

Place is a No-man's Land

Andreas Faludi

Guest researcher and Professor emeritus of Spatial Policy Systems in Europe, Delft University of Technology

Senior Professor of Spatial Planning, Blekinge Institute of Technology

Postal Address: Oostplantsoen 114

2611 WL Delft

e-mail A.K.F.Faludi@tudelft.nl

<http://otb.tudelft.nl/en/about-otb/staff/alle-medewerkers/faludi-andreas/>

Google Scholar profile: <http://scholar.google.nl/citations?user=j3GZ318AAAAJ&hl=en>

Abstract

Zaucha and Świątek (2013) on the place based approach present a road map for the implementation of the 'Territorial Agenda 2020'. According to the Barca Report, places as frames for integrating policies with spatial impacts crosscut boundaries. They are a no-man's lands. What does this mean for their governance? Where does this leave democratically elected governments? However, one may ask whether territorial representation is the only way of producing democratic legitimacy. Rethinking legitimacy in a network society, one may be certain of meeting opposition, the more so since alternatives are anything but clear. The epilogue presents Europe as a place.

Key Words:

Place based approach – place governance – democratic legitimacy - territorial representation

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Introduction

Discussing the LEADER Programme in Lower Austria addressing stakeholders in rural development, Dillinger (2014) shows politicians and bureaucrats eyeing the programme for sources of funding and patronage. This is true for other EU programmes relating to diffuse, what the current literature calls 'places'. They are unlike jurisdictions circumscribing the constituencies to which politicians are accountable. Places may be inside or may span the boundaries between jurisdictions, so nobody is similarly accountable. They are no-man's lands, bringing the democratic legitimacy of place governance into relief. For producing legitimacy, voting in territorial constituencies seems the only way. The emergent English practice under 'localism' gives Davoudi and Cowie (2013) cause to raise the same issue as EU programmes do. These authors report cases where ad-hoc boundaries drawn around community planning areas no regard to jurisdictions exclude some interests concerned.

This paper discussed the concept of place as invoked in European planning discourse. In pursuance of the 'Road Map' for the implementation of the 'Territorial Agenda 2020', Zaucha and Świątek (2013) have compiled case studies of the 'place-based approach'. The paper recalls relevant planning and human geography literature and from there revisits the issue touched upon above: With policy being the responsibility of an authority with jurisdiction over territory – a municipality, regional or provincial administration, the state and maybe, just maybe, the EU – where does this leave the governance of places within and at the interstices between jurisdictions. It is after all there where one often looks for solutions to planning problems.

Without considering planning and human geography literature, advocating integrated place-based policies the Barca Report (2009) will also be discussed for its articulating the same issue. With Mendez (2012) the paper recalls also that under various guises EU Cohesion policy has always embraced the place-based approach, and this is true also for the, now defunct discourse on European spatial planning. (Faludi, 2010; Doucet et al., 2014) All this underscores that there is a problem which is the democratic legitimacy of place governance. The principled view is that territorial jurisdictions respectively their administrations prevail. However, one may ask where the monopoly of territorial constituencies for producing democratic legitimacy comes from and also whether this monopoly can prevail in a networked world where territorial and functional areas overlap, forming places of many shapes and sizes. These are questions that identifying place as a no-man's land, where nonetheless problems and potential solutions come together, but where, as is the case in no-man's land, lawlessness lurks under the surface, leads one to ask.

Planning and Human Geography on Place

Planning transcending boundaries has long been recognised. Consider the report of a Council of Europe Working Party on 'Regional Planning a European Problem' (1968). The frontiers of administrative regions, it says, stride '...across the great natural regions or main communication routes...' So it recognised generic regions, what the literature will be shown to call places. However, the report refrained from challenging the position of administrative regions. For practical reasons the report said they needed to be responsible for planning because they offered a clearly defined framework. So the report did not offer a solution, nor did it even discuss place governance, and this is more generally true: Whilst recognizing the interrelatedness of issues, planners tend to accept formal institutions of government and administration – after all often their employers – as the dominant players. Nor, but this is neither here nor there, did the Working Party invoke the terminology of place and place governance.

In planning, the concept of place has appeared more recently. Presently, for instance, the Royal Town Planning Institute in the UK claims planning to be about 'creating better places', echoing

themes which the planning literature has articulated. No other author has contributed more to planning being discussed in terms of place and place governance than Patsy Healey. A paper with Graham, 'Relational concepts of space and place' (Graham, Healey 1999) relates to relevant discussions in human geography. It criticises the bedrock-concept of what it calls the 'object-centred Euclidean conception of space'. Rather, places need to be understood in multiple space-times, thus exploding the notion of what with Friedmann (1993) Graham and Healey call the unitary city. A subsequent work which Graham co-authored with Marvin goes under the telling title of 'Splintering Urbanism' (Graham, Marvin 2001). Graham and Healey further argue for a better understanding of 'multiplex' socially constructed time-space experiences implying multiple perspectives on space. Places are thus complex, performative arenas within which agents operate. The paper relates these abstract notions to examples from planning practice: development control needing to find ways of conceptualising projects and their multiple impacts; development plans where the treatment of space as Euclidean and of time as linear is particularly pronounced; and the Lille Teleport project where the 'warping' effects of infrastructure networks cannot be understood by invoking two-dimensional Euclidean notions. In his earlier paper, Friedmann had diagnosed nothing less than '...the collapse of the Euclidian world order of stable entities and common sense assumptions that have governed our understanding of the world for the past two hundred years', adding for emphasis that '[w]e are moving into a non-Euclidian world of many space-time geographies, and it is the recognition of this change that obliges us to think of new and more appropriate models. (Friedmann 1993, 482)

