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# **'Territorial cohesion' as a category of agency: the missing dimension in the EU spatial policy debate**

**Keywords**: EU integration, EU spatial policy, territorial cohesion, 'Territorial Agenda of the EU'

#### Abstract

EU spatial policy is a remarkable expression of how this 'sui-generis institution' is moving – against all odds – towards increased 'positive integration'. While its development may be seen as consistent with a 'European model of society', it is nevertheless apparent that current political-institutional discourse on spatial policy also reflects the EU's unresolved contradictions on its way to becoming more 'effective and democratic'.

Apparently, while progressing in institutionally 'mainstreaming' spatial issues, the EU keeps having a hard time developing its policies beyond settings defined by limitedly innovative expert processes and restricted intergovernmental negotiations.

One result of this can be seen in the current trend towards supporting EU-wide policy choices by means of, so-called, 'evidence-based' approaches. What remains unaddressed in light of this search for 'objective' consensus is the fact that a mature EU spatial policy can only develop through actively engaging in innovative subsidiaritybased forms of agency. This is particularly so in respect of 'territorial cohesion', a policy concept which – as even official EU documents admit – can only gain effective meaning through its appropriation and enactment by local-regional governance actors.

The paper discusses these issues in the context of recent developments in EU spatial development policy, and particularly in relation to an analysis of the 'Territorial Agenda' process. In light of the features adopted by this process, it argues that it is now both scientifically and politically expedient to address the meaning of 'territorial cohesion' as a category of agency, that is, as the expression of concrete patterns of spatially contingent interests, interactions and practices of governance.

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### **1. Introduction**

The 'Territorial Agenda of the EU', recently adopted under the German EU Presidency at the Leipzig Meeting in May 2007, is an important step forward in the pursuit of a key objective of current EU policy: the "future task" of "strengthening territorial cohesion" (Territorial Agenda 2007b: 1, art 1). As such, however, it also bears witness to the features taken up by the current discourse on EU spatial policy. Despite the 'Territorial Agenda' being presented as "an action-oriented political framework for our future cooperation" (Territorial Agenda 2007b: 1, art 1.2), this paper argues that the weaknesses and limitations of the way in which the dimension of political agency is treated in this document and, by extension, in current developments of EU spatial development policy, remain crucial.

The underlying assumption is that the 'Territorial Agenda' – viewed as part of a dynamics of discursive formation, rather than as a single document, and therefore as a political-institutional as well as a cultural and disciplinary construct – testifies to some of the EU's unresolved contradictions on its way to becoming more 'effective and democratic'. While current developments towards a more active EU spatial development policy must be welcomed, it is thus also important to raise attention – beyond political-institutional as well as disciplinary rhetoric – to their underlying implications and possible contradictions.

Discussion of the 'Territorial Agenda' is taken here as an occasion to reflect upon the current state of the EU spatial policy debate. In so doing, a 'sympathetically critical' stance with regard to it – a stance that reflects the current author's interest in issues of innovation in territorial policy and governance – is adopted. It is *sympathetic*, as the potentially progressive character of attempts to foster positive integration in the EU, as represented by the growing discourse on the spatial dimension of cohesion in the EU are recognized, as is the complexity of this task in terms of the renewal of the political and institutional rationales involved. It is *also critical*, however, as current struggles around the meaning and operationalization of the Community objective of 'territorial cohesion' as a key to understanding the difficulties and contradictions of this endeavour are also considered.

Two preliminary considerations may clarify this point. In the first instance it should be noted that current policy developments in respect of the application of the concept of 'territorial cohesion' have developed within the context of hitherto unresolved political-institutional dilemmas. While routinely making reference to developments in the EU policy discourse originated by the project of adopting a EU Constitutional Treaty, debates on 'territorial cohesion' tend to displace awareness of the fact that the underlying project of reforming EU politics and institutions continues to face something of a deadlock. This is a key dimension of this debate, and should be acknowledged as such. In the second place, and on the other hand, policy innovation – as it is potentially implied, for instance, in the concept of 'territorial cohesion' – might significantly enhance the reform of EU politics and institutions, contributing to overcoming the shortcomings of 'methodological constitutionalism' that have led to this deadlock (Gualini 2004a, 2006). In other words, EU spatial development policy can offer a substantial contribution to reforming EU politics and institutions, provided it explicitly addresses the key concern of recent debates on EU reforms: namely, seeking to become both more 'effective and democratic' in combining common concerns with growing diversity (cf. Scharpf 1999, 2001).

