Territorial Cohesion: Old (French) Wine in New Bottles?

Andreas Faludi

Summary. If finally accepted, the new concept of territorial cohesion could mean a formal planning role for the European Union. The paper traces the French roots of this concept. As other concepts in European integration, it is subject to multiple interpretations. The initial focus has been on regional economic development as such. At present, territorial cohesion is also held to mean (for example, in the White Paper on European Governance) the co-ordination of policies with an impact on one and the same territory. Originally adhering to a more interventionist approach to spatial planning, the French have learned to factor balanced and sustainable development, concerns of the so-called comprehensive integrated approach, into the equation. Germans, in turn, are seeing sense in the new French focus on ‘services of general economic interest’. Experts from both countries agree on the need for a spatial framework for Community policies. Such a framework would look somewhat like the European Spatial Development Perspective, but as part of territorial cohesion policy as a shared responsibility of the Union and its member-states. This would vindicate ideas of the French pioneers of European spatial planning.

Introduction

At the time of writing, the European Constitution (European Convention, 2003) is still under discussion. Article 3 of the draft says that the Union “shall promote economic, social and territorial cohesion and solidarity among Member States”. Article 13 in Part III (The policies and functioning of the Union) lists territorial cohesion as a shared competence of the Union and the member-states.

Whilst these discussions are going on, the Commission is already invoking the concept of territorial cohesion—for example, in its second cohesion report (CEC, 2001b). The third cohesion report, at the time of writing eagerly awaited, is sure to make even more prominent reference to it. Now, what is territorial cohesion? In a recent publication, Directorate-General Regio poses this very question, answering that it extends and builds upon the notion of economic and social cohesion as stated in the EC Treaty, in particular the aim of contributing to the harmonious and balanced development of the Union as a whole. The publication then points to geographical discontinuities in the Union’s territory, certain aspects of which cohesion policy already embraces, “including the priority given to support for regions whose development is lagging behind” (CEC, 2003, p. 40). Rather than giving a definition, the message seems to be that nothing radically new is being proposed. Territorial cohesion
is merely said to augment existing policies with a greater focus on development opportunities, to encourage co-operation and networking, to pay greater attention to strengths of areas and by a better targeting of policy instruments. It is said to incorporate the sustainability agenda (including the prevention of natural risks) and to promote greater coherence and co-ordination between regional policy and sectoral policies with a substantial territorial impact. So, in the eyes of the Commission, territorial cohesion means more than distributing funds, but the essence of what is involved beyond that can apparently not be put into simple words.

The purpose of this paper is not, however, to criticise the concept of territorial cohesion for lack of clarity. The context in which it has emerged is after all a charged one and definitions are not nearly as important as the ability to rally support. The purpose of this paper is rather to document how the concept has come to occupy such an important position in the draft Constitution. As the reader will learn, one of the movers behind this has been the current Commissioner responsible for regional policy (and coincidentally also for institutional reform), the Frenchman Michel Barnier. Addressing a French audience, Barnier (2002, p. 201) leaves no doubt about what in his eyes territorial cohesion is: another way of saying *aménagement du territoire* (see also Husson, 1999, p. 62). Rooted in the French administrative model as it is, Barnier feels though that this is liable to be misunderstood outside France. However, whether territorial cohesion makes more sense to the reader unfamiliar with French thinking is a moot question. At the very least, the roots of the concept in French *aménagement du territoire* need to be laid bare.

If adopted, territorial cohesion in the Constitution would help resolving the so-called competence issue. Indeed, that seems to be one of the points of putting it forward. The issue is this: Community policies have spatial impacts. If adopted, territorial cohesion in the Constitution would help resolving the so-called competence issue. Indeed, that seems to be one of the points of putting it forward. The issue is this: Community policies have spatial impacts. It would seem appropriate, therefore, for them to fit into a spatial framework. Such a framework is what the French planning agency DATAR (*Délegation à l’aménagement du territoire et à l’action régionale*), seconded by its Dutch counterpart, the *Rijksplanologische Dienst*, put on the agenda in the late 1980s. However, the Germans raised objections, subsequently shared by most other member-states, against a Community planning framework. As a consequence, what came to be known as the European Spatial Development Perspective (ESDP) attempting to provide such a spatial framework was prepared by the member-states jointly. The Commission input has been substantial, nevertheless, but as soon as the ESDP (CEC, 1999a) was on the books, the Commission ended its support for the intergovernmental ESDP process, seemingly biding its time until territorial cohesion is accepted as an area of EU policy.

The paper first discusses *aménagement du territoire* and the rise to prominence in this context of the concept of territorial cohesion. Then the paper indicates how French approaches contrast with others in Europe. The last part of the paper is about French and German positions converging. This raises the prospects of an, albeit modest, planning role for the Union under the flag of territorial cohesion.

**Aménagement du territoire**

In 1947, the book *Paris et le désert français* (Gravier, 1947) had drawn attention to spatial imbalances. This had led to an unsuccessful initiative by the division of the Ministry of Reconstruction (where Gravier was based) to launch a policy of *aménagement du territoire*. In 1962, the idea was revived. A *Plan d’Aménagement du Territoire* designated so-called métropoles d’équilibre. After abortive efforts to set up a Ministry for *aménagement du territoire*, DATAR was set up with a mission to “co-ordinate the actions of the different ministers in the domain of central territorial development” (Balme and Jouve, 1996, p. 225). The context was formed by General de Gaulle’s policies to modernise France “especially after 1961 when a protected French economy had to overcome the loss of the former col-
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The golden age of DATAR was in the 1960s and 1970s under its first délégué (Commissioner), the Gaullist Olivier Guichard. Guichard was stamping a forceful, Gaullist and centrally driven image on French regional planning.

