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Intergovernmental Cooperation in a Decentralised System: the Sectoral Conferences in Spain

Sandra León and Mónica Ferrín Pereira

One of the challenges of decentralised systems is ensuring intergovernmental cooperation. This paper attempts to shed some light on the conditions that bring about cooperation between central and sub-national governments. Drawing on extensive data based on the Spanish case, empirical findings show that factors that have a bearing on cooperation are associated with non-tangible assets of intergovernmental relations (such as informal contacts among representatives) or more general and long-term political dynamics. Public practitioners have little room to modify these conditions, which highlight the limitations of administrative reforms to promote intergovernmental relations.

Keywords: Multilateral Cooperation; Intergovernmental Relations; Spain; Decentralisation; Sectoral Conferences

There are many challenges to the optimistic assumptions concerning the benefits of multilevel governance that have fuelled the devolution of powers to local and regional authorities around the world. One of these is the problem of ensuring intergovernmental cooperation. In multilevel systems—where more than one level of government operates—complete disentanglement of areas of responsibilities is impossible to achieve (Watts 2008, pp. 117 ff.). Overlapping of functions, negative spill-over effects across territories or blockages in decision-making processes are some of the inefficiencies that may arise if intergovernmental cooperation functions ineffectively.

Problems in enforcing cooperation can arise under various models of intergovernmental relations. In systems where the process of joint decision-making between central and sub-national governments makes intergovernmental cooperation compulsory, the potential dangers come from deadlock and institutional paralysis, as Scharpf (1988) discovered in his seminal work on German and European cases. On the other hand, where intergovernmental relations are left to the will of incumbents, compliance is not a given (Bolleyer 2006a, p. 472), and overlapping functions across different administrations may result in overspending, lack of policy rationalisation

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and contradictory policies (Painter 1991, p. 270). This raises a question about which conditions improve intergovernmental cooperation and, in turn, minimise some of the inefficiencies associated with shortcomings in cooperation and coordination between levels of government.

In this paper we analyse the factors that provide governments with incentives to cooperate. The contributions of the paper are both theoretical and empirical. Building upon previous research,[1] we develop a more stylised theoretical account of the conditions that affect governments' incentives to engage in vertical multilateral cooperation—that is, cooperation between sub-national units and central government.[2] We test several hypotheses using the Spanish case. Empirical results are mostly based on qualitative data gathered from 82 in-depth interviews with political representatives who have participated in institutions of multilateral cooperation known as Sectoral Conferences (SCs).

Results show that many of the factors that were revealed to have a bearing on cooperation in the empirical analysis are associated with *non-tangible* assets of bargaining (informal contacts) or more general and long-term political dynamics that are difficult to change. Public practitioners may have little room to modify these conditions, which highlights the limits of administrative reforms to promote intergovernmental cooperation.

Intergovernmental Cooperation in Spain

Spain is one of the European countries, together with Belgium and Italy, where decentralisation has travelled furthest and fastest in recent decades (Hooghe, Marks & Schakel 2008). As a result, most scholars of intergovernmental cooperation include Spain within the group of federal countries (Watts 2008). In the last 30 years, regional governments (autonomous communities) have been granted wide-ranging powers over key policy areas such as health care, education and social services. As a result, whereas in 1987 regional expenditure represented around 19 per cent of total expenditure, in 2008 it amounted to 43 per cent of total expenditure. In addition, in 2009 the system of regional financing was changed to allow regions autonomy over 50 per cent of the income tax, 50 per cent of VAT and 58 per cent of excise taxes. Decentralisation in Spain has had a strong impact on the emergence of a regional political class and the reinforcement of sub-national political careers (Pallarés, Fraile & Riba 2007), but it has barely changed the nature of intergovernmental cooperation. The development and regulation of the mechanisms of multilateral cooperation between the autonomous communities and central government has lagged behind the decentralisation of powers.

Intergovernmental relations in the Spanish state of autonomies have been predominantly vertical (between central government and regional governments) and bilateral (Aja 2003, p. 200). In addition, multilateral horizontal relations have remained, until recently, virtually inexistent (Aja & García Morales 2000, p. 10), in part because any cooperation agreement between regions requires the approval of the lower house (article 145.2 of the Spanish constitution), which has prevented the generalisation of horizontal relations.[3] Most important bargaining relations between regional governments and

central government take place outside congress and through political parties. This is so because there is a low level of participation of the Spanish autonomous communities in the federal legislative process. The composition of the upper house basically mirrors that of congress and it does not represent a real check on parliament, as the *Senado* lacks any real veto power (Aja 2003, p. 215). This has impelled regional governments to use bilateral intergovernmental relations to advance their demands and has fostered the practice of 'executive federalism'[4] (Bolleyer 2006a; Arbós 2006).[5]

However, despite this fact, the future does not look so gloomy. Regional governments and the central administration have recently developed several initiatives to promote intergovernmental cooperation. On the one hand, a new intergovernmental institution, the Presidents' Conference (*Conferencia de Presidentes*), very similar to the Canadian First Ministers' Conference, was created in 2004, which brings together regional premiers and the prime minister. In addition, since 2008 some regional governments have decided to promote horizontal cooperation by convening several meetings of regional premiers, which resulted in the institutionalisation of the *Conferencia de los Gobiernos de las Comunidades Autónomas* (Conference on Regional Governments) in October 2010.