Unfortunately, these two dimensions of the problem are currently not adequately represented in either the political or the scientific debate. A striking example of this comes from a peculiar shift taken by arguments in favour of spatial planning at the EU level after the debacle of the EU Constitutional Treaty. For many, particularly in the wake of the ESDP process (European Spatial Development Perspective; see CEC 1999), the progress of spatial policy at the EU level has been seemingly inevitable and accordingly rarely questioned as such. In the apparent attempt to make sense of the fact that its institutionalization – under the heading of 'territorial cohesion' – has been frozen, along with the EU Constitutional Treaty, attempts have emerged to present its prospects in light of an allegedly persistent 'European social model' (e.g. Faludi 2007). Notwithstanding the fact that the notion may still bear some - limited and debatable – significance in analysing and interpreting European social systems, notwithstanding their notable diversity, such interpretations are of only marginal utility in a scientific sense, and liable to ideological manipulation, in a political sense, if they are not seriously based on an analysis of - first - how this alleged 'social model' has changed over time and - second - how it is currently affected by concrete practices in spatial development policy. It is particularly striking, in this respect, how planning discourse has discovered the 'European model of society' precisely at a time when the meaning and scope of social policies in the EU – through the Draft EU Constitutional Treaty and the Lisbon Agenda - have been dramatically redefined and narrowed. These erstwhile interpreters of 'territorial cohesion' as an expression of the 'European social model' do not however seem to have made much attempt to carefully analyse how these and other related policy developments – like the recent reform of the Structural Funds - have affected practices of the 'public production of space' in the EU. On the contrary, reference to the 'European social model' tends to become ideological as it attempts to justify, by putting it on a 'progressive' background, any development in the Realpolitik of European spatial development. The risk is that of paying lip-service to institutionalized political discourse without addressing its inherent material contradictions. Instead it should be the responsibility of a scientific community to investigate the potentials and limits of current developments in EU policy within the context of current concrete political and social practices.

While recognition is made of the fact that reference to most of the aspects mentioned here are, at least nominally, present in official EU documents as well as in the related literature, the degree to which the 'Territorial Agenda' process really contributes to an awareness of their policy implications remains somewhat concerning. In particular, what seems to be of importance in a critical-pragmatic perspective is to assess the actual capacity of current policy processes to promote innovation with regard to aspects such as:

- Recognizing diversity in policy interpretations and approaches as a resource in the pursuit of Community goals.
- Developing a framework for actively promoting diverse and specific policy application and their 'added value' to the pursuit of Community goals, and accordingly of
- Addressing the democratization of EU politics as an issue not exclusively or primarily of reforming the institutional structures of the EU (i.e. 'from

above'), but also of renewing EU policy rationales as to allow their democratic interpretation and implementation within specific policy contexts (i.e. 'from below').

Following a more descriptive introduction (section 2), a discussion of what I consider key features of the current 'Territorial Agenda' process and of related debates (section 3) will be undertaken:

- an epistemic approach that privileges 'evidence-based' agreements on meanings and definitions of policy aims,
- which neglects the political and socially-constructive dimension of processes of policy formulation and, in particular, the multi-level forms of political and social agency involved, and
- which neglects the need for active subsidiarity-based forms of policy experimentation in spatial development involving new settings for democratic governance and deliberation.

Based on this, in the concluding section a plea is made for a reframing of the debate in terms of what I define as an epistemology of agency.

First, however, a preliminary remark is needed about the way in which texts are utilised in this paper. A document like the 'Territorial Agenda' is the result of extended intergovernmental negotiations and compromises on both interests and meanings, e.g. on the contents and on the semantics of policy statements. A peculiar result of this is that, when compared with earlier drafts, the structure and utterances of final versions of official documents often gain in formal clarity while losing in substantive articulation and complexity. As such, final versions of the document often hide more than they reveal of the underlying struggles that have led to their adoption. This paper has no ambition to reconstruct the political process that has led to the 'Territorial Agenda'; at the same time, it is not the place for a consistent exercise in discourse analysis. Nevertheless, the 'Territorial Agenda' has been chosen for discussion as the result of an argumentative-discursive process rather than as a single policy document. This implies that its intermediate working materials and interim versions be considered as constitutive of the nature of the document ultimately adopted. For this reason reference will occasionally be made to differences and discrepancies between various versions of the text of this document. Where it is clear that the final text has not been extensively amended as compared to previous versions reference will be made to the final text.