Healey (2004) pursues the critique of the Euclidean notions of space further, arguing that traditional planning concepts reflect

a view of geography which assumes that objects and things exist objectively in contiguous space and that the dimensions of this space can be discovered by analysis, that physical proximity is a primary social ordering principle and that place qualities exist objectively...

This so-called essentialist, 'Euclidean' geography is under heavy challenge from an alternative, relational conception which sees space as an inherent spatiality in all relations... and which understands place as a social construct, generated as meanings are given in particular social contexts to particular sites... (Healey 2004, 47)

The notion of space being socially constructed relates to her work on institutionalism. Previously she has defined institutionalism as referring to '...the embedding of specific practices in a wider context of social relations that cut across the landscape of formal organizations, and to the active process by which individuals in social contexts construct their ways of thinking and acting', adding that an institution is thus not an organisation but '...an established way of addressing certain social issues, for example, in the relationships through which what we understand as family are produced and reproduced.' (Healey 2000, 112-113) In 'Urban Complexity and Spatial Strategies: Towards a Relational Planning for Our Times', Healey (2007) takes the twin theme of institutionalism and place further, discussing strategies that treat territory not as a container but '...as a complex mixture of nodes and networks, places and flows, in which multiple relations, activities and values coexist, interact, combine, oppress and generate creative synergy. It centres around collective action, both in formal government arenas and in informal mobilisation efforts...." (Healey 2007, 1) Before the recognition of the fluid nature of places it was assumed that networks were somehow contained in a coherent entity called a 'city'. However,

our social worlds ... may stretch well beyond... As a result, the 'places' of cities and urban areas cannot be understood as integrated unities with a singular driving dynamic, contained within clearly defined boundaries. They are instead complex constructions created by the interaction of actors in multiple networks who invest in material projects and who give

meaning to qualities of places. These webs of relations escape analytical attempts to 'bound them'. (Healey 2007, 2)

Dealing with places, so conceived, planners encounter other policy-makers with other views so that '...clashes between conceptual frameworks and legitimising rationales are commonplace' (Healey 2007, 4), a reminder of the conflict over legitimacy to be discussed further below.

Her recent work, 'Making Better Places' is all about place and place governance, what she calls place-management 'with a planning orientation'. Under 'Understanding Places' she emphasises mobility and the resulting flows with all the potential issues arising, one being '...that those with a "stake" in what happens in a place are not only local residents, or citizens, of a specific administrative-political jurisdiction. "Stakeholders" may come from other places... The webs of relationships that produce and are affected by the qualities of a place are thus potentially very various in spatial reach and temporal span.' (Healey 2010, 32) So conflict mitigation becomes important. This leads her to discuss place geographies, asserting that places and place making are social activities, '...in which meanings and values are created in interaction with lived experiences and, often, with available formalised scientific evidence The social meaning of a place thus cannot easily be read off from its physical appearance.' (Healey 2010, 33) Place not only refers to material objects, nor is it coterminous with any particular administrative jurisdiction: 'Things may be co-located, and relations may overlay each other in physical spaces, but they may not create a "sense of place". We get such a sense when we feel that we have arrived somewhere... So a sense of place and of place quality can be understood as some kind of coming together of physical experience.... and socially formed appreciations.' (Healey 2010, 34)

This is followed by considering governance arrangements defined as activities undertaken to promote collective concerns. The 'planning project' in particular challenges place government practices. Such practices need to

consider a broad public, with multiple stakes in a place, both now and in the future. It promotes a specific way of doing collective work, oriented to the future as well as the present and to the concerns of the many, not the few. It encourages attention to how people are connected to each other, and promotes informed and transparent discussion about collective concerns.

However, just as there are complex debates about how to understand spatial connections and place qualities, so too is there an enormous literature about the nature of collective activity.... (Healey 2010, 50)

The twentieth century, she continues

has come to be considered as the age of big governments, centred around the national state as the framer of laws and provider of resources for welfare services... This set up an organisational dynamic that created great bastions of government centred on each service, around which policy communities developed...