Aménagement du territoire has no equivalent in English.

The expressions most commonly used are spatial planning and regional policy, but these do not reflect the global ambition to reach a harmonious allocation of economic activities (Chicoye, 1992, p. 411).

The ambition is rooted in the French concern with maintaining national unity. Aménagement du territoire is about public action concerning the disposition in space of people, activities and physical structures based on a balanced notion reflecting the geographical and human situation in the area under consideration (Dupuy, 2000, p. 11). Although this is primarily a matter of concern for national authorities, decentralisation ever since the early 1980s has led to other levels of government becoming involved. As will become evident, the mobilisation of regional and local actors around territorial policies is one of the aims of present-day aménagement du territoire.

Aménagement du territoire is evolving in other respects as well, with sustainability being factored in. This, too, will be discussed below. What is important to note here is that, unlike other forms of spatial planning, aménagement du territoire can do without a statutory plan. Regulating land use does not even enter the minds of DATAR, so why should a statutory plan be needed?

In lieu of statutory plans, present-day aménagement du territoire relies on covenants with the regions (contrats de plan Etat-Région, or CPERs). In this way, the volume on France of the Compendium of EU Spatial Planning Systems and Policies explains that central government determines the scope, the goals, the amount of money involved, and the matters (in broad terms) for the plan conventions to be passed within the Regions for five-year periods as provided by the Planning Reform Act 1982 (CEC, 2000a, p. 19).

DATAR also renders advice to the Prime Minister chairing the Conseil national d’aménagement et de développement du territoire (CNADT). Beyond that, DATAR has taken to drawing up spatial scenarios, including scenarios of the doomsday type (Levy, 1997, p. 230), but scenarios are of course not statutory plans. The essence of aménagement du territoire continues to lie in the will to manage the national territory overall, if only no longer exclusively from the centre. Rather, the commitment of regional and local actors is seen as essential. Their involvement is expected in itself to help to rebalance the French centralised system. It is said to reduce the dominance of Paris, not only economically, but also in terms of access to decision-making.

The concern for decentralisation has turned DATAR into an ally of the regions. There is endemic conflict between the Parisian élite and regional and local notables (Frémont, 2001, p. 86), sometimes described as the jacobins and the girondins. The jacobins are responsible for the “fabled tutorship of the state” (Siedentop, 2000, p. 111) exercised by top administrators educated mainly at the École Nationale Administrative (hence their designation in French as the enarques). Decentralisation is challenging their position.

In the late 1980s, the fate of DATAR, too, was hanging in the balance (Burnham, 1999, pp. 81–85; see also Guymarc et al., 1998; Cole, 1998, p. 112). DATAR took a proactive approach, focusing on the French spatial position in Europe. This provided a rationale for its continuing existence (Burnham, 1999, p. 86). Famous for giving rise to the concept of the ‘Blue Banana’, a DATAR-commissioned study by Brunet (1989) was instrumental in this. Brunet concluded that France
was vulnerable and Paris not in the European heartland.\(^5\)

The French role in European integration is often a pioneering one, so much so that Siedentop (2000, p. 113) describes Brussels as “in some respect an appendage to Paris and of the French political élite”. This élite accepts loss of French autonomy in the wake of integration in exchange for greater dominance in Europe, say the German authors Eising and Kohler-Koch (1999, p. 281). In fact, integration to the French is said to be a “means of enhancing French national prestige” (Cole, 1998, p. 237). In this tradition, DATAR exported aménagement du territoire to Brussels (Levy, 1997, pp. 230–231). As Bailly (2001, p. 195) points out, the European Regional Development Fund (ERDF) is “modelled on the DATAR ..., which aims to limit the Regional inequalities in the Union with particular concern for social and spatial justice”. Hence, the procedure for allocating structural funds following the structural funds reform of 1988 reflects, in many respects, the structure and the action principles of the French CPERs that were conceived while Jacques Delors was a member of the French government (Balme and Jouve, 1996, p. 231).

The Presidency of Delors (1985–95) was particularly important in injecting French thinking into Community regional policy. He introduced new principles. Partnership was particularly important amongst them, based on the view that local knowledge and the forces of what Delors called ‘auto-development’ were important, which of course refers to the mobilisation of local and regional actors aimed for in present-day aménagement du territoire. One of the members of the Delors cabinet, Jean-Charles Leygues, joined the directorate-general of the European Commission responsible for regional policy, where to this day he fills the position of director.\(^6\) A one-time staff member of DATAR and member of the political cabinet of minister Jacques Chérèque,\(^7\) Jean-François Drevet, was appointed to the Commission to work on a spatial vision for Europe, eventually to become Europe 2000 (CEC, 1991). However, the people concerned had nothing like a masterplan in mind. Rather than wanting to regulate land use, what they wanted was a strategic spatial framework for ongoing Community policies. Instead of invoking gross domestic product as the criterion for defining areas due to receive support, spatial criteria and concepts should form the basis for regional policy.\(^8\) This started the process of making the European spatial development perspective (Faludi and Waterhout, 2002) rolling.

Five years later, during the 1995 French presidency, DATAR introduced scenarios into the ESDP process. This was based on the experience of a national debate under Charles Pasqua, Gaullist minister of the Interior and Territorial Development. This debate had resulted in a revised French policy of what was from then on called aménagement et développement du territoire (Lévy, 1997, p. 231).