### 2. The nature of the 'Territorial Agenda' process

The 'Territorial Agenda' can be seen as an important step towards the definition of a spatial focus for EU policy and the elaboration of appropriate spatial policy means and rationales. It is in line with a process originated by the introduction of EU policy programmes with a direct spatial impact (Structural Funds, TEN programmes) in the late 1980s-early 1990s, and developed throughout the 1990s in light of growing awareness of the need for a strategic focus integrating EU policies with a spatial impact, including innovation policy, social policy, environmental policy and, last but not least, agriculture policy. The 'Territorial Agenda' presents itself as a logical develop-

ment of this process in supporting integrated spatial development in accordance with the priorities of the Lisbon and Gothenburg strategies, acknowledgment of the dimension of 'territorial cohesion' in the draft Constitutional Treaty presented within the framework of the informal meeting held in 2004 in Rotterdam (EU Informal Ministerial Meeting on Territorial Cohesion 2004), in the Third Cohesion Report (CEC 2004), and in respect of the EU Strategic Guidelines (CEC 2006a, 2006b).

Developing a Community policy on spatial development is however a task that challenges the current state of affairs in EU policy-making: as such, it carries with it high demands for policy innovation. For this reason, it can be seen as a test-case for more generalised efforts to reform EU politics and institutions.

There is broad agreement, in politics as well as in academic research, over the fact that the future of EU spatial development policy should be based on combining three dimensions:

- strategic orientation, defining common policy concerns in the long term and supporting their pursuit through shared definitions and indicators and through clear benchmarks and parameters;
- knowledge management through systematic information sharing and exchange, monitoring, auditing and reporting in view of establishing feedback loops and learning;
- subsidiarity-based application through context-dependent decentralized policies (at the local-regional, national, and transnational levels).

There is no question that the combination of these three dimensions requires policy innovation and institutional creativity. Not only is this expressed by the emergence and prospective adoption of a new policy concept – 'territorial cohesion' – since the draft Constitutional Treaty: it is also expressed by attempts to define and operationalise a new policy style for this policy field, attempts to which the 'Territorial Agenda' makes a significant contribution.

Spatial development policy at the EU level has developed along lines that anticipated the rationale of new EU policy approaches introduced in the late 1990s. Similarly, there is significant agreement on the fact that EU spatial development policy should develop in the future, in light of the new mandate provided by the Community goal of 'territorial cohesion', according to the line of innovation introduced by these new policy approaches. Among the new instruments that may apply, one is of particular importance, having been elaborated in the framework of the Lisbon strategy as well as in discussions on the democratization of EU politics.

The open method of coordination (OMC) is premised on the principle 'that the Member States should define certain policy targets as a "common concern", although the actual choice of policies remains a national responsibility' (Scharpf 2001: 10). In fact, the OMC moves towards an interpretation of the EU as a platform for transnational policy transfer rather than as a system of supranational regulation. *Co-regulation* (or 'regulatory competition), for its part, is a 'vertical' mechanism that is premised on supranational framework legislation, but also provides opportunities – under defined conditions – for broader local-regional participation in devising concrete measures for its implementation: it 'combines binding legislative and regulatory action with actions taken by the actors most concerned, drawing on their practical expertise' (CEC 2001: 21), in cases in which it is neither feasible nor wise to apply uniform rules across all EU member states. Despite limited experiences with their application, it is clear that these innovative instruments – and the OMC in particular, as Scharpf points out, could contribute to meeting the requirements of a combination between centralized goal-setting and control and decentralized operationalisation which is so typical of EU spatial development policies.

According to the outcomes of the Lisbon European Council of 2000 and to the discussion presented in the Commission's (2001) White Paper on Governance, an OMC-approach should develop along the following lines:

- Definition of EU guidelines and related schedules for achieving Community goals.
- Definition of qualitative and quantitative indicators and benchmarks.
- Application of EU guidelines and related indicators and benchmarks through national and local- regional policies applying context-specific targets and measures.
- Periodic monitoring, evaluation and 'peer' review in order to foster exchange and learning.