Over time, it was these policy communities that tended to shape political programmes, rather than political ideology or political representation.... The democratic welfare state ... seemed itself to have become a new form of oppressive bureaucratic state. And its organisation into functional 'sectors' made it very difficult to co-ordinate state intervention in specific areas... (Healey 2010, 52)

Recalling concerns central to the integrative rationale of planning in another paper (Healey 2006), she continues by pointing out that '...attention to place qualities inherently cuts across sectors.' (Healey 2010, 53) It also cuts across levels, leading her into discussing multi-level governance. It is in

this context that Healey raises the issue which this paper addresses, that of democratic legitimacy. Formally, she says, networks are

held in check by the accountability of each body to its elected politicians and its legal specification of powers and duties. But many governance activities these days involve joint action... Arrangements that are outside formal government, or that involve some combination across government boundaries, raise difficult questions about accountability. (Healey 2010, 69)

Healey thus characterises government not as homogeneous but as '...a tangle of complex relations and arenas, in which particular actors come together. Some of these arenas are played out in the public eye.... Others are situated in less accessible and sometimes hidden places of governance... " (Healey 2010 , 71) In the concluding chapter, she reiterates what place-based governance 'with a planning orientation' is about: a complex mixture of political activity, technical expertise and moral sensibility:

[I]t is important to move away from conceiving such relations as a kind of nested hierarchy of systems, each one tiered above the other... Instead, systems are better imagined as overlapping, loosely bounded and "loosely coupled" sets of relations.... So those who engage in place-governance with a planning orientation need to think of a plurality of wholes in which people in particular places may participate, while the 'wholes' we value may link together people with a plurality of identities. This demands a pluralistic sensibility and the encouragement of pluralistic forms of political community. (Healey 2010, 226-227)

Healey does not discuss the human geography literature at great length, but she has clearly been influenced by it. That very rich literature will be discussed only as regards two aspects: the notion of place and where it touches upon place governance.

Human geography and the social sciences have been in the grip of what is described as a 'spatial turn'. Jessop, Brenner and Jones (2008) thus recall that the view of place '...as a fixed, areal, self-contained, and more or less unique unit of sociospatial organization' has been rejected for a while and that '...places were increasingly understood as relationally constituted...' Attention has turned to the assumption '...that the territorialisation of political power was established around national boundaries by national states and also served to define societies as nationally bounded. This was reflected in growing interest... in the now familiar claim that the Westphalian nexus between national territory and sovereignty has been subject to "unbundling".' (Jessop et al., 2008, 390)

This 'turn' has been conceptualised variously, leading to four 'sociospatial lexicons' in terms of territory, place, scale and networks. 'Each falls into the trap of conflating a part ... with the whole...' (Jessop et al., 2008, 391) Aiming to create more conceptual clarity for the analysis of both historical and contemporary transformations of sociospatial relations', the authors propose a 'TPSN framework' embracing all four concepts, a purpose broader than that of this paper which is to clarify the notion of place in planning. So, of the four concepts discussed, only territory and place and their intersections will be singled out with side-glances only to where they relate to scale and networks.

Figure 3 (Jessop et al. (2008, 395) portrays territory as defined by past, present and emergent frontiers. Any one territory may contain distinct places and be located at different scales. It may be embedded also in networks formed by interstate systems, state alliances and multi-area government. Place refer to locales, milieux, cities, sites, regions, localities and to what the paper calls globalities. No explanation is given of this, as indeed of other terms in the table, the purpose of which is heuristic. One may surmise that what is meant are concepts like Trans-Atlantic space, Eurasia and the Mediterranean world. Place in all its various forms and shapes points to core-periphery distinctions within, borderlands across and empires and the notion of neo-medievalism as

a possible new organising principle beyond territories, the paper says. Scale relates to the division of labour between places and networks to local/urban governance partnerships around places of various types and shapes. One might add cross-border and transnational partnerships to the list.

As said, the paper does not elaborate on these issues. It merely invites '...the reader to add other examples with a view to methodological strategies for investigating the polymorphy of sociospatial relations.' (Jessop et al., 2008, 396) Here the purpose has been to shed light on place as a no-man's land different from territory. Harrison (2013; see also Harrison, Grove 2014) also addresses planning in relation to this human geography discourse. He does so in the first 2013 issue of *Regional Studies*. In the same special issue, Varró and Lagendijk (2013) allude likewise to relational *versus* territorial thinking, invoking, as Harrison does, the case of regional governance in England. They point out that instead of '...the misleading celebration of self-reliant regions that actually remain entangled in centrally orchestrated policy frameworks, radicals have called for a more radical revision of the UK's territorial management... [They - AF] have asked more specifically – and evoking traditional, that is, Keynesian regional policy measures – for a dispersal of state investments, including public sector institutions. "Moderates" ... have pointed out the need to be aware of the persisting relevance of the territorial dimension of socio-spatial processes'. (Varró, Lagendijk 2013, 21) Their conclusion is that 'territorially embedded' and 'relational and unbounded' conceptions of regions are complementary.