Sectoral Conferences

Sectoral Conferences represent the most prominent bodies of multilateral cooperation in the Spanish state of autonomies. They were created in 1981 but were not given impetus until 1992. SCs bring together the 17 regional ministers of a particular policy area with the corresponding national ministry (Moreno 2002, pp. 139–141).

Functions of the SCs are: (a) to agree on the implementation of national legislation that affects regional powers (e.g. education); (b) the approval, follow-up and evaluation of *Planes y Programas Conjuntos* (joint plans and programmes), whereby the central administration and regional governments decide to cooperate for a specific period in the development and financing of a plan or programme in areas where they share responsibilities and have common objectives; (c) to put in place funding regimes (*convenios*) for joint projects; (d) to exchange information between central-state and regional governments; and (e) to formulate joint positions that will be formally considered by the Spanish government at European level, and for the transposition of European policies at regional level. The literature has generally characterised SCs as bodies with weak decision-making powers, as decisions are mostly made on consensus and they are not binding for regional governments (González Gómez 2005, p. 102). They have also been criticised for being highly influenced by party political dynamics (Colomer 1998, p. 50; Grau i Creus 2000, p. 69 and ff).

According to data provided by the Spanish Ministry of Territorial Policy, in 2010 there were 38 Sectoral Conferences that covered a broad range of policy areas. However, if we take into account the number of meetings convened, only a few actually develop regular activity. Several (such as the Conference on agriculture or the Conference on university policy) normally convene more than four times a year, but

most of them barely meet once a year (for example the Conference on infrastructure and territorial planning, or the Conference on industry and energy).

There has been scant empirical evidence on how SCs operate, and few attempts have been made to explore what factors may account for differences across them (Börzel 2002; González Gómez 2005). Recently, however, renewed attention on this area in the literature has resulted in the publication of new and extensive evidence on intergovernmental relations (López Nieto 2006; Arbós, Colino, García & Parrado 2009). This fresh empirical evidence is much less pessimistic about the current state of intergovernmental relations in Spain than previous studies.

This paper develops this new line of research by analysing several explanatory factors of intergovernmental cooperation. Our goals are threefold: first, to develop a set of testable hypotheses on what factors promote or hamper intergovernmental cooperation; second, to test these hypotheses with qualitative data and, finally, to explore whether these factors can explain differences in levels of cooperation across the Spanish Sectoral Conferences. Building upon some of the arguments and empirical evidence provided in an extensive report on intergovernmental cooperation published in 2009 (León & Ferrín 2009), in this article we revisit empirical findings, present a modified version of the theoretical framework and introduce a discussion on the implications of these empirical results for administrative reforms in the Spanish state of autonomies.

Hypotheses

A number of separate arguments have been used in the literature to explain intergovernmental cooperation. However, few attempts have been made to integrate them into a common set of hypotheses (an exception is Bolleyer 2006a, 2006b). This paper advances previous literature by drawing together different explanations into a set of testable predictions, which are framed within a common assumption on what goals governments pursue.

We put special emphasis on the actors engaged in cooperation, namely those in central government and regional governments. Our assumption is that we cannot explain cooperation without focusing on those involved in it. It is governments that decide whether to collaborate or not and, therefore, we need to identify the reasons that lead governments to cooperate in order to explain why an agreement is signed. In other words, any attempt to generalise on the causes of intergovernmental cooperation requires a sound understanding of governments' motivations to cooperate.

Following this approach, the set of hypotheses we present below address governments' incentives to cooperate. To simplify the analysis, governments are considered as unitary actors whose main goals are to control resources (funding), maximise autonomy of decision and survive in government. We narrow the concept of 'multilateral cooperation' down to the signature of cooperation agreements. Or, to put it another way, intergovernmental cooperation involves commitment and joint action over a specific policy area. Our basic assumption is that governments will be more likely to cooperate under conditions that favour their goals. On the other hand, cooperation will be

discouraged if intergovernmental agreements reduce levels of autonomy, imply electoral penalties or do not involve the attainment of further resources. Next, we present the set of hypotheses on the conditions that make governments more or less willing to *cooperate.*

Funding

When a cooperative agreement involves the transfer of new financial resources from central government to sub-national units, both levels of government have more incentives to sign a multilateral cooperative agreement. On the one hand, regional governments will prefer to maximise the amount of resources under their control. On the other, central government will have incentives to cooperate because expenditure transfers strengthen their bargaining power with sub-national units. Transfers give central government the capacity to shape policies by deciding on the terms of the agreement, and by making the provision of funds to sub-national governments conditional on the acceptance of their terms (Thorlakson 2003, p. 16). In sum, cooperation will be more likely when intergovernmental agreements are associated with the transfer of funds to regional governments.

Distribution of Powers across Levels of Government

The distribution of powers between federal government and sub-national units has also been considered in the literature as a factor that affects intergovernmental cooperation (González Gómez 2005, p. 113; Watts 2009, p. 23). The distribution of powers between central government and sub-national units defines which level of government predominantly takes decisions over a particular policy area. In other words, it determines the level of government that bears the costs of cooperation, in terms of a loss in autonomy over decisions.

