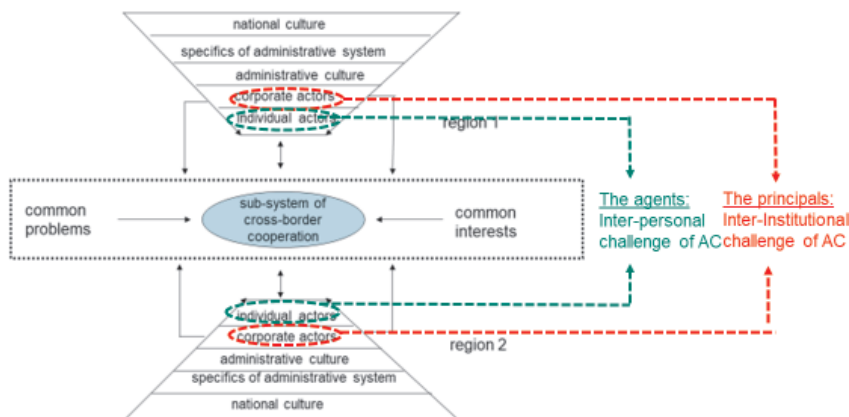
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38 Beck 2010

39 Beck 2008a; Beck 2008b

# 1. Cross-border cooperation as a horizontal integration perspective – an introduction

Figure 3: The intercultural challenge of cross-border cooperation



Beyond its current achievements, cross-border co-operation is still confronted and finds itself sometimes even in conflict with the principle of territorial sovereignty of the respective European states involved<sup>40</sup>. Even legal instruments aiming at a better structuring of the cross-border co-operation by creating co-operation groupings with a proper legal personality<sup>41</sup>, like for instance the newly created European Grouping of Territorial Co-operation (EGTC)<sup>42</sup>, do not allow for an independent trans-national scope of action: regarding budgetary rules, social law, taxation, legal supervision etc. as the details of the practical functioning of an EGTC depend entirely on the domestic law of the state, in which the transnational grouping has finally chosen to take its legal seat.

Even in those regions where the degree of co-operation is well developed, cross-border co-operation is also still a transnational politico-administrative subsystem, created by and composed of the respective "domestic" national partners involved. Both, institutions, procedures, programmes and projects of cross-border co-operation depend – in practice – on decisions, which are still often taken outside the closer context of direct bi- or multilateral horizontal co-operation. In most transnational constellations – also where federalist states are participating – cross-border policy-making cannot be based on a transparent delegation of proper com-

40 Beck 1999

41 Janssen 2007

42 Regulation (EC) No1082/2006 on a European Grouping of Territorial Cooperation

petences from the domestic partners towards the transnational actors, but the domestic partners must still rather recruit, persuade and justify their actions and their legal and financial support for each and every individual case. The "external" influence on such a sub-system of co-operation has, thus, to be considered as being relatively important. Cross-border co-operation can therefore be interpreted as a *principal-agent constellation*<sup>43</sup> : with the principals being the national institutional partners of this co-operation (regions, state organisations, local authorities etc.), representing the legal, administrative, financial and decisional competences and interests of their partial region, and the agents being the actors (cross-border project partners, members of transnational bodies or specific institutions, programme officers and co-ordination officers etc.) responsible for the preparation, the design and the implementation of the integrated cross-border policy<sup>44</sup>. Different to classical principal-agent assumptions, however, the principals are playing a much more important role, clearly defining the scope and limits of action for the agents within a transnational context of such a "secondary-diplomacy"<sup>45</sup>. Cross-border co-operation thus has always both an inter-institutional and an inter-personal dimension, requiring the co-operation of both, corporate and individual actors with their specific functional logic, motivated by special interests in each case<sup>46</sup>.

The reference level of this sub-system is founded through a perception of cross-border regions as being "functional and contractual spaces capable of responding to shared problems in similar and converging ways, so they are not political regions in the strict sense of the term"<sup>47</sup>. On the other hand, the fact that cross-border co-operation is not replacing, but depending on the competence and the role of the respective national partners<sup>48</sup> does not automatically mean that this co-operation is a priori less effective than regional co-operations taking place within the domestic context. Research on multi-level policy-making in Europe has shown that a productive entwinement and networking of different actors coming from distinct administrative levels and backgrounds can be as effective as classical institutionalised problem-solving<sup>49</sup>. Yet, the institutional and functional preconditions of cross-border co-operations are far more complex and exposed to various

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43 see Czada1994; Chrisholm 1989; Jansen/Schubert 1995; Marin/Mayntz 1990

44 Beck 1997

45 Klatt / Wassenberg 2020

46 Coleman 1973; Elster 1985; Marin 1990

47 Ricq 2006, p. 45

48 Blatter 2000; Rausch 1999

49 Benz 1998; Benz/Scharpf /Zintl 1992; Grande 2000

conditions. The central criterion for the evaluation of a successful cross-border governance, however, is, nevertheless, both the degree of mobilisation and participation (structure and quality) of the relevant institutional and functional actors and the effectiveness of the problem-related output which this subsystem of co-operation is producing<sup>50</sup>. Chapter five takes this question as a starting point to discuss the possibilities and limits of better *capacity development* in a cross-border context. Following the line of argumentation of this book, the structural question of how cross-border territories can be functionally upgraded, is addressed in addition to the field of education and training. In this regard, two conceptual approaches are presented and made usable for the cross-border context: On the one hand, the extent to which cross-border development and action needs can be better realised within the framework of *horizontal subsidiarity*, by which the participating states increasingly transferring competences and scope for action to cross-border territories and the institutions developed there, so that these are put in a position to first develop relevant approaches to solutions themselves. On the other hand, the functional idea of *mutual recognition* established in the context of European law is transferred to the context of cross-border cooperation. The concept of mutual recognition can be seen as an alternative to legal institutional integration at the European level. For a cross-border cooperation context, a variety of innovations can result from this approach.