Discussing North West England in the same issue, Harrison shows how the difference is reflected in the succession of statutory 'key diagrams', in the process referring extensively to Jessop, Paasi and Jones' 'polymorphy' of social enquiry discussed above. Thus, after voters had rejected regional devolution, the draft strategy for the North West was couched in terms of networks. Lines on the map illustrated connectivity in terms of growth corridors and international gateways. City-regions came across as pivotal points and the key diagram disregarded political or administrative boundaries. However, the successor document drew hard boundaries around political and administrative units. Networks had thus been '...unable to escape the existing territorial mosaic of politico-administrative units...' (Harrison 2013, 68) The final Integrated Regional Strategy of 2010 was a kind of hotchpotch. Harrison shows where in the process territory, space, scale and network were dominant, emerging or residual as concepts. His conclusion is that what is needed are '...ever-more-complex configurations in order to make emergent strategies compatible with inherited landscapes of sociopolitical organization, and for new conceptual frameworks capable of theorizing the "inherently polymorphic and multidimensional" nature of social relations'. (Harrison 2013, 71-72) His diagnosis chimes well with Healey's observation that place governance is complex. Political representatives and the bureaucracies serving them are embedded in the 'territorial mosaic' which he identifies. They may recognise complexity but, maybe even against their better judgement, they cling to the fiction that they are responsible for territory and that those with stakes in places have to bow to their authority because, having been elected, they possess democratic legitimacy

The Barca Report

In the discourse on European spatial planning, including that on the place-based approach, this range of literature gets little attention. The source of inspiration has been different: regional-economic thinking, like in the Barca Report (2009) highlighting the importance of local endowments and synergies for development. This is an independent report to the then Commissioner for regional policy, Danuta Hübner, on the future of Cohesion policy. Chairing the group the, at the time Director General of the Italian Ministry of Economy and Finance, Fabrizio Barca. The group held hearings and seminars with experts and policy makers and commissioned working papers reviewing relevant literature and evidence. The report discusses the economic rationale and motivation of an EU place-based development policy and provides an assessment of EU cohesion policy, identifying core priorities and making recommendations. In this paper the focus is on place and place governance where Barca comes to similar indictments of the fixation on operating within political-administrative boundaries as the literature above which, however, he does not refer to.

Barca does invoke the concept of multi-level governance and makes reference also to subsidiarity, both important also for European spatial planning. (Faludi 2012, 2013a). Drawing on a Background Report by Farole, Rodriguez-Pose and Storper (2009) he focuses on literature in economics, including the New Regional Economics. On this basis, he identifies a 'place-based paradigm' but, like the literature from which he draws, Barca also talks in terms of region, agglomeration, local area and so forth.

At this point it is worth looking at the background report coming to similar conclusions as the planning and human geography literature above. The authors insist that institutions are decisive for economic growth and that lagging areas are beset by institutional sclerosis, clientelism, corruption, and pervasive rent seeking by local elites with an incentive to block innovation:

Informal institutions in these places are often similarly dysfunctional, resulting in low levels of trust and declining associative capacity, and restricting the potential for effective collective action. In such an environment where institutions are 'inappropriate' ..., a region is likely to fail to break out of low-growth and low productivity traps...

In light of the above ... there are two different challenges to be faced by cohesion policy. The first relates to 'unevenness' and the fact that the factors driving economic growth appear to have a tendency toward agglomeration ... The second relates to 'persistent underdevelopment,' which has a number of endogenous causes. (Farole et al., 2009, 10)

This suggests intervention but the danger is '...entrenching existing elites by propping up ineffective, clientelistic institutions and fuelling rent extracting machines.' (Farole et al., 2009, 12) At the same time reforms '...require the involvement of regional and local scales. Thus, there are two potential roles for regional and local institutions... [One is] as an autonomous policy actor setting local, context-specific goals (true subsidiarity); the other is as an embedded delivery system for policies that are set at higher territorial scales...' (Farole et al., 2009, 14) So combating underdevelopment requires a mixture of multi-level governance and 'true subsidiarity', a point to which the paper returns below.

On the basis of this and other inputs, the Barca Report criticises 'spatially blind' policies. Rather, on grounds of both efficiency and equity, policies need to be tailor-made. The report discusses arguments for external intervention based on efficiency and points out that attempts to create proper economic institutions often hurt themselves, like Farole et al. have been saying, on the self-interest of 'rent-seeking' local elites. Thus, the mould of supposedly benevolent but often self-regarding local policy makers must be broken, which is why exogenous intervention is needed to bring about 'agglomerations'. 'Agglomerations' – as indicated, a term used interchangeably with 'places' – should be assessed in the context of a comprehensive policy covering all areas, which may count as a plea for strategic EU policy on the matter. At the same time the report emphasises with Farole et al. the need for local knowledge leading to the advocacy of the place-based concept. Strong interdependencies between different public goods and services form another reason. They can only be exploited with the involvement of local actors. After all, a policy of merely redistributing funds often benefits existing rent-seekers rather than the stakeholders in places. The negative effects of capture by rent-seekers are inappropriate investments, a dependency culture, the skirting, in the name of subsidiarity, of responsibility, the entrenching of elites and the propping up of ineffective institutions.

The critique of local government might just as well be extended to territorial government as such. Reasons for government failure can be that government is not benevolent or that it lacks the capacity and/or the means to be effective. This leads to a consideration of multi-level governance. In the context of the EU, this is usually discussed in terms of competences. (Faludi 2012) For instance, spatial planning is always said to be a national competence, thereby disregarding cross-border and

transnational spatial issues and issues that apply to the EU as a whole. The Barca Report extends the discussion of multi-level governance into considerations of subsidiarity. It should be interpreted with reference, not to whole sectors of government but to tasks so that the top level of government sets guidelines and standards and enforces the rules of the game and lower levels should be free to pursue them in whichever way they see fit, but special purpose institutions comprising private and public actors must also be able to define relevant places. Otherwise, multi-level governance might degenerate into negotiations between bureaucracies dealing with fixed jurisdictions. The latter cannot be the only or even primary units of intervention in place-based development. Neither local government boundaries nor their governments are coherent with the specific and changing policy objectives, which chimes well with the planning and human geography literature discussed.