Based on the same national debate, the ‘Law Pasqua’ made provisions for a schéma national to be adopted by special law. The scheme should relate not only to classic aménagement du territoire but also to sustainable development (which is what the addition of développement to aménagement du territoire signifies). The scheme was to be formulated bottom-up, involving nation-wide consultations (Alvergne and Musso, 2000, p. 51). The German ‘Guidelines for Regional Policy’ (Raumordnungspolitischer Orientierungsrahmen; Federal Ministry for Regional Planning, Building and Urban Development, 1993) prepared jointly by the federal government and the governments of the Länder, may have provided a model. The then délégué to DATAR, Jean-Louis Guigou, was well acquainted with German planning (Guigou, 1995).

However, in 1995, a new French government came to power and Pasqua’s national scheme never saw the light of day. In 1999, yet another government got a new ‘Law Voynet’, after the planning and environment minister, Dominique Voynet from the
Greens, accepted the Loi d’orientation pour l’ aménagement et le développement durable du territoire (making it even more clear that in this context développement means sustainable development). The law foresees nine schemes, one each per public service cluster, but does away with the overall scheme. With its emphasis on public services, it foreshadows the concern for the role of such services in promoting territorial cohesion.

Rather than a national scheme, DATAR was asked to formulate an indicative vision of France in 2020, which it did, stressing amongst other things the European context. (Guigou, 2000). In July 2002, the present government under Jean-Pierre Raffarin replaced Jean-Louis Guigou as délégué by Nicolas Jacquet. Although the public service schemes have been put on a back burner, generally, the Raffarin government retains existing arrangements, but with an even stronger emphasis, as befits a government under a former regional president,9 on decentralisation.

The Arrival of Territorial Cohesion

In this context, what does the concept of territorial cohesion add? As the reader has learned, to Barnier it is but another way of saying aménagement du territoire. As French minister of European Affairs, he has been the one responsible for the inclusion of this concept in the Treaty of Amsterdam (Husson, 1999; Husson, 2002, pp. 122ff). Since then, Article 1610 recalls “the place that ‘economic services of general interest’ have in the common values of the Union and the role they play in the promotion of social and territorial cohesion of the Union”. The idea underlying is that, in the interest of cohesion, state support for such services must be allowed in areas where they would otherwise be unprofitable. This is a new element in the equation.

As indicated, the ‘Law Voynet’ already reveals some of the thinking behind this. The schemes in that law relate to traditional public utilities, like transport and energy networks, but also to higher education and research, rural and natural areas and sports and recreational facilities. They are 20-year frameworks for the next round of the contrats de plan with the regions and also (this being an innovation) with so-called agglomérations (urban area communities) and pays (towns with their surrounding rural hinterlands). Agglomérations and pays are areas characterised by geographical, economic, cultural or social cohesion, where public and private actors can be mobilised around a projet de territoire. The sense of shared purpose resulting from participating in such a project is an important factor in territorial cohesion. So, territory not only refers to an area of land, but also to a “rich, complex system of public and private actors”, says the Plan Commissariat in 1997 (quoted in Burnham, 1999, p. 89). Peyrony (2002, p. 33) brings this all to the point by saying: one territory, one project, one contract.

Behind the rise of territorial cohesion one discerns the influence of a number of key French players using platforms like the Assembly of European Regions (AER), the Committee of the Regions (CoR) and the Conference of Peripheral and Maritime Regions of Europe (CRPM) for their purposes. The reader already knows Michel Barnier to be one of them. Another recurrent name is that of the president of the region of Limousin, Robert Savy. Savy occupies important positions, including that of chair of the main CNADT committee. His aid, Claude Husson of the University of Limoges (where Savy also holds a chair in aménagement du territoire) has authored a DATAR publication on territorial cohesion (Husson, 2002). An association with its seat at the same University of Limoges devoted to the comparative study of public services, EU-ROPA, is organising courses and conferences. It works closely with the European Liaison Committee on Services of General Interest (CELSIG). This is a lobby representing, as the name suggests, public service providers, with a strong French presence on its board. This is significant. The European Commission has slapped France on its wrists for providing subsidies to such service pro-
viders, but Limousin is a region with a declining population where the maintenance of services is of vital importance.

Prior to the Intergovernmental Conference of 1996/97, the AER formed a working group chaired by Savy. It produced a report *Regions and Territories in Europe* (AER, n.d.) Based on this, the AER proposed to amplify the concept of economic and social cohesion in the Treaty establishing the European Community by adding that of territorial cohesion (Husson, 1999, p. 47). This is based on the distinction between economic cohesion on the one hand and social and territorial cohesion on the other. The former is said to refer to conditions for the functioning of the market—what is often described as a ‘level playing-field’. Social and territorial cohesion, in contrast, relates to the adhesion of citizens to a political body, be it the EU or a nation-state.

What lies behind this is French resistance to the ‘Anglo-Saxon model’ being imposed through European competition policy. Siedentop (2000, p. 136) identifies this as one of the strategies of the French political class (see also Hooghe, 2001, p. 9). There is a cultural dimension to this. Europeans, it is argued, are rooted in the soil. They are not footloose, as are “the much more nomadic peoples of the North American Continent” (Guigou, 2001, p. 4). In their desire to continue to live where they have for generations, they deserve public support. So, subsidising services is justified for the sake of the ‘European model of society’, a concept that Jacques Delors was fond of invoking. Territorial cohesion figures in that model.