Therefore, if the policy area falls exclusively within sub-national powers, then sub-national governments will have fewer incentives to sign up to multilateral agreements with central government, as any central intervention may be regarded as an intrusion on sub-national autonomy (Bolleyer 2006a, p. 475). Similarly, the federal government will be reluctant to cede decision-making autonomy over its exclusive powers.

Incentives for cooperation will therefore be better when both federal government and sub-national units have some decision-making authority over a policy area, as both levels of government share responsibility to implement good policies, and neither of them loses any more autonomy of decision than any other. Accordingly, we expect higher levels of cooperation in areas in which both central government and autonomous communities share powers.

Party Competition

A number of analysts have stressed the importance of political parties and partisan harmony between central and sub-national governments in channelling intergovern-

mental relations (Watts 1998, p. 130; for the German case see Benz 2008, p. 451). Our claim is that the direction of the effect of political parties upon intergovernmental cooperation will depend on two factors: the nature of interparty competition (that is, the relationship between government and opposition parties) and the level of party discipline within state-wide parties.

If interparty competition is characterised by high levels of confrontation, then cooperation will be discouraged. In this context, sub-national governments ruled by the opposition party at central level may have an interest in forming a coalition that blocks any attempt by central government to reach an agreement (for the German case see Thorlakson 2003, p. 18). Opposition parties use the blockage of any central government initiative to promote cooperation as a way to weaken the electoral prospects of the central incumbent. In other words, blocking cooperation with central government is regarded as an electoral strategy. High levels of party discipline[6] within the opposition parties may reinforce these patterns of confrontation between affiliated and non-affiliated governments and between the latter and central government.

In situations of low levels of interparty confrontation, opposing parties might have fewer electoral incentives to oppose the proposals of central government and should be more prone to cooperate.

Policy Area

Following the logic presented above, we can also predict that intergovernmental cooperation will be more likely in policy areas that are less important for sub-national governments' electoral interests. Accordingly, cooperation will be promoted over policy areas that involve high technical content, as ideological divisions among political representatives are less likely to emerge. Alternatively: if premiers negotiate over issues that have a strong ideological nature, multilateral cooperation is more difficult, because the potential for ideological divisions among sub-national governments and central government is higher (Swenden & Maarten 2007, p. 5).

Second, the probability of successful cooperation is higher on issues that require urgent coordinated intervention by the governments. When coordinated action is needed to prevent or mitigate a serious problem whose effects go over territorial borders, such as an epidemic or a natural disaster, the electoral costs of not intervening may prompt governments to reach an early agreement. In sum, we expect higher levels of cooperation in areas that require urgent coordination, or that have a technical nature, than in areas where ideological divisions are more likely to arise.

Institutionalisation

Finally, there are several characteristics of the intergovernmental bargaining process that may promote cooperation by moderating the impact of some of the factors mentioned above. One of them is the division of decision-making processes into specialised bodies with technical content. These bodies are less permeable to 'high

politics' and political parties' strategies of confrontation and may therefore facilitate agreement (Painter 1991, p. 286; Benz 2008, p. 449).

The second characteristic is the frequency of meetings between central government and sub-national units. The repetition of bargaining may help to create a 'problem-solving' mode in the negotiations (Auel 2008, p. 426) that moderates each actor's self-interest and therefore facilitates cooperation. Indeed, repetition of bargaining enhances trust among actors, which makes defection more costly and cooperation more likely. The frequency of meetings may be endogenous to cooperation as well, as it may have a self-reinforcing nature: the higher the frequency of meetings, the higher the probability of successful cooperation; which in turn increases the chances that further meetings are convened.

Cooperation will therefore be fostered if meetings between central and regional governments are highly institutionalised, that is, if they take place on a regular basis and are supported by formal regulation or independent administrative bodies (a secretariat) that prepare meetings and carry out the follow-up of discussions.

Methodology and Data

The empirical analysis is conducted in a twofold manner. In the first part of the analysis we test the set of hypotheses presented above. The main purpose here is to analyse which factors promote or hamper actors' incentives to cooperate. In the second part we test whether explanatory factors can account for differences in levels of cooperation across Sectoral Conferences.

Two different sources of data are used in the empirical work. In the first part, hypotheses are tested using data gathered from 82 interviews with members or ex-members of SCs. Interviews were carried out between October 2006 and May 2007. The sample of representatives was designed to cover broadly different points of view. Accordingly, it contains: (a) a similar number of participants in each of the Conferences (agriculture: 20 interviewees; environment: ten interviewees; health care: 18 interviewees; education: 13 interviewees); (b) representatives from both central government and regional governments; (c) at least one regional representative from each autonomous community; (d) representatives that had participated in the SCs in different periods (three periods: 1980–95, 1996–2003; 2004–07); and (e) interviewees with a political and/or technical profile. Enough variation is expected from this sample so as to ensure that data are not strongly biased towards a particular ideology, period of time, etc.