Looking back later, Barca (2012) positions the place-based approach in relation to others, making it evident what it is about: innovation as the way to spring open the underdevelopment trap caused by local elites incapable of, and unwilling or insufficiently equipped to, deliver appropriate institutions and/or investments. This means changing the balance of power within places. (Barca 2012, 220) Underdevelopment is after all produced by '...the failure on the part of local elites, even when democratically elected, and their tendency to seek rents from public interventions...' (Barca 2012, 223)

To repeat, Barca does not draw on human geography nor is he focussing on territorial cohesion, let alone spatial planning. He articulates his concerns in terms rather of 'place' and like concepts, hence his being associated with the place-based approach. Mendez (2012) argues that Cohesion policy has always been place-based anyhow. To the extent that they are imbued with the place-based approach, proposals for 2014-2020, at the time of his writing still in the making represent a return, he says, to the founding ethos of the 1988 reform of Cohesion policy regarding '...territorial and integrated principles and the reassertion of Commission control over programming'. (Mendez 2012, 2) In further explaining the place-based narrative, in his case also in relation to territorial cohesion, Mendez stresses the importance of narratives. He traces the development of the place-based approach in Commission policy, suggesting that it resonated well '...with multi-level governance and territorial cohesion concepts, which had gained increased attention through the EU's constitutional reform initiatives.' (Mendez 2012, 10) However, proposals for Cohesion policy 2014-2020 available at the time of his writing were still marked by internal tensions and there were – and one might say continue to exist – tensions also with the 'EU 2020' strategy (European Council 2010), the successor to the Lisbon Strategy. Cohesion policy proposals thus fell short of reflecting a coherent place-based approach. Indeed, '...long-standing tensions have been exacerbated by the increasing dominance of a master narrative on Europe 2020, reinforced economic governance and the realpolitik of the Budgetary Review in the context of the crisis.' (Mendez 2012, 16) This is made worse by the sector bias of Europe 2020 (European Commission 2010) in favour of sectors. Mendez thus concludes with an observation which those concerned with spatial planning, also and in particular at the European level share: that policy making in and by sectors impacts upon the framing and resource-distributing effects of policy-making, presenting a challenge to the formulation of a common vision.

A complement to this paper is Mendez (2011). It traces the emergence of what he calls an 'experimentalist governance architecture' in EU Cohesion policy reaching from the joint setting of objectives to the (semi-)autonomous implementation by the member states and regions, performance reporting and peer review and periodic revision of objectives. This ensemble represents a hybrid of hard and soft modes of governance, with, so far unfortunately weak learning effects. There are similarities with the so-called Open Method of Coordination (OMC; for OMC in EU territorial cohesion policy see Faludi 2007) and new modes of governance emerging in other EU policies with implications for place governance.

Mendez' paper is based on a review of scholarship on EU governance up to and including Sabel and Zeitlin (2010). This leads him to talk about an 'experimentalist turn' which, however, has not yet

reached Cohesion policy. Scope conditions for an experimentalist turn nonetheless apply. They are: strategic uncertainty about how to achieve set goals and a 'polyarchic' distribution of power. Firstly, such an experimentalist architecture is more likely to succeed when accompanied by incentives; secondly, experimentalist governance is better suited to operating in the 'shadow of hierarchy' enabling the hybridisation of soft and hard methods. (Mendez 2011, 522) Drawing on Bachtler and Mendez (2007) he revisits the development of Cohesion policy in the light the notion of experimentalist architecture and finds confirmation for its presence '...with the potential to steer policy implementation towards EU goals, to enhance accountability and policy learning through EU-level strategic debate and to support recursive revision of goals.' (Mendez 2011, 523) None of this is couched in terms of the place-based approach, but the relation is evident in that, if at all, place governance will be experimentalist.

The review of Barca and Mendez and the planning and human geography literature delivers two messages: Places are not the same as jurisdictions, so they cannot be managed, not exclusively anyhow, by governments because they are no-man's lands. The second message follows: Place governance requires rethinking democratic legitimacy. Before discussing the second message, the paper focusses on the place-based approach in European spatial planning.

The place-based approach in European spatial planning

European spatial planning is about places within, across and beyond national jurisdictions, looking at them from an overall perspective, which is why it bears a relationship with Cohesion policy doing the same. The issue which this raises is whether spatial integration can be the privilege of an authority with formal jurisdiction over territory, in particular the nation-state which. In the absence of spatial planning in the EU treaties the common opinion is of course that it is a national competence. However, where does this leave places? Healey has shown that those with a stake in an area can come from outside.