Subsequent to getting the concept into the treaty, Barnier became Regional Commissioner and responsible for the ‘Second Report on Economic and Social Cohesion’ (CEC, 2001b). It pays much attention to territorial cohesion. By that time, the association EUROPA had already organised a conference at Limoges on the implications of Article 16 and of the concept of territorial cohesion (Pauliat, 1999; see also Burnham, 1999, p. 89). However, the cursory mention of territorial cohesion in the Amsterdam Treaty was not enough. After all, originally the AER had proposed to treat it on a par with economic and social cohesion. When the next occasion, the Intergovernmental Conference that would eventually lead to the Treaty of Nice, presented itself, Savy hit the campaign trail again (Husson, 2002, p. 13). Territorial cohesion should get its rightful place. When he did not succeed, Savy undertook once again to get it on the agenda of the next Intergovernmental Conference of 2003/04.

Summarising, territorial cohesion is not simply a recipe for more redistribution. Ever since the early 1980s, French thinking on the matter has addressed the social and institutional dimensions of regions lagging behind. Territorial cohesion thinking merely brings this more sharply into focus. This relates to what Delors has been quoted as describing as ‘auto-development’—what the literature sometimes describes as endogenous development.11 The French ‘non-paper’, to be discussed below, says likewise that public policies should contribute to territorial organisation, should promote at each spatial level the forging of relations between actors, public and private (DATAR, 2002; emphases in the original).

Before discussing the French non-paper and its impact, the French approach to planning needs to be contrasted with that of some other member-states, Germany amongst them.

### Approaches to Spatial Planning

*The EU Compendium of Spatial Planning Systems and Policies* (CEC, 1997) describes *aménagement du territoire*, where territorial cohesion thinking comes from, as the ‘regional economic approach to spatial planning’. The aim of the regional economic approach is to let regional economic development conform to some overall idea formulated by a central agency, using powers and funds at its disposal. Under this approach
spatial planning has a very broad meaning relating to the pursuit of wide social and economic objectives, especially in relation to disparities ... between different regions ... Where this approach ... is dominant, central government inevitably plays an important role (CEC, 1997, p. 36).

The regional economic approach has a counterpart, called the comprehensive integrated approach.12 This is an approach that is conducted through a very systematic and formal hierarchy of plans from national to local level, which co-ordinate public sector activity across different sectors but focus more specifically on spatial co-ordination than economic development. ... This tradition is necessarily associated with mature systems. It requires responsive and sophisticated planning institutions and mechanisms and considerable political commitment ... Public sector investments in bringing about the realisation of the planning framework is also the norm (CEC, 1997, pp. 36–37).

Here the focus is on the use of land. Consequently, the two approaches conceptualise space and spatial policy differently. The regional economic approach focuses on the location of economic development and what government can do about it. To this day, territorial cohesion is seen as ensuring balanced territorial development and the establishment of solidarity between all French citizens.13 This is the more relevant, the more pronounced are regional disparities. Above, it has been pointed out that disparities between the Paris region (the Île de France) and the rest of the country have been a long-standing concern. Agglomeration diseconomies such as congestion, pollution and/or labour shortages in the core underscore the need for siphoning activities off to the periphery where there is usually more opportunity for accommodating growth.

Coming from a land-use planning tradition, the comprehensive integrated approach, in contrast, is more about balancing development claims against the carrying capacity of the land concerned. Naturally, this tradition has embraced the notion of sustainability, so much so that the revised German planning act includes sustainable development amongst the guidelines that planners must follow. Obviously, such a discourse will seem more appropriate where there is conflict between dynamic and weak forms of land use—thus in densely populated areas—which is why this view is common in northwest Europe.

However, as economic development issues force themselves onto the agenda, the comprehensive integrated approach is taking a more positive view of economic development. This is particularly true for German planning where unemployment and outright decline, especially in east Germany, loom large.14 German planners want to move beyond regulative planning. They use approaches, like ‘regional conferences’, similar to those invoked in France (Knieling et al., 2001).

The regional economic approach, too, is shifting. As a high-quality living environment comes to be seen as contributing to territorial competitiveness (Camagni, 2002, p. 2396), the concerns of the comprehensive integrated approach are becoming more prominent. There are also grass-root movements in metropolitan areas asserting the importance of quality-of-life issues. Convergence between the two approaches is in the air.

In this context, the concept of ‘spatial development policy’ has cropped up, first during discussions in 1991 concerning the name of a committee set up at the informal meeting of European planning ministers at The Hague. Williams (1996, p. 48) relates that the Dutch presidency had wanted it to be named the ‘Committee on Spatial Planning’, but ‘spatial development’ with fewer connotations of state regulation was chosen instead (Faludi and Waterhout 2002, p. 50). Since then, spatial development has become a term of good currency. Thus, under the German presidency in 1994, so-called Principles for a European Spatial Development Policy (BRBS, 1995) were adopted and, of course,
the term figures in the title of the European Spatial Development Perspective. According to a working party of the German Academy for Regional Research and Regional Planning, known by its German acronym as the ARL, spatial development has the advantage of lending itself to translation into various European languages. The working party defined spatial development as policy that “promotes the development of space in accordance with specified general principles” (ARL, 1996, pp. 56–57). Development receives more emphasis than in the German notion of Raumordnung (which stands for regulative planning), but in contrast to aménagement du territoire there is scope for functions and activities other than the purely economic utilisation of space.

Territorial cohesion, too, incorporates the concern for co-ordination of the comprehensive integrated approach. Under ‘principles of good governance’, the White Paper European Governance states that

The territorial impact of EU policies in areas such as transport, energy or environment should be addressed. These policies should form part of a coherent whole as stated in the EU’s second cohesion report; there is a need to avoid a logic which is too sector-specific. In the same way, decisions taken at Regional and local levels should be coherent with a broader set of principles that would underpin more sustainable and balanced territorial development within the Union (CEC, 2001a, p. 13).