We conducted a semi-structured questionnaire. Interviewees were first asked to describe in detail the functioning of the SC in which she/he had participated and to provide (and justify) a general evaluation of its functioning. We then introduced open-ended questions about key factors that might account for intergovernmental cooperation (questions such as: 'Which do you think is the most important factor that accounts for successful cooperation/hampers cooperation?'). Subsequent questions were more specific and interviewees were asked directly about the role of different

factors in promoting or hampering cooperation in the Conference, namely: institutionalisation (rules of procedure, second-level bodies, decision-making rules), political factors (role of political parties), and the type of policy area discussed in the SC. Interviews were long (average length was around 75 minutes) and recorded information was treated as confidential.

In codifying the dependent variable, we only coded as 'multilateral cooperation' interviewees' statements that would specifically refer to the attainment of cooperation agreements in the SC. We created one code for each explanatory factor included in the set of hypotheses and one code for the type of effect ('promotes' cooperation/'hampers' cooperation/or 'affects' cooperation when the direction of the effect could go in both directions). Each interviewee's statement concerning the impact of a particular factor on the attainment of cooperation agreements was counted as a quote.[7]

In the second part of the analysis we explore whether the explanatory factors uncovered in the previous section could account for differences in levels of cooperation across four SCs: agriculture, education, environment and health care. We decided to study these Conferences because they provide for enough variation in both the dependent and independent variables. More specifically, the selection of these Conferences is based on the following criteria: (1) the four SCs were created in the same *period* (agriculture 1983; education 1986; health 1987; and environment 1988), which allows us to study their functioning over a longer period; (2) variation in their *level of institutionalisation* (the SCs on agriculture and health have developed more than the other two); (3) variation in the distribution of powers between central-state and regional governments in each policy area (exclusive powers of coordination of the central-state in health care; exclusive regional powers in agriculture; concurrent powers of central government and regional governments in education and environment); (4) variation in the topics treated in the SC); and (5) variation in the dependent variable: the number of agreements signed in each Conference (much higher in the SC on agriculture and health than in the other two). Data for this part were drawn both from the interviews and from reports of the Ministry of Territorial Policy.

What Factors Promote or Hamper Cooperation in Sectoral Conferences?

Table 1 exhibits the list of factors that interviewees mention as having an impact on cooperation. Two points need to be taken into account when interpreting the table. First, we narrowed the definition of cooperation down to the attainment of cooperation agreements in the SC. This means that statements concerning the effect of the factors considered in the hypotheses on the bargaining process, or the general functioning of the SC, are not registered in the table.[8] Second, we only take into account the number of interviewees who have mentioned each factor.

Results indicate that the factors that promote cooperation are: the allocation of financing resources in the SC; the specific distribution of powers between central government and the autonomous communities; the existence of second-level bodies

Table 1 Factors that Have an Impact On Multilateral Cooperation in Spanish Sectoral Conferences

	POSITIVE IMPACT*	NEGATIVE IMPACT*	AMBIVALENT[3] IMPACT*
Predicted variables			
Institutionalisation			
Second-level bodies	33	1	0
Funding	17	1	0
Distribution of competences	9	2[1]	0
Policy areas discussed in the SC			0
Emergency issues	13	0	0
Technical issues	13	0	0
Political issues	0	9	0
Political factors			0
Interparty confrontation	0	16	0
Party discipline	0	7	0
Other variables			
Informal relations	17	0	0
Personal disposition of representatives	4	0	12
Political context[2]	0	2	12
Previous meetings	11	0	3
European issues	10	0	0
Bilateral relations	4	2	1
Decision-making rule	2	3	0

Notes: *Number of interviewees that ascribe a positive, negative or ambivalent impact (total interviewees: 82).
[1]Interviewees refer to exclusive powers of regional governments.
[2]Include statements referring to the political context (closeness of elections, type of government, etc.).
[3]Number of interviewees that mention a factor either without specifying its specific direction or being ambivalent.
Source: Authors' archive of interviews.

that prepare the meetings and decide on technical issues prior to the Conference; and bargaining over issues that require an urgent coordination of intergovernmental actors or that have a technical nature. Interviewees ascribe a negative impact on cooperation to political conditions, such as the existence of high levels of political confrontation between government and opposition parties, and the discussion of ideological issues in the SC.

Interviewees also mention additional factors (to those included in our hypotheses) as having an impact on cooperation. The resulting codification of extra information is exhibited in the 'Other variables' section of Table 1. Data show that factors such as the existence of informal relations among the participants at the Conferences, the personality of the participants in the SC and the general political context as well as the discussion of issues related to the European Union have a positive impact on cooperation.

Factors that Promote Cooperation

The most mentioned factor in promoting cooperation is the existence of second-level bodies (*second-level bodies* in Table 1) as part of the administrative structure of Sectoral Conferences, such as secretariats or technical commissions. Some 33 respondents (40 per cent of interviewees) consider these bodies to be relevant in fostering multilateral cooperation in the SCs. Second-level bodies can have an administrative basis, such as a secretariat that prepares meetings, implements decisions and facilitates information among participants. They can also have a more technical nature, such as those commissions that are created to discuss specialised issues. Participants in the latter are usually experts in the sectoral field of the Conference and have a minor political profile. Therefore, they are less permeable to political pressure and confrontation than the political representatives in the SC. These second-level bodies have a very significant role, as the Conference often ratifies agreements that have previously been reached in a specialised commission.