In its various functional and spatial manifestations, cross-border cooperation since the Second World War has also led to a remarkable growth of transnational institution-building. The sixth chapter of this book analyses the cross-border institutional profile that can be observed in Europe in this regard. Particularly from the perspective of horizontal integration, as this book is based on, the question of whether horizontal patterns of interaction between institutional and individual actors have in the meantime reached a degree of intensity that can be regarded as a form of transnational institution-building in its own right, appears significant. Starting from basic considerations on the genesis and perspectives of the European administrative space, the chapter examines the specific quantitative and qualitative imprints of such cross-border territorial institutionalism. It is argued that cross-border cooperation today constitutes an independent horizontal dimension of the European administrative space, both qualitatively and quantitatively. At the same time, a model is developed that makes it possible to make this territorial institutionalism usable for further

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50 Casteigts/Drewello/Eisenberg 1999

neoinstitutional research approaches. On this basis, the research perspectives for a better understanding of the respective institutional functional logics are outlined.

In the 21st century, societies as well as the economy and administrations in Europe are increasingly confronted with the phenomenon of digitalisation. The seventh chapter of this book examines the extent, to which perspectives for the qualitative development of cross-border cooperation can arise from this approach. Here, the focus is placed on two specific manifestations of digitalisation. On the one hand, it examines the extent to which approaches of *administrative "e-solutions"*, as they are currently being implemented in many European member states for the modernisation of public service processes, can provide new impulses for cross-border cooperation. Based on a critical analysis of the status quo, which is still characterised by analogue cross-border cooperation in many cases, a step-by-step model of cross-border governance will be used to analyse for which cooperation levels and practical approaches e-solutions could bring concrete added value. Since digitalisation can fundamentally open up new possibilities for interaction and forms of interaction between public administrations and their target groups, the discussion on digitalisation in recent years has also promoted a conceptual approach that fundamentally raises the question of an increased opening of political administrative systems. The seventh chapter therefore takes up the question of the extent to which approaches to such *open government* in the area of cross-border cooperation are either already being practised or can promote new impulses. On the basis of the three classic fields of open government, it is shown how transparency, participation and collaboration can be realised in a cross-border administrative context of action and what perspectives can result from this for future cross-border cooperation.

As already explained in more detail above, legal and administrative differences between the Member States constitute a considerable obstacles to the development of cross-border cooperation approaches and, more broadly, mobility in Europe. From the perspective of border regions, this reveals a paradox of European integration: the more the European legislator relies on implementation-friendly Directives at the instrumental level, the more the empirically verifiable differences in legal implementation in the national context tend to stabilise rather than level out structural differences beyond national borders in Europe. Moreover, numerous areas of law relevant to European mobility are not subject to European standardisation at all – they can be interpreted as an expression of the member states' desire not to communitise these areas of law. For example, tax law,

general and special administrative law, labour law, social security law or vocational training law, to name just a few areas of law, are primarily characterised by national legislation. There are, of course, some European Directives that at least coordinate the social law provisions of the member states, for example, or intergovernmental solutions such as double taxation agreements. From the perspective of cross-border cooperation, however, law in areas relevant to mobility usually represents a veritable obstacle, as actors crossing borders are confronted with different legal systems. Against this background, chapter eight of this book analyses the question of the possibilities and limits of legal flexibility, which is decisive for the practical organisation of cross-border cooperation. The provisions included in Chapter 4 under the heading "Regional and Cross-Border Cooperation" in the Treaty between the Federal Republic of Germany and the French Republic on Franco-German Cooperation and Integration of January 1919 (the so-called Aachen Treaty) appear to be particularly groundbreaking in this regard: Article 13 para. 1 not only acknowledges the role of decentralised cross-border cooperation between Germany and France, but also postulates the objective of "...facilitating the removal of obstacles in border regions in order to implement cross-border projects and to facilitate the daily lives of people living in border regions". Article 13(2) puts this in concrete terms by stating that cross-border bodies should in future be equipped with appropriate competences, targeted resources and accelerated procedures for this purpose. At the same time – and this can be seen as a particularly innovative moment – the treaty opens up the option of adapting existing legal and administrative regulations to meet needs and to issue exemptions for border regions. The fact that the first phase of the Corona pandemic led to border closures, which in fact also led to a standstill in cross-border cooperation between local and regional actors in the Franco-German border area on the ground, highlighted the need for further reflection on the future of cross-border cooperation, particularly in the context of the Treaty of Aachen, in order to better consider the three levels of European integration, Franco-German cooperation and the decentralised territorial development of border areas in an integrative post-pandemic perspective, with a special focus on the question of the possibilities and limits of legal-administrative flexibilisation. Based on an analysis of two concrete cross-border cooperation projects, the chapter attempts to develop pragmatic approaches to solutions in this regard.

Finally, from the perspective of administrative science, broader research perspectives are outlined in the last chapter of this book. Research in administrative science is not only interdisciplinary in the sense that the



subject area of public administration requires an integrative consideration of different scientific disciplines (law, social sciences, economics); it is also transdisciplinary in the sense that the reason for research in administrative science – also and especially in a historical perspective – does not usually find its justification in epistemological considerations of the scientific disciplines involved, but starts from practical problems of the object of investigation itself. Such a transdisciplinary understanding of science also appears to be particularly suitable for opening up the subject area of cross-border cooperation in Europe in a more integrative way. The concluding chapter attempts to illustrate this by using the example of some basic approaches in administrative science and, on this basis, proposes elements for a future transdisciplinary research programme in administrative science.