The emphasis here is on policies forming a coherent whole. So, like with spatial development, territorial cohesion has two sides to it, one more interventionist in the sense of actively pursuing balanced development throughout the territory concerned, like in the regional economic approach, and the other concerned with co-ordination, like in the comprehensive integrated approach. This is an additional reason for expecting that the protagonists of the two approaches will arrive at a new consensus. This is what the next section explores.

**A New Consensus?**

First, the evolving French and German positions on European planning will be explored, starting with the French one. Then the section relates the content of a joint position paper of high-level French and German advisory councils. This is where the new consensus, at least between experts from both sides, becomes evident.

**The French Position**

The vehicle for articulating the evolving French position has been a ‘non-paper’—wonderful jargon for a discussion document, presented by DATAR to the Spatial and Urban Development sub-committee of the EC Committee on Development and Conversion of the Regions in June 2002. The non-paper spells out the intended role of territorial cohesion in reforming regional policy after the end of the current programming period in 2006. Many of the present beneficiaries will lose their status due to the ‘statistical effect’ of enlargement reducing GDP per capita in the EU. However, territorial development policy goes beyond traditional regional policy. It should contribute, the non-paper argues, to territorial organisation—a key dimension, as will be remembered, of French views on territorial cohesion. Thus, policies should promote better relations between public and private actors at various spatial levels, not only horizontally, but also vertically. Subsidiarity is thus not the only issue. In a barely veiled reference to the insistence of member-states, in particular Germany, that spatial planning is not a Community competence, the paper says that one should cease to think merely in terms of horizontal blocks of competencies. Rather, the principle of subsidiarity should be complemented by the principle of vertical co-operation between the different territorial levels (Europe, States, regions, local districts) (DATAR, 2002, p. 3; emphasis in the original).

Here comes the essence of the proposal
At the European level, putting such co-ordination into effect might, to be operative, necessitate the introduction into the Treaty of the notion of territorial cohesion, alongside with economic and social cohesion (DATAR, 2002, p. 3; emphasis in the original).

This is, of course, the position, discussed above, of Robert Savy and other French protagonists of the concept. The non-paper emphasises the need to supplement distributive regional with real territorial development policies. In an obvious attempt to put issues of the past to rest, the non-paper adds that this should not be taken to signify the extension of Community competence to include spatial development. The idea is apparently to separate spatial development from territorial cohesion policy and to leave the former a competence of the member-states.\(^\text{17}\) Beyond this, the non-paper elaborates upon three themes.

The first theme is that traditional ‘catching-up’ policy for countries and regions lagging behind (the cohesion countries, respectively the Objective-1 regions) should be supplemented by a policy of helping regions to improve their competitiveness. In other words, regional policy should become spatial policy. The term ‘catching-up’ in itself holds a message. It is that by its very nature mainstream cohesion policy has a limited time-horizon—i.e. until the recipients have caught up with the rest. The point is that catching-up cannot be an indefinite process, which is why eventually increasing competitiveness should replace catching-up as the central theme of cohesion policy.

Be that as it may, according to the non-paper, regions that are not the beneficiaries of ‘catching-up’ policies should be encouraged to choose from a menu of themes (some of them reminiscent of existing Community initiatives) and formulate a territorial development strategy on that basis. This strategy should form the object of a tripartite contract between the Community, the respective member-state and the region concerned, rather as the \textit{contrats de plan} are contracts between the French state and the regions. These tripartite contracts should pay regard to the ESDP, in particular to the policy announced in it of polycentric development. The projects would be networked as under the Community initiatives LEADER or URBAN.

In addition, Community regional policy should aim at co-operation and integration in the entire territory of the enlarged EU. The idea is to organise a Europe without borders by means of transnational co-operation, like in the co-operation areas (what DATAR lovingly calls the ‘little Europes’) under the Community initiative INTERREG IIIB, and also by means of interregional co-operation, like in INTERREG IIIC. The non-paper concludes from this that it appears necessary to develop a legal Community instrument allowing for operational implementation of these co-operations (DATAR, 2002, p. 5).

Under the second theme, territorial development forming a joint member-state/Community responsibility, DATAR points out that the Community’s ‘catching-up’ policies are devoid of a strategic vision. They merely rely on statistical indicators, like GDP per capita. At the same time, such a vision exists, but it is one without teeth prepared by the member-states—i.e. the ESDP. In an attempt to relate territorial cohesion to the emergent new agenda of the EU, the non-paper argues that regional policy should add a territorial dimension to the political process which started at Lisbon in March 2000, as amplified by the \textit{European Strategy for Sustainable Development} (CEC, 2001c) adopted at Gothenburg. Invoking what is called the ‘open method of co-ordination’, described as a halfway house between the Community and the intergovernmental method, the non-paper proposes that an enhanced ESDP be made subject to the approval of the European Council and that member-states, too, should present their national plans at European Councils, much as is the case with other elements of the Lisbon strategy which are
The third theme is that new-style territorial cohesion policy should become part of the European sustainability strategy. Here, the non-paper recalls that sometimes Community policies have territorial impacts that counter-act the cohesion objective. Co-ordination presumes a shared vision. This is what a revised ESDP should provide. Co-ordination needs to take place at two levels. The first is the level of policy. It is here that the non-paper proposes to add a territorial dimension to the evolving *European Strategy for Sustainable Development*. The second level is internal within the Commission. DG Regio should perform strategic territorial impact assessments, based on a new ESDP, of the programmes of other DGs. So far, the need for internal co-ordination within the Commission has not received the attention which it deserves. The conclusions will return to this important point.

The non-paper reflects long-standing French views, whilst at the same time demonstrating that DATAR is going through a learning loop, absorbing the philosophy of planning-as-co-ordination drawn from the comprehensive integrated approach. It is clear also that DATAR wants to give the ESDP its rightful place.