According to the interviewees, the entrenchment of the Sectoral Conference should not be based on a reinforcement of its rules of procedure, but on a steady development of informal contacts among its participants, such as informal meetings and a frequent exchange of information. In fact, data revealed that informal practices among the participants of the Conference are crucial for successful cooperation (see below).

The role of financing (*Funding* in Table 1) is one of the most quoted factors to explain cooperation in SCs (16 interviewees). Respondents report that regional governments always have incentives to sign a cooperative agreement because they are interested in receiving new financing resources. Although they also acknowledge that bargaining over the allocation of funds generates conflict among the participants, governments eventually come to an agreement. This finding corresponds with previous empirical evidence, which shows that regional governments have more interest in participating in Sectoral Conferences that decide on the allocation of funds (such as the *Consejo de Política Fiscal y Financiera*, Council of fiscal and financial policy) (González Gómez 2005, p. 112).

Another argument to explain why funding enhances cooperation is that money is frequently negotiated in packages that encompass several funds. This prevents the emergence of net losers in the bargaining process. Regional governments may receive fewer funds from a particular budget, but they can be compensated by receiving extra revenues negotiated in the same package. Therefore, it is more likely that all regional governments end up signing the agreement. Finally, some interviewees agree that central government uses funding as a device to shape regional governments' decisions. By making the receipt of funds conditional on the acceptance of the agreement, central government can control policy-making at the regional level or coordinate the performance of different autonomous communities in a particular area.

As for policy areas, 13 interviewees agree that political representatives have strong incentives to reach an agreement when the issue at stake requires urgent coordinated intervention (*emergency issues*). If they fail to do so, the electoral costs may be

overwhelming. For instance, one of the most quoted problems by interviewees was the 'mad cow' epidemic, when cooperation in the SC on agriculture became crucial to preventing the further spread of the disease. According to 13 interviewees, decisions over issues with a strong technical content are more suitable for cooperation as well, because they are less permeable to political interests or ideological divergences (*technical issues*).

The distribution of competences across levels of government as a factor that has an impact on cooperation (*distribution of powers*) was mentioned by 11 interviewees. They report that intertwined responsibilities favour cooperation because both levels of government have strong incentives to cooperate. Central governments cannot legislate without taking into account regional governments' preferences; and the latter cannot ignore national regulation when developing and implementing legislation. Respondents also acknowledge that autonomous communities have fewer incentives to cooperate when policy areas fall under their exclusive area of responsibility. In this situation, cooperation is perceived by regional governments as a threat to their autonomy of decision. Interviewees did not provide any information on central government's incentives to cooperate in areas where it holds exclusive competence.

Factors that Hamper Cooperation

According to the results, intergovernmental cooperation does not sit well with political ideology. Data indicate that the existence of high levels of interparty confrontation hampers cooperation in SCs (*interparty confrontation*). Interviewees stress that intense confrontation between central government and the most important party in the opposition is a significant obstacle to reaching agreements in SCs. Intergovernmental bargaining becomes difficult because the autonomous communities governed by the main opposition party systematically oppose any initiative from central government. As a result, SCs reproduce the relationship between government and opposition parties in the lower house, and become ineffective as mechanisms of intergovernmental cooperation.

In addition, high levels of party discipline and cohesion within state-wide parties increase the negative effects of political competition (*party discipline*). As described earlier, party discipline is the channel through which party confrontation takes place, as it ensures that sub-national affiliated governments follow the national party line in the Conference, even if this is not in line with the government's territorial interests. This is actually reported by interviewees, who mention the role of party discipline in increasing the negative impact of interparty confrontation on cooperation.

Finally, bargaining over policy issues with strong ideological roots is particularly difficult for multilateral cooperation (*political issues*). In these matters political confrontation between the government and the opposition is more likely to emerge.

Other Factors

As mentioned above, interviewees refer to additional factors as having an impact on cooperation. Although these factors were not included in the theoretical section, the

way they are associated with cooperation is similar to some of the mechanisms we pointed out when introducing the hypotheses.

Two factors are positively associated with cooperation by respondents: the informal contacts (*informal relations*) and bilateral contacts (*bilateral relations*) among participants in the SCs and the organisation of meetings before the Sectoral Conference's plenary (*previous meetings*). On the one hand, as to informal contacts (phone calls, lunch meetings), respondents value them very positively and agree that they enhance trust among participants and facilitate the achievement of agreements in the SC. Informal relationships grease the wheels of bargaining between politicians from different political parties and make possible the adoption of informal accords that are subsequently approved in the Conference as formal agreements. Interviewees hold more positive evaluations than theorists on the relationship between bilateral relations and cooperation, as four of them state that they have been useful to promote the signature of cooperation agreements.