That national mandates prevail has been true for the European Spatial Development Perspective (European Commission 1999) where member states insisted that under the EU treaties European planning was not an EU competence. (Faludi, Waterhout 2002) Claiming that it was not the same as spatial planning the Commission responded by launching territorial cohesion, like economic and social cohesion, as a competence shared between the EU and the member states. This jolted the latter into considering their positions on territorial cohesion leading to the 'Territorial Agenda' (TA 2007) and the 'Territorial Agenda 2020' (TA 2011) by which time 'Europe 2020' (European Commission 2010), the new master strategy for the decade to come was on the books and Commission priorities had shifted. The Commission restricted itself to publishing a 'Green Paper' on the subject (European Commission 2008) but without an immediate follow-up.

Concerning the Territorial Agenda process, Faludi (2009) diagnosed a sea change in the institutionalisation of European spatial planning: a transformation caused by the unintentional cumulative impact of pragmatic organisational changes. Doucet et al. (2014) take the story further to the Policy Presidency of 2011 making an all-out effort to inject planning concerns into Cohesion policy 2014-2020 at a time when to various degrees the 'founding fathers', the likes of the Netherlands, France and Germany (Faludi, 2004) were bowing out. So Doucet et al. (2014) discuss the successive Swedish, Spanish, Belgian, Hungarian and Polish Presidencies, paying attention also to the Barca Report. Their paper draws on the Background Report 'How to strengthen the territorial dimension of Europe 2020 in the EU Cohesion Policy' (Böhme et al., 2011) compiled at the behest of the Polish Presidency. Before that, the low-key and workmanlike Swedish Presidency had commissioned a report (Böhme (2009) arguing for a user-friendly and understandable 'territorial language' and comprehensive action implementing the Territorial Agenda with a focus on development and measurable results, proposals which the Spanish Presidency of 2010 had endorsed. The next Belgian Presidency assumed three tasks: spreading, like the Swedish Presidency had

demanding, the Territorial Agenda message by convening a 'Territorial Agenda Annual Conference'; clarifying responsibilities for territorial governance and assisting the forthcoming Hungarian Presidency which in 2007 had assumed responsibility for the follow-up of the Territorial Agenda, chairing working sessions and formal meetings which are the bread and butter of European spatial planning.

The Hungarian Presidency put the work into the hands of a former state agency and now consultancy, VÄTI, which diagnosed insufficient coordination, let alone integration between spatial and economic policies. The 'Territorial Agenda 2020' (TA 2011) made recommendations to rectify this situation. The ambitious Polish Presidency which followed commissioned the Background Report mentioned and drafted an issue paper and presented a Road Map for the application of the 'Territorial Agenda 2020'. The Background Report sought to clarify how 'Europe 2020' and in particular Cohesion policy 2014-2020 might be rendered effective by strengthening their territorial dimensions. The theoretical thinking behind this has led to the identification of a series of 'territorial keys' (Böhme et al. 2011; see also Zaucha et al., 2014) bridging the gap between territorial thinking and the concern with regional competitiveness. They are: accessibility, services of general economic interests, territorial capacities/endowments/assets, city networking, and functional regions.

Unfortunately, after the splash which the Polish Presidency created by forming the working group of international experts including old hands from the ESDP process to produce the Background Report above and organising an informal meeting of ministers for Cohesion policy, there is little to report from the Presidencies of the Council of Ministers since. However, the Poles themselves were as good as their word and, under the Road Map relating to the 'Territorial Agenda 2011', they produced a report on the place-based approach. (Zaucha, Świątek 2013) Formally speaking, it did this at the request of the Network of Territorial Cohesion Contact Points (NTCCP). The brief was to do a survey of how member states integrated the 'place-based approach' at various levels. The report refers to Barca. Like in the Barca Report, the intention has been to improve EU and national policy by stimulating endogenous potential and taking account of fixed assets. The idea is to counteract a 'sectorial' approach neglecting synergies, in so doing reducing the chances of integration at regional and local level. The survey itself concerned member states and Norway and Switzerland represented on the NTCCP. Profusely illustrated with examples from the case studies, the report is like ESPON studies and Commission documents always keen on providing concrete examples drawn from the experiences in member states.

The report seeks to demonstrate the benefits of the place-based approach, also described as the territorial approach, for smart, sustainable and inclusive growth, themes of 'Europe 2020' and of the 'Territorial Agenda 2020'. The purpose is to influence the priorities, conditionalities and financial provisions of Cohesion policy 2014-2020 by spreading the message of the place-based approach beyond the spatial planning and development domain.

Territorial diversity notwithstanding, the report identifies general conditions which institutions involved in – without using that term – place-governance must meet, differentiating between 'supra-place' and 'place specific' actors. Supra-place actors it says must have a mandate to coordinate the development of different places and place-specific ones one for given places. However, by invoking the concept of mandates, the report lapses into thinking in terms of jurisdictions rather than places. Indeed, the recommendations almost exclusively address national and regional governments. This is remarkable since the Barca Report has signalled of danger of capture by rent-seeking governmental actors.