The sub-committee on Spatial and Urban Development apart, the non-paper has been presented also to a joint meeting of the CNADT and its German counterpart, the Planning Advisory Council and, through these channels, has had an effect on German expert opinion. Before discussing this French–German tête-à-tête, it is as well to report that under the new government the French position has remained much the same. In January 2003, DATAR conveyed the official French position to Commissioner Barnier in a document entitled ‘Reform of the policy of economic and social cohesion: the French contribution’. This statement had been prepared by DATAR and validated by the CIADT (*Comité interministériel pour l’aménagement et le développement du territoire*) in December 2002, with the Prime Minister in the chair. It affirms French commitment to cohesion policy benefiting the least-developed regions in an enlarged Community, but adds that there needs to be attention also to cohesion in other regions and that the programmes for transnational co-operation need to be continued, albeit under simpler, clearer and more effective procedures, a point that also figures high on the agenda of Commissioner Barnier. The memorandum affirms the need for a coherent and complementary approach to various Community policies with a bearing on economic and social cohesion and asks for a better articulation of the relevant rules, in particular as regards state aid and services of general interest. As regards procedures, it advocates the ‘open method of co-ordination’: the definition of objectives and common indicators based on the ESDP. What is missing is the demand for elevating territorial cohesion to a treaty objective on a par with economic and social cohesion. For conveying this proposal, different channels were used: the French government representative at the European Convention. It will be remembered that the draft Constitution indeed gives territorial cohesion this prominent place. A member of the presidium of the Convention on the Future of Europe, Commissioner Barnier was sure to have been pleased.

At the time of writing, it is hard to tell whether, once the dust over the Intergovernmental Conference has settled, it will end up in the same places, Article 3 and Article 13, or whether it will disappear. The game is anything but over. There are those who warn against unwrapping the package deal achieved by the Convention and, if this does not happen, then obviously territorial cohesion will become a recognised aim of the Union and a shared competence between the Union and the member-states. However, there are those who insist on changes—for example, to the number of Commissioners with voting rights and the voting procedures on the European Council. Once that happens, there may very well be renewed discussion over territorial cohesion, too. There is opposition from some net contributors to the
Community budget who think that territorial cohesion means an even greater burden on the Community coffers.

The German Position

The Planning Advisory Council is one of three German panels involved in preparing German policy with respect to European spatial planning.18 The other two are the standing conference of planning ministers of the 16 German Länder with their federal counterpart, known by its German acronym as the MKRO, and the Academy for Regional Research and Regional Planning, the ARL.19 Of the three, the MKRO continues to be sceptical about a Community planning role, even when going under the flag of territorial cohesion. However, the Planning Advisory Council and the ARL are shifting towards accepting territorial cohesion.

The Planning Advisory Council. In the mid 1990s, the Planning Advisory Council had supported the position that the ESDP should be an intergovernmental document, but one that is binding on the Community (a reflection of what Germans call the ‘counter current principle’). In the early 2000s, the Advisory Council made several new recommendations relating to European planning, including the joint one with the CNADT.

The first relates to the application of the ESDP. It at least goes as far as accepting the need for reconsidering previous reservations as regards the Community role. Without prejudice to national and regional competencies, the new position is that the Community has a right and, in the interest of transparency, even a duty to state its views as regards the type of spatial development it is aiming to pursue. However, its statement should be binding only on the Community itself.

Further recommendations address the impact on Germany of eastern enlargement and the relation between planning and regional economic policy. Going into fewer details than DATAR has done, the former confirms the need for: a cohesion policy to pursue balanced spatial development; taking the ESDP process forward; and, in so doing, involving the accession states. The Advisory Council also notes that, with the bulk of the structural funds likely to go to the accession states, member-states should be given more scope for pursuing their own regional policies. This is a position enforced by the other recommendation on planning and regional economic policy. There, the butt of criticism is Community competition policy.

It is here, inter alia, that German concerns coincide with those of the French fathers of the concept of territorial cohesion. This becomes still more evident in yet another recommendation on public services and Community regional policy. It points out that the German state has a constitutional duty to safeguard access to such services. It reminds the reader that the policy of ‘decentralised concentration’ has led to German federal agencies being decentralised and to state, regional and local services being located according to central place theory. Since such services represent a major tool of territorial cohesion policy, their provision should form a key consideration in formulating and evaluating national policy, more and more dependent as it is on Community regional policy. The recommendation ends by suggesting that the issue be explored jointly with the CNADT.

Before discussing the remarkable joint position which was the outcome of discussions with the CNADT, the newest ARL position will be discussed.

The ARL position paper. Evidently, at least as far as German experts are concerned, scepticism as regards a Community planning role is diminishing. In a number of scholarly works, Gatawis (2000), Benz (2002) and Graute (2002) each in their own way suggest accepting a limited Community role. An ARL position paper (Ritter et al., 2003) likewise accepts the need for formalising European spatial development policy. Informal co-operation around the ESDP has not been enough. Its informal character contradicts the fact that some criteria for support under the structural funds (CEC, 1999b) are based on
it. Territorial cohesion should be seen on a par with economic and social cohesion, as the French are saying. Note also that the reasoning is similar: moving territorial cohesion out of Article 16, where its scope is narrowly circumscribed, to a position such that it would become an overall goal of the Union would imply, amongst other things, a duty for spatial co-ordination.