On the other hand, as far as previous meetings are concerned, these are usually convened before the plenary of the Conference. Most of them have an informal nature and gather regional representatives (sometimes with representatives from the central administration) from the same political party. These meetings are aimed at coordinating (and eventually homogenising) representatives' views on some of the issues that are due to be discussed in the Conference's plenary. Meetings among regional representatives also take place when they share a common interest in one of the issues discussed in the Conference, regardless of whether they are ruled by the same political party.

Another factor that promotes cooperation is the discussion of policy areas that are regulated at the European level (European issues). The impact of this factor on cooperation is associated with the role of both institutionalisation and intertwined powers that we introduced in the set of hypotheses. On the one hand, European issues usually demand strong cooperation from national and sub-national actors. The decision-making process at European level is tightly scheduled, which urges national governments to reach an internal agreement before defending their position in the European Union. Bargaining processes at the European level are highly institutionalised and regulated and therefore governments have to meet frequently. Repetition of bargaining enforces trust among governments and facilitates agreement.

On the other hand, in the most 'Europeanised' issues, central and sub-national levels are highly interdependent. Central government holds the power of representation of the state in European institutions, whereas sub-national governments may have some powers over many policy areas that are regulated at European level. These strong interdependencies force them to cooperate, as none of them can act alone in European institutions. These findings are consistent with several previous empirical findings. For instance, Börzel (2002, p. 149) points out that the positive effect of the European Union on multilateral intergovernmental cooperation only emerged when Spanish autonomous communities realised that 'confronting and circumventing' the central state was an ineffective strategy to participate in the formulation, decision-making and implementation of European policies.

Interviewees also remark on the conditions that indirectly affect cooperation by having an impact on the bargaining process. Many of them mention that the success of SCs depends on the disposition of the national ministry and regional representatives to cooperate (*personal disposition*) as well as on the specificities of the political climate—closeness of elections or a change in the ruling party at central or regional levels (*political context*). Cooperation is therefore highly contingent on politicians' attitudes and willingness to compromise and any change in the political context.

Finally, five interviewees mention that the decision-making procedure to reach an agreement has an impact on cooperation (*decision-making rule*), although they have different views on this issue. Three of them argued that unanimity is the only mechanism that can ensure cooperation. They believe that regional governments would oppose any other type of decision rule that might constrain their autonomy of decision. Others (two) think that if agreements are binding only on the signatories, the relevance of the decisions to regulate intergovernmental relations is weakened and that this would make SCs virtually ineffective.

Explaining Variation in Levels of Cooperation across Sectoral Conferences

The dependent variable in this second part of the empirical analysis is the level of cooperation. We operationalise it as the number of cooperation agreements in each Sectoral Conference for the period 2001–07 (column 1 of Table 2).

The number of agreements signed in each conference is correlated with qualitative evaluations of cooperation in each Conference (columns 2 and 3 of Table 2). That is, interviewees' assessments on the performance of SCs coincide with the variation in the number of cooperation agreements in each Conference: the Conference that interviewees evaluate best is the Conference on agriculture (where more cooperation agreements are signed) and they evaluate as worst the Conference on education (with the lowest number of agreements).[9]

Next we analyse whether differences in levels of cooperation across SCs are associated with the explanatory factors we uncovered in the previous empirical analysis.

Table 2 Level of Cooperation by Sectoral Conference

		Evaluations of the interviewees*	
Sectoral Conference	Number of agreements (2001–07)*	Positive (%)	Negative (%)
Agriculture	103	16 (80)	4 (20)
Health care	40	13 (72)	5 (28)
Environment	13	16 (84)	6 (31)
Education	5	4 (31)	7 (54)

Notes: *Number of agreements achieved in each Sectoral Conference. Data not available for 2003, 2004 and 2005. Evaluations of the interviewees: percentages of positive or negative evaluations over total interviewees.
Sources: Ministerio de Administraciones Públicas (2003a, 2004, 2006, 2007a; León & Ferrín 2009).

If this is so, then factors that have a positive impact on cooperation are expected to be relatively more present in the Conferences on agriculture and health care than in the other two; and/or factors that negatively affect cooperation are expected to have a more minor role than in the Conferences on education and environment. To test these hypotheses we predominantly employed data from the Ministry of Territorial Policy and not from the original data (interviews), because the former approach enhances the robustness and the external validity of the empirical analysis.

There is variation in the distribution of powers between central and regional governments in each policy area. According to our hypothesis, in areas where governments hold exclusive authority they will be more reluctant to cooperate than in areas where both levels of government share responsibilities. We should therefore expect lower levels of cooperation in the Sectoral Conference on agriculture than in the rest, as agriculture falls within the sphere of exclusive regional powers.

Levels of cooperation have the opposite pattern, however, as cooperation is higher in the Conference on agriculture, whereas it is the lowest in the SC on education, where competences are shared between central government and autonomous communities. Data reveal, however, a possible explanation for this mismatch. The first is the importance of the European Union in agriculture. Decisions of member states on agriculture are highly influenced by European Union directives, and this modifies the formal distribution of responsibilities between central government and the autonomous communities. Although regions have exclusive authority over agriculture, central government has responsibility for the representation of the state in European institutions. This makes them highly interdependent, as no single body can act alone at the European level. As Börzel points out (2002, p. 136), 'the interest of central-state and regional administrations in coordinating their activities in European policy-making is the driving force between intergovernmental multilateral cooperation'. The Europeanisation of agriculture has de facto modified the distribution of competences between central government and autonomous communities, and has forced joint action by central-state and regional governments.