The process for the adoption of a 'Territorial Agenda' at the EU level reflects attempts in this direction by building on existing instruments and resources, in a way that is consistent with the recommendations of the informal ministerial meeting on 'territorial cohesion' (Rotterdam 2004). In particular, as can be easily argued, the 'Territorial Agenda' process presents features of an OMC-approach, in as far as it builds upon EU-wide spatial development goals previously advanced (in particular in the ESDP) and as it pursues their evidence-based specification (in particular through ESPON: the European Spatial Planning Observation Network) in view of the definition of indicators and benchmarks (based on a common definition of the concept of 'territorial cohesion') for national and local-regional translation (Schäfer forthcoming).

As we analyse the proposals concretely advanced in the 'Territorial Agenda' in the pursuit of further steps towards defining a common spatial development policy, we recognize two main subject areas:

- The acknowledgment and valorisation of the *acquis* of knowledge on spatial issues realized in particular in the framework of the elaboration of the ESDP, of the ESPON programme, and of the initiatives of trans-national cooperation promoted under INTERREG III; these are also seen as the foundations of *The Territorial State and Perspectives of the European Union*, the 'background document' that has accompanied the drafting of the 'Territorial Agenda' (Territorial State 2006, 2007).
- The development of all political and institutional measures necessary to establish 'territorial cohesion' as a Community policy objective in the shortterm.

## **3.** A critique of the 'Territorial Agenda' process: three discussion points

### First discussion point: A focus on 'evidence-based' justification that displaces debate on policy choices

The balance of arguments presented in the 'Territorial Agenda' reflects what could be considered to be a key feature adopted by EU spatial development policy in the aftermath of the ESDP process: that of an epistemic process primarily focussed on developing an 'evidence-based' policy approach, at the expense of a focus on policy choices and how they are developed and enacted.

In the 'Territorial Agenda', the issue of knowledge plays – not surprisingly – a key role. It is even possible to state that, given the current state of disciplinary debates and political initiatives the issue of knowledge management significantly outweighs the definition of policy choices and measures and, as such, is really the foundation of proposals advanced by the 'Territorial Agenda'. As we face a challenge of institutional creativity and policy innovation, it is then fair to question just how far the knowledge that is being produced, and advocated, in the course of the 'Territorial Agenda' process is really capable of empowering policy actors, and how far it is able to do so in an 'effective and democratic' way.

Undoubtedly, the availability and sharing of knowledge are important conditions for cooperation in EU spatial development policy. The academic literature has accordingly pointed to the 'knowledge-driven' nature of this policy field (e.g. Benz 2002). It has also repeatedly underlined, however, that knowledge on space is neither a neutral nor an objective condition of politics, but rather a symbolic-cognitive construct that contributes to defining the nature of a 'politics of space' and to shaping 'policy spaces' (e.g. Richardson and Jensen 2003). It selects among what is perceived – rather than not – as possible or real, desirable or necessary, and by this it contributes to defining policy agendas. As such then, the nature of discursive practices, in which knowledge production is embedded – for instance, their open, democratic, accountable and socially responsive character – influences the way and the extent to which knowledge contributes to innovating, testing and probing political choices.

As we look at the expectations that are attached to knowledge about spatial issues in current EU debates, the impression gained is that what is called for is, above all, knowledge about 'facts' – that is, a form of knowledge that aims at achieving objectivity, and possibly at downplaying controversies, in respect of spatial issues. What is much less often demanded is knowledge about 'action' – that is, a form of knowledge about how to interpret spatial issues, and how to translate this into action, or how to 'enact' these interpretations.