The impression of inconsistency with the place-based approach is enforced by the account given of the key findings where references to governmental bodies and their relations are frequent. The same is true where the survey identifies the need for strengthening the 'place-based approach', suggesting that the '...capacity of some public authorities to reveal and express their preferences towards the

other actors of the place-based dialogue' (Zaucha, Świątek 2013, 35) is a challenge. Strengthening the place-based approach may be achieved, the report continues, by means of '...strengthening of contractual relations between different levels of governments', adding without much in the way of explanation the possibility of '...more serious use of open method of coordination within countries'. (Zaucha, Świątek 2013, 37)

This shift from a focus on places proper to jurisdictions may of course be a reflection of the practices observed. Indeed, in the cases studied, '...administrative units were most frequently used as a geographic unit for policy territorialization administration.' (Zaucha, Świątek 2013, 41) Exceptions are metropolitan regions and coastal zones. The report sees local and regional governments focusing excessively on local and regional problems, mentioning a 'not-in-my-backyard' attitude. (Zaucha, Świątek 2013, 43) Barca has of course already been reported as having said so.

The three German metropolitan case studies, all supported by German federal policy to improve urban-rural relations through core cities assuming responsibility for their hinterlands, although otherwise commendable, also report administrative structures to create tensions. (Zaucha, Świątek 2013, 93) Given its exceptional position as one of the three Belgian regions, not surprisingly the only other metropolitan case, the Brussels Capital Region, reveals the same issue, ascribing it to the 'morphologic agglomeration' extending beyond the administrative territory. (Zaucha, Świątek 2013, 108) The conclusions of the report recommend the German government for its support for the place-based approach by giving external assistance for covering the initially high costs of starting place-based dialogue.

Beyond this recommendation, the conclusions only offer encouraging words and refrain from criticising the cases which, as indicated, are far more about inter-governmental coordination than about a place-based approach as defined by Barca, let alone that they cast light on the role of rent-seeking politicians. The set-up, with representatives of governments on the NTCCP in the driving seat and called upon to name case studies surely did not allow anything but positive comments to be made. The message here is that governments are a problem. Their responsibility is towards their constituencies and not to places. The next section thus discusses the position of territorial representation in producing democratic legitimacy.

Democratic Legitimacy

Surely, it is possible to critically examine this without laying oneself open to the accusation being undemocratic. In fact this happens all the time when electoral systems, the recruitment of candidates, voting procedures and so forth are being examined. So what this section examines is whether the unquestioning belief in the production of democratic legitimacy by voting by territorial constituencies continues to be justifiable, given the need for place governance, it being understood that Barca has shown territorial representation systematically undercutting what he calls integrated territorial development policies.

A classic on representation, Pitkin (1976) does not give more than indirect encouragement to ask this question. She merely tells us that representation was to further 'local interests' leading to the rallying cry of the American Revolution that taxation without representation was tyranny. (Pitkin 1976, 3) It was in this context that representation became popular representation and identified with self-government of the thirteen states rebelling against British rule. Perhaps because this is evident, Pitkin does not elaborate on the fact that such self-government was, and is, by territorially defined constituencies. Rather, one concern discussed by her is the role of the representative and whether representatives are bound by what constituents want or whether they have a duty to pursue the interest of the nation as a whole. (Pitkin 1976, 215)

The answer is affirmative: 'The representative is, typically, both special pleader and judge, an agent of the locality as well as a governor of the nation. His duty is to pursue both local and national interests, the one because he is a representative, the other because his job as representative is governing the nation.' (Pitkin 1976, 218) So the representative '...may ignore or even override constituency opinion, [but] he may offer justifications... for doing so...' (Pitkin 1976, 222) She argues further that the representative '...must look after the public interest and be responsive to public opinion, except insofar as non-responsiveness can be justified in terms of the public interest.' (Pitkin 1976, 224)

This is a noble principle but such unresponsiveness may reduce the chances of re-election. This is the crux of territorial representation, and even more so in multi-level systems where each level articulates the public interest differently, depending on the stretch of territory concerned and its position. Failure to respond to specific, and inevitably partial, articulations of the public interest may be labelled as unpatriotic, a sign of disloyalty or worse. The chances of a representative taking the broader view in pursuing the public interest of being re-elected may thus be slim. So to critically examine the situation created by territorial constituencies is to the point. As indicated, Pitkin encourages this, but without referring to this point in particular. At the end of her book she thus says:

The concept of representation ... is a continuing tension between ideal and achievement. This tension should ... present a continuing but not hopeless challenge: to construct institutions ... in such a way that they engage in the pursuit of the public interest, the genuine representation of the public; and, at the same time, to remain critical of those institutions..., so that they are always open to further interpretation and reform.' (Pitkin 1976, 240)

It is in this spirit that, based on the understanding gained of places as no-man's lands, the paper offers reflections on the production of democratic legitimacy in a world that no longer fits into boxes; a world where territorial and functional areas overlap, forming places of many shapes and sizes within and beyond jurisdictions. In this world, Faludi (2010) has argued, fuzzy arrangements – what that literature calls soft planning (Haughton et al., 2010) – are the way to deal with the soft, rather than hard spaces that places are, but is there 'soft' democratic legitimacy? This is where identifying place as a no-man's land where problems and potential solutions come together in fleeting assemblages leads one into.