The position paper stipulates further a need for a European Spatial Development Perspective aiming at the balanced and sustainable development of the EU and, remarkably, also for formulating minimum requirements for spatial development policies for the member-states to meet. As regards this new-style ESDP, it should be formulated once again by the member-states. However, the paper recognises that the Community, too, has a legitimate role in this, which is a departure from previous German positions. The argument is also one for formalising the Committee on Spatial Development and the informal meetings of ministers responsible for spatial planning. Minimum standards for the spatial development policy of the member-states is but a consequence, the paper argues. Without such common standards, co-operation becomes less useful—this quite apart from the unfair competitive advantage which member-states that do not meet such standards might gain.20

The position paper also makes recommendations for the cohesion reports of the Commission to address (as they already do) territorial cohesion and for a European Spatial Development Advisory Council of independent experts to be set up. It argues for giving the Committee of the Regions a say in preparing the new-style ESDP and, lastly, for loosening the straitjacket into which Community competition rules have put the regional development policy of the member-states and their sub-divisions—the latter being a long-standing German grievance (Tetsch, 2002).

The French–German position paper. Since the early 1990s, professional contacts between German and French experts have been close.21 After preliminary discussions, on 28 June 2002, representatives of the two advisory councils met on Robert Savy’s home ground, the capital of Limousin, Limoges, to discuss a joint recommendation as regards the future of EU regional policy and the spatial impact of Community policies. This joint recommendation endorses territorial cohesion as a goal of the Union. It argues also for turning the ESDP into a framework, not only for regional policy, but for other Community policies as well, thus implying the need for co-ordination at Brussels. Formulating the new strategic framework should follow the German ‘counter current principle’, according to which the formulation of a spatial plan does not solely reflect the considerations of the higher level, but the relevant ones of lower levels are also taken into consideration. This principle results in a continuous process of co-ordination during which each regulation on one level counteracting a regulation at another level must be discussed and justified (BMVBW, n.d., p. 185, translation by author).

The joint recommendation further suggests the formulation of measurable qualitative territorial indicators to replace or to augment quantitative criteria as the basis for allocating structural funds. The joint recommendation puts this as follows:

In this way the less developed member-states would gain better access to Community support than the comparatively better-off states, whilst the latter could still obtain European financial assistance for projects that relate to priorities as identified in the framework document (BMVBW, n.d., p. 186, translation by author).

The paper ends by once again pandering to shared French–German concerns about Community competition policy. Competition policy requires special consideration from the point of view of the territorial cohesion
goal. On the one hand it needs to be flexible so that the authorities in the member-states retain the option of alleviating extreme spatial disparities and to solve specific problems arising from the liberalisation of economic transactions. On the other hand, it must not present a danger to services of general economic interest, on the existence and on the level of which the competitiveness of individual regions depends. Both councils recommend continuous attention to be paid to this, and they underscore the need for a discussion on the European Council (BMVBW, n.d., p. 187, translation by author).

So far, this position is only held by German experts. Whether the Länder will concur remains to be seen. At a meeting of the MKRO held in the presence of Commissioner Barnier in 2001, the latter had volunteered to say that the Commission was not intending to ask for a Community competence for spatial planning. The German minutes of the meeting use the term Raumordnung, which suggests regulatory planning in the vein of the comprehensive integrated approach. At the same time, Barnier talked about Community solidarity, a theme close to his heart and germane to the concept of territorial cohesion. In other words, there is a tendency, already evident in the French non-paper, to draw a distinction between spatial planning said to be the responsibility of the member-states and/or sub-national levels of government, and territorial cohesion policy, for which the Community should share responsibility.

In a last twist to the story of the evolving German position, the new federal minister responsible for planning, Manfred Stolpe, has formed an international ad hoc Council of Experts for European Spatial Development once again to look into the issue. This group, which reported in June 2003, has advised the same: adding territorial cohesion to the list of the Union’s objectives in Article 3 of the European Constitution. However, rather than including it as a shared competence in Article 13, it has suggested adding spatial development, and not territorial cohesion, to the areas for supporting action on part of the Union in Article 15.

The German Länder remain unconvinced. In October 2003, Barnier had another encounter with the MKRO. An internal memorandum of the Commission relates persistent suspicion that territorial cohesion might form a pretext for the Commission to arrogate competences to itself which at present it does not have.

**Prospects**

Be that as it may, as the reader is well aware, from the beginning, Jacques Delors and his French aids were in favour of basing regional policy on a spatial framework. The only attempt so far to produce such a framework, the ESDP, has been stalled by the issue of where the competence for planning rests (Faludi, 2003). There had better be recognition that, under a system of multilevel governance in the EU authority and policy-making influence are shared across multiple levels of government—subnational, national, and supranational. While national governments are formidable participants in EU policy-making, control has slipped away from them to supranational institutions. States have lost some of their former authoritarian control over individuals and their respective territories. In short, the locus of political control has changed (Hooghe and Marks, 2001, p. 2).

The ESDP process might undergo a revival in the context of French-style policy, albeit under the flag of territorial cohesion. Should other member-states feel concerned by French dominance in this field? Many community policies bear the stamp of one or other national tradition. Where Community spatial planning is concerned, it has been the turn of the French to show the way.

The challenge is to translate this into institutional arrangements. Maybe the ‘open method of co-ordination’ should indeed be applied; it seems appropriate in such situa-
tions. Naturally, though, any spatial framework would need to relate not only to the domain of DG Regio but also to that of other Community policies. The ESDP, such as it is, already argues the case for this. At the same time, this is the Achilles heel of the proposals as they stand. After all, they say nothing about internal co-ordination within the Commission. The cards are simply stacked against such co-ordination, but this is a problem that so far member-states, with their overwhelming attention to competence, have allowed to be ignored. By definition, a planning framework to promote territorial cohesion would require Community spatial policies to be integrated. However, as Hooghe states report after report … has recommended strengthening central political control over ‘local fiefdoms’ or cosy networks. Co-ordination across units and directorate-generals is perceived to be an endemic problem in the Commission (Hooghe, 2001, p. 39).