However, if what has been said about EU spatial development policy is true, what is needed is not only, or primarily, a form of knowledge that produces 'facts' and, along with this, 'truth effects': what is needed is, even more, a form of knowledge that is relevant for action and that, through action, may promote the emergence of contexts where 'facts' and 'choices' are balanced against each other and negotiated in a legitimate and accountable way. In this perspective, scientific debate on the dimension of knowledge is hardly satisfying. Of course, while it contributes to what is recognized as an 'evidence-based turn in planning' emerging in the early-2000s (Faludi and Waterhout 2006a: 4), the scientific community is wary of not appearing to be doing so uncritically. How far the participants in this debate are aware of contributing to the production of a discourse on 'evidence-based planning' - of a turn towards such an understanding of knowledge and of its policy mainstreaming – is another matter. But this is precisely the precondition for being capable of truly critical thinking. In fact, possible epistemological and methodological reservations are mentioned in passing, but their critical scope is reduced to something amenable to being dismissed as 'facile': instead, 'the conviction that there is something genuinely new about evidence-based planning' (*ibid*), albeit softened by caveats, prevails over critical arguments. Among the reservations made are, that '[e]vidence-based planning [cannot be] regarded as the panacea that policymakers sometimes seem to think' and that 'any policy of whatever description [cannot] really be based on evidence and evidence alone' (Faludi and Waterhout 2006b: 71). More explicitly, Davoudi (2006: 22) contends that '[t]he current enthusiasm for evidencebased policy derives largely from an instrumental view of the policy-evidence interface. The underpinning assumptions in such a view have a lot in common with the positivist approach to the planning system. Both are based on ambitious and naïve assumptions that complex political and socio-economic processes could be "technicized" commanded and controlled through a scientific process'. In an interesting extension of the argument that 'that there is nothing like an "unproblematic, linear and direct" relationship between evidence and policy' (67), Böhme and Schön (2006: 61) discern an increasing mismatch between the scientific and political base of EU spatial development policy in the aftermath of the ESDP: the fact that '[a]fter the adoption of the ESDP in 1999, its institutional base that took care of intergovernmental spatial policies at the European level was dismantled, and the present structure [used] to prepare the Territorial Agenda is much weaker', in contrast with 'a clear trend to a stronger institutionalized base on the research side, from loose networks of national institutes to a newly created institution, ESPON, which was formed as a network with its own managing structure', leads to stating that 'the interplay of policy and evidence is situated in an ambiguous setting of diverse processes of institutionalization and deinstitutionalization'. The implied assumption, one could argue, is that politics has only to catch up with science, and finally jump on the 'evidence-based' horse – as the 'Territorial Agenda' has done.

All of these statements are unfortunately much too generic to be critically significant. They do not address the crucial issue that 'institutionalization' is, first and foremost, a symbolic-cognitive and discursive process that concerns the diffusion, reach and degree of objectification of understandings of reality and the way these frame – that is, select, define and delimit – understandings about appropriate political agency and desirable policy options. Ultimately, they do not say anything about the struggles for hegemony involved in applying this kind of politics of knowledge.

Resorting to policy documents, in this sense, is enlightening. When arguing about the nature of knowledge supporting current developments in the field of spatial development policy, the 'Territorial Agenda' makes two key references.

The first key reference is to the *acquis* of recent efforts to create a common knowledge base on spatial issues at the EU level, as pursued in the aftermath of the presentation of the ESDP in 1999, particularly through the ESPON programme. This approach has undoubtedly played an important function both in cultural and political terms – for instance in reaching some sort of EU-wide 'minimal consensus' – but we should not be naïve about the possible implications of it features. In the first place, it is fair to say that this approach has significantly extended, but not significantly exceeded, the 'epistemic Community' that had been formerly involved in the ESDP process. In the second place, ESPON is a paradigmatic example of an approach to knowledge management that has been systematically based on the de-politicizing of knowledge on European spatial issues. It could even be argued – and certainly so from the perspective of the general public – that ESPON has contributed to a redundant 'knowledge environment', by producing a plethora of information-based inputs that obscures the contested nature of possible underlying policy choices.<sup>1</sup>

The second key reference with respect to the production of knowledge about spatial issues is the INTERREG Community Initiative, in particular with regard to INTERREG IIIb and IIIc. Promoting concrete planning practices – that is, the constitution of arenas wherein new forms of agency and discourse can be elaborated through interaction - at the trans-national level is a key innovation fostered by EU policy, and is certainly a key resource for processes to come. While the relevance of trans-national cooperation in fostering European policy integration is unquestioned, it must be underlined that even these practices remain inherently problematic, and thus cannot be taken for granted without qualification. In fact, very little attention has been devoted until now at EU level to the political nature of the processes set in motion by the INTERREG programmes, despite the growing volume of academic research in this area. Inquiries in respect of transnational planning exercises (Richardson and Jensen 2001, 2003; Jensen 2002) and on efforts to create transnational development visions (Nadin 2002; Zonneveld 2005), for instance, show that the political arenas thus defined are still largely government-led and inter-governmentally driven, with very little scope for broader patterns of representation of interests and deliberation. Hence, stressing the importance of cross-border and trans-national cooperation also implies asking questions concerning the forms of knowledge that are produced in their context and concerning the relations of power and ideas of democracy they express. Despite the important role of the EU in promoting spaces for policy cooperation and planning the political dimension of these spaces, for whatever reason, continues to be neglected.