Second, when the basic function of the SC is to discuss national norms that affect regional governments, as is the case in the Conference on education, cooperation is very sensitive to political confrontation. Unlike in European policy areas, there are no external pressures (e.g. implementation of directives) that force central-state and regional governments to cooperate, and therefore intertwined powers result in a blocking of decisions and deadlock in the Conference.

Table 3 presents the weight of each explanatory factor in every SC. Results indicate that there is an association between variation in levels of cooperation across SCs and the distribution of explanatory factors. Correlation between the two is far from perfect, but it does provide a good explanation of extreme cases. Where multilateral cooperation is higher—the Sectoral Conference on agriculture—variables that favour cooperation have a stronger role than in the rest, as the distribution of transfers is the highest among the four SCs and issues that promote cooperation, such as problems that require urgent coordination or technical areas, are more predominant in the

Table 3 Distribution of Explanatory Factors across Sectoral Conferences

	Agriculture		Health		Environ-ment		Education	
Explanatory factors	n	%	n	%	n	%	n	%
Second-level bodies[1]	10	2.8	26	15.1	1	6.7	2	15.4
Funding[2]	–	16.3	–	0.3	–	1.3	–	–*
Problems of urgent coordination[3]	70	19.9	5	2.9	7	8.4	0	0.0
Technical issues[3]	18	5.1	5	2.9	2	2.4	0	0.0
European issues[3]	54	15.4	6	3.5	14	16.9	2	13.3
Political issues[3]	16	4.6	36	20.9	32	38.6	6	40.0
Interparty confrontation[4]	11	55.0	14	77.8	17	89.5	11	84.6

Notes: *Percentage is lower than 0.3 per cent, and therefore it is not registered.
[1]Number of issues dealt with in second level organisms.
[2]Percentage of transfers over total funds that are distributed to regions (average for 2001–03) (2002, 2003, 2004).
[3]Number of issues discussed in the SC with a high technical content; European issues: formulation of joint positions to be formally considered at the European Commission and to the transposition of European directives; political issues: discussion of national norms or other political decisions.
[4]Number of interviewees who mentioned the existence of interparty confrontation.
Sources: Second-level bodies: Ministerio de Administraciones Públicas (2003a, 2004, 2006, 2007a); Funding: Ministerio de Administraciones Públicas (2003a, 2003b, 2004); Technical, European and political issues: Ministerio de Administraciones Públicas (2003a, 2004, 2006, 2007a); Interparty confrontation (authors' archive of interviews).

Conference's agenda. On the other hand, negative factors, such as issues that tend to hamper cooperation—political issues—have the lowest value.

Finally, multilateral cooperation works worst in the SC of education. In this Conference, factors that hamper cooperation display relatively high values while there is little presence of factors that promote cooperation. The SC on education distributes fewer funds than other Conferences, and the role of areas that promote cooperation, such as technical issues or problems that require urgent intervention, are virtually non-existent. In addition, the role of second-level administrative or technical bodies is small, whereas political issues take up a significant part of the Conference's agenda. The passing of national legislation on education is usually included as part of the agenda of the Conference on Education, an issue that often prompts strong ideological divisions among participants and makes agreements almost impossible.

Conclusion

In this paper we have explored the conditions that affect multilateral cooperation. Using qualitative data from 82 in-depth interviews with representatives who have participated in the Spanish Sectoral Conferences, we have shown that cooperation is promoted when it involves further financing for the sub-national units and when the lion's share of intergovernmental bargaining is carried out in second-level bodies of a

more technical nature. The role of political parties is also revealed to be a crucial factor in greasing the wheels of intergovernmental relations. Evidence from the Spanish case illustrates the very harmful effects that political parties may have on intergovernmental relations when interparty competition is characterised by high levels of confrontation, blame-shifting and strong party discipline. In addition, the qualitative analysis has uncovered a set of conditions that have a significant impact on cooperation but were not included in our initial set of hypotheses. These are basically *non-tangible* assets of intergovernmental relations, such as informal contacts between national and sub-national political representatives, the personal disposition of participants to cooperate or the political context.

In the second part of the empirical analysis we have explored whether the set of factors that were hypothesised to affect cooperation can account for differences in levels of intergovernmental cooperation across Sectoral Conferences. Results indicate that in the Sectoral Conference where cooperation works best (Conference on agriculture), factors that promote cooperation have a greater role, whereas factors that hamper cooperation are relatively less present. Alternatively, where cooperation works worst (in the Conference on education), factors that hamper cooperation are predominant; whereas factors that promote cooperation play a minor role.

This paper advances previous research in various ways. First, it provides a set of hypotheses that can be tested in a wide range of case studies. Devolution of powers in European countries is 'in vogue', and mechanisms of intergovernmental cooperation play a crucial role in smoothing decentralised governance. Future theoretical work on this issue needs to provide better theoretical accounts of some of the non-tangible dimensions of intergovernmental relations that, in this empirical analysis, had a significant impact on cooperation. These non-tangible assets of intergovernmental cooperation are difficult to capture with conventional data, which underlines the importance of using qualitative research methods to capture the nature and dynamics of intergovernmental cooperation.