An internal working group on ‘Multilevel Governance: Linking and Networking the Various Regional and Local Levels’ contributing to the White Paper on European Governance has been even more highly critical of the lack of horizontal co-ordination within the Commission services (Working Group, 2001). The same working group has made a proposal to produce, at the beginning of each programming period for the structural funds, a European Scheme of Reference for Sustainable Development and Economic, Social and Territorial Cohesion (SERDEC). Nothing has been heard of this recommendation since, but whether the Commission will be able to put its own house in order may turn out to be the key to the success of territorial cohesion policy. The Commission should do so, irrespective even of the outcome of the debates on the proposals of the Convention on the Future of Europe. This is another lesson to be drawn from the French example: co-ordination requires no special legal competence. All that it requires is the ability and the willingness to cross institutional boundaries.

Notes

1. There are two studies of the territorial impacts of Community policies: Commission Services (1999); Robert et al. (2001).
2. In fact, by 1958, the very first operational year of the European Economic Community, the European Parliament and its predecessor, the Parliamentary Assembly, had already made similar suggestions (Husson, 2002) and so had Dutch planners (Faludi and Waterhout, 2002, pp. 33–34), but to no avail.
3. This section owes much to the collaboration with Jean Peyrony of DATAR (Faludi and Peyrony, 2001). It deals with aménagement du territoire as practised by DATAR and not with the manifold planning activities of local and regional bodies and the Ministry of Public Works. This paper does not cover them, simply because in the European context they are not relevant.
4. Guichard was later to become minister responsible for spatial development and subsequently president of the Loire Region, in which capacity he played host to the first meeting of European planning ministers held at Nantes in 1989.
5. For a review of this and other similar studies of Europe in terms of a centre–periphery model, see Wilks-Heeg et al. (2003).
6. Jargon describes this process by which Commission officials are being appointed from outside the Commission as parachutage (see Hooghe and Marks, 2001, p. 153).
7. Chéreau was the French minister presiding over the first informal meeting of ministers responsible for regional policy and spatial planning held at Nantes in 1989.
8. Now, almost 15 years on, the European Spatial Planning Observation Network, or ESPON, is working on such criteria promising an analytical basis for policy-making. This may enable the so-called open method of co-ordination, now practiced in European social and employment policy, to be applied.
9. Before being appointed prime minister by President Jacques Chirac, Raffarin was the president of one of the French regions, Poitou–Charente. In this capacity, he had been the initiator of co-operation in the Arc Atlantique. He is said to be a personal friend of Michel Barnier’s.
10. Under the former numbering system, before the Treaty of Amsterdam consolidated the unwieldy structure which had resulted from
frequent treaty changes, Article 16 was Article 7 D.

11. The ESDP, too, reflects this thinking where, on the one hand, it identifies the need for global economic integration zones developing outside the ‘pentagon’ of London–Paris–Milan–Munich–Hamburg, but without, on the other hand, entering a plea for more distributive policies. Rather, the ESDP banks on networking between actors in the field (Peyrony, 2002, p. 33).

12. The Compendium discusses two other approaches which this paper does not refer to—the ‘land-use management approach’ represented by the UK before New Labour took office in 1997 and the ‘urbanism’ tradition with a focus on local land use and urban design.

13. See the letter at the occasion of his appointment by Prime Minister Raffarin to the new délégué, Nicolas Jacquet, on the DATAR website (www.datar.gouv.fr).

14. Since the re-election, by a hair’s breadth, of the Social Democrats and the Greens in late 2002, the development of east Germany has become the main concern of the planning ministry.

15. In this, the working party has been wrong. For instance, the literal translation into French would have been ‘développement spatial’. The closest that the French come to using this term is in the French title of the European Spatial Development Perspective, Schéma de développement de l’espace communautaire. Otherwise, rather than développement spatial gain popularity, what has happened as the reader knows is that the term ‘développement’ has been added to aménagement. The problem of translating the term spatial development is not limited to French. For instance, Böhme (2002, p. 3) reports on great difficulties in translating the title of the ESDP into the various Scandinavian languages.

16. With many of the members of the now defunct Committee on Spatial Development amongst its number, the Spatial and Urban Development sub-committee may really be seen as its successor. Importantly though, as against the Committee on Spatial Development, this sub-committee is chaired by the Commission and works to an agenda set by Brussels.

17. It might have been more convincing if the line had been drawn between land-use regulation and territorial cohesion policy. After all, the latter is not that different from spatial development policy, whereas nobody has suggested seriously that the Community should engage in regulative planning.

18. During the period covered, the author has been a member of this Planning Advisory Council and has participated in the preparation of two documents to be discussed. One is on the application of the ESDP and the other on the impact on Germany of EU enlargement. For a compilation of the recommendations by the Advisory Council during this parliamentary session see: BMVBW (n.d.). The author has been a member also of the ad hoc working party preparing the ARL position, to be discussed below.

19. For an account of their previous positions formulated in the run-up to the Treaty of Amsterdam see Faludi (1997).

20. This has been a long-standing concern of northern member-states as regards, for instance, environmental policy.

21. Of course, meeting several times each year at Brussels, officials on the CSD had regular contacts anyhow.

References


FEDERAL MINISTRY FOR REGIONAL PLANNING, BUILDING AND URBAN DEVELOPMENT (1993) Guidelines for Regional Planning: General