On territorial representation, Faludi (2013b) quotes Schmitter (2009) agreeing that there is little discussion of voting in territorial constituencies, with Rehfeld (2008, 1st ed. 2005) an exception in asking: 'Why do democratic governments define political representation in this way? Are territorial electoral constituencies commensurate with basic principles of democratic legitimacy?' (Rehfeld 2008, ii) Referring like Pitkin to the US, he points out that '...the use of territory for representation has never been explained or justified ... In never having been contested ... territorial constituencies qualify as an arbitrary institution...' (Rehfeld 2008, xv) Discussing elections to the US congress, he argues for random constituencies as an alternative. Agreeing that there has been little discussion on the matter, Urbanati and Warren (2008, 396) concur that '...the idea that constituencies should be defined by territorial districts has been all but unquestioned until very recently.' They also say that '...when represented geographically, the people are only a "demos" insofar as their primary interests and identities are geographical in nature. Nongeographical constituencies ... are represented only insofar as they intersect with the circumstances of location, producing only an accidental relationship between democratic autonomy ... and forms of representation.' (Urbanati, Warren 2008, 396-397) Examples of constituencies that are insufficiently represented are racial, class and gender groups. The conclusion is that the '...geography-based constituency definition introduces an arbitrary criterion... Exclusion works not on people ...but rather on issues, since residence-based constituencies define residency-based interests as most worthy of political conversation and

decision...' (Urbanati, Warren 2008, 397) In the terms of this paper, one might say that eluded issues are those relating to places. Of course, there are action groups and NGOs and stakeholders articulating the interests of underrepresented constituencies and also issues not dealt with adequately, including issues relating to places, but the default condition remains that territorial representation prevails.

All this does not mean to say that Rehfeld's detailed scenario of US politics with randomly assigned rather than territorial constituencies has found acceptance amongst constitutional theorists. Schmitter (2009, 487-488) agrees with him, and also with Urbanati and Warren, that the '...territorial base of representation has become so habitual that it is almost never questioned'. He concurs also with Rehfeld asking why, unless citizens '...are choosing within collective units that are meaningful to them, [they – AF] should the winning representatives be regarded as legitimate...' He adds a sentence that articulates the concern of this paper, too: 'Territory may have seemed the "natural" and logistically effective solution in the past, but why continue to rely so exclusively upon it in the present.' (Schmitter 2009, 488) However – but for this paper this is neither here nor there – Schmitter thinks Rehfeld's inferences concerning US congressional elections by random constituencies implausible and after due consideration of all arguments comes down on the side of retaining territorial constituencies. They '...are still considered the most appropriate and reliable political units within which interests and passions should be aggregated, despite evidence that these units have changed considerably due to greater mobility and that citizens identify strongly with functional or ideational constituencies.' (Schmitter 2009, 489)

Maybe there is no alternative. The planning and human geography authors discussed offer none, and Rehfeld does not even discuss places; he merely shows that alternatives for territorial representation exist. The least one can conclude from all this is, however, that the unequivocal claim that the production of democratic legitimacy is an exclusive matter for territorial jurisdictions can be challenged. Merely bemoaning the short-sightedness of politicians and their constituencies, even questioning the virtues of representative democracy for failure to deal with a complex reality is not the only way. That reforming it with a view to improving place governance will lead to more complex arrangements is no counter-argument either. An untidy reality requires complex management arrangements. Invoking W. Ross Ashby's 'Law of Requisite Variety', and drawing on yet another systems theorist, Stafford Beer, Chadwick (1978, 71) shows that the way of preventing players getting a ball between two posts is to field the equivalent number of players! Surely, one need not subscribe to, nor indeed understand systems theory in all its complexity to find this an intuitively appealing argument.

Epilogue: Europe a Place?

This paper started by invoking the example of LEADER, an EU programme where there is conflict between places governance and territorial administrations. Are there implications of this for the EU as such? Invariably public discourse takes the EU to be an, incomplete or, at the other extreme of the scale, way-too-ambitious, inefficient and outright oppressive territorial administration, a superstate. To start with, this shows the dominance of the model discussed here. This dominance has been clear since the formation of nation-states. Alternative conceptualisations of the EU as a 'sui-generis' construct and as a neo-medieval empire exist. Invoking amongst other authors Zielonka (2006) writing on the EU as an empire, Roche (2012, 40) gives a summary of alternative views of Europe as a 'socio-political complex': 'The image of the EU ... as a puzzling socio-political UFO has guided the discussion towards models which visualise Europe and the EU in socio-spatial terms as a network society and as a neo-imperial system.' He points to discussions of its distinctive character as '...both an international and supra-state organisation, an organisation which has multinational and multicultural characteristics, and in which the governance system is multi-level and multi-form.' He reviews a range of perspectives, not only on the EU, but also an 'EU-orchestrated Europe' and notes '...the inadequacy of the 'super-state' and nation-state analogies' (Roche (2012,40-41) This brings, if

perhaps not the EU in any formal sense, but then certainly the 'EU-orchestrated Europe' close to what has been described as a 'place' more complex and fluid than a jurisdiction. The implications for European spatial planning as a form of place governance remain to be explored.

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