Second, exploring intergovernmental cooperation may require narrowing the definition of what intergovernmental cooperation actually means. One of the problems in studying intergovernmental relations of cooperation is that this concept encompasses different forms of cooperation (bilateral relations, multilateral, horizontal, vertical and informal) that vary in nature and that may respond to different causes. Therefore, theoretical arguments have to be built upon the specific conditions that each form of cooperation involves. In addition, general evaluations of intergovernmental cooperation in any country are problematic without a close examination of variations across different bodies and policy areas. In this paper we have shown that the generally pessimistic portrayal of intergovernmental relations in Spain has to be qualified once variation in levels of cooperation across various Sectoral Conferences is explored.

Third, this paper sheds some light on the debate regarding the capacity of public administration reform to enhance mechanisms of intergovernmental cooperation. By exploring the factors that are important for the achievement of cooperation agreements, this paper provides some caveats on the capacity of public administration

practitioners to enhance intergovernmental cooperation through institutional reform. Empirical results revealed that interparty confrontation, the role of second-level bodies and funding during the bargaining process, as well as informal contacts among political representatives, are the most relevant factors in accounting for intergovernmental cooperation. Public administration practitioners may have some room to promote the division of decision-making processes into specialised second-level bodies or to increase the frequency of meetings in order to enhance cooperation. However, their ability to have an impact on factors such as interparty competition or informal contacts among political representatives is more limited, as these conditions are associated with more general and long-term political dynamics that are difficult to change.

Finally, several implications on the inevitable trade-offs in multilevel governance follow from the empirical analysis. Promoting intergovernmental cooperation may be inversely related to the enhancement of other dimensions of multilevel governance such as transparency, accountability or hard budget constraints. For example, empirical results indicate that cooperation agreements are more likely to work when they involve further financing for sub-national governments. The positive role that funds play in promoting cooperation may fade away as sub-national governments gain financial autonomy and the percentage of conditional transfers from central to sub-national governments decreases. It is well documented that fiscal decentralisation may enhance sub-national governments' accountability and discipline spending (see Rodden 2006). However, our empirical findings suggest that fiscal decentralisation may hamper cooperation by eliminating one of the main devices that induce governments to cooperate—i.e. the allocation of funds from central-state to regional governments.

Similar trade-offs may apply to the distribution of powers. One of the arguments presented was that intertwined competences favour cooperation. However, this may have a cost in terms of transparency and accountability, because when powers are not neatly divided across different administrations responsibility attribution becomes more difficult, and so does citizens' ability to hold governments responsible for policy outcomes (León 2010). Even in an idealised scenario where there is sound intergovernmental cooperation, trade-offs may continue to exist: when policy-making is driven by bargaining between national and sub-national executives then cooperation may involve a democratic deficit, since intergovernmental cooperation may develop at the expense of the participation of sub-national assemblies.

Notes

[1] This paper builds upon previous research work that was developed as part of a research project on intergovernmental cooperation in Spain, financed by the regional government of Galicia (Regional Ministry of Presidency). This project resulted in the publication of an extensive report in 2009 (León & Ferrín 2009).

[2] The concept of intergovernmental cooperation encompasses different forms of relationship between governments: multilateral, bilateral, informal, formal, horizontal or vertical. In this paper we purport to account for intergovernmental cooperation that is vertical (central-state and regional governments), multilateral and formal.

[3] From 1996 to 2006, only 22 horizontal agreements were signed, most of them among neighbouring regions. No single horizontal agreement has been signed by all Autonomous Communities (Aja & García Morales 2000, p. 10).

[4] Executive federalism refers to the monopolisation by executives rather than by parliaments of collaboration between national and sub-national levels.

[5] From 1984 to 2006, almost 9000 bilateral agreements were signed between central government and the autonomous communities (Ministerio de Administraciones Públicas 2007b). Recently, however, other scholars have argued that bilateral cooperation in Spain has had a lesser role than multilateral cooperation (Arbós, Colino, García & Parrado 2009, p. 207).

[6] Party discipline means that national party leaders have the capacity to get regional leaders to support the policies and strategies of the party leadership.

[7] For example, the following quote (from interview no. 16) has been coded as 'second-level bodies' & 'promote' & 'multilateral cooperation'; (a) 'to reach these agreements, first we had worked in small groups, we had met to discuss technical problems rather than political ones; we discussed and worked a lot before an issue was debated in the interterritorial council [Conference of health care].'

[8] For instance, if a respondent says that funding 'promotes' intergovernmental bargaining in the Conference (but she/he does not specifically refer to the attainment of a cooperation agreement), this is not counted among the 'funding' quotes. Factors mentioned by less than three interviewees are not included in the table.

[9] At the beginning of the questionnaire, interviewees were asked to give a general evaluation of the Sectoral Conference(s) in which they had participated. No other guidelines were given at this stage, so that their responses would be as spontaneous as possible.

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