### Second discussion point: The relative neglect of the dimension of political and social agency in spatial development processes

A second point worthy of discussion here concerns the relative neglect of the dimension of political and social agency in the current debates on the 'Territorial Agenda' and EU spatial development policy.

Interestingly, this issue can also be related to the role of knowledge and to the way it is used in defining policy. The paradigmatic entry point utilised here is to discuss it in relation to the meaning and use of 'territorial cohesion'.

In an early draft, among its key proposals, the 'Territorial Agenda' advocated the formulation of 'a common understanding of the concept of territorial cohesion' (Terri-

torial Agenda 2006: 6, art. 3.1). Reference to the need for such a 'common understanding' has been dropped in the final document, probably because it touched upon the politically sensitive issue of territorial competence also being discussed at the time in the framework of EU Treaty reform.<sup>2</sup> Nevertheless, it seems obvious that the definition of 'territorial cohesion' is a crucial question of much concern for European spatial development policy, as it relates to the challenge of translating 'common concerns' into national and local-regional measures and actions. The point is often made in the literature that this translation is particularly critical since the non-binding character of spatial policy in the EU gives national governments room for either noncommittal defensive attitudes or for generic and ineffective interpretations of Community goals (e.g. Scharpf 1999; Benz 2002). Hence, the issue of how the application of Community concerns – as expressed by 'territorial cohesion', whatever its substantive meaning may be – can be translated into national policy frameworks, in ways that are effective and democratic, but compatible with different policy and planning styles, is crucial.

One possible approach in this respect – which is not mentioned, but neither is it excluded, by the 'Territorial Agenda' – would be the OMC. In an OMC perspective, according to our previous discussion, defining 'territorial cohesion' would imply agreeing on an understanding in order to make it possible to address the definition of indicators and benchmarks for a subsidiarity-based translation of EU guidelines into national and local-regional policies. In this respect, achieving 'a common understanding of the concept' of 'territorial cohesion', would certainly be a significant step, though it would not be without problems and limitations.

Again, we face here a contradiction related to the nature of knowledge that is advocated when pleading for a definition of the concept. Raising this point is warranted, given that the 'Territorial Agenda', as we can already read in the October 2006 draft – with reference to the EU Strategic Guidelines - recognizes that, after all, 'the concept of territorial cohesion is associated with the capacity of cohesion policy to adapt to the particular needs and characteristics of specific geographical challenges and opportunities' (Territorial Agenda 2006: 2). In the final 'Territorial Agenda', 'territorial cohesion' is defined 'as a permanent cooperative process involving the various actors and stakeholders of territorial development at the political, administrative and technical level', characterized "by the history, culture and institutional arrangements in each Member State" (Territorial Agenda 2007b: 1, art. I.4). The 'Territorial Agenda' goes on to state, accordingly, that "EU Cohesion Policy should be able to respond more effectively than it has done so far to the territorial needs and characteristics, specific geographical challenges and opportunities of the regions and cities. This is why we advocate the need for the territorial dimension to play a stronger role in future Cohesion Policy in order to promote economic and social wellbeing" (Territorial Agenda 2007: 1, art. I.4). Here also a significant semantic shift is recognizable, however. In the same introductory notes, the October 2006 draft still stated that this implies 'that a different meaning should be given to territorial cohesion, linked to each Member State's history, culture or institutional situation' (Territorial Agenda 2006: 2, emphasis added). Such a reference had already disappeared in the last draft of the 'Territorial Agenda' presented – shortly before adoption – in March 2007. As in the final text, there appears in contrast to emerge a much stronger emphasis on aspects such as 'a continuous and in-depth dialogue between EU Member States (including regional and local authorities) and the European Commission on strategic territorial development issues' (Territorial Agenda 2007b: 6, art. IV.2), on integrat[ing] the political priorities of the Territorial Agenda as well as the territorial aspects of the Community Strategic Guidelines on Cohesion Policy 2007-2003 in national, regional and local development policies (*ibid*: 6, art. IV.3), and on establishing 'informal structures for cooperation between our ministries, including the respective EU Presidencies, and with the European Parliament, the European Commission, the Committee of the Regions, the European Economic and Social Committee and the European Investment Bank' (*ibid*: 7, art. IV.4). Apparently, the final text of the 'Territorial Agenda' reflects the dominance of a primarily intergovernmental stance, that can be related to the process leading to the approval of the Reform Treaty on the European Union (Treaty Lisbon of 2007), which testifies to a creeping re-nationalization of the territorial cohesion discourse at the expense of the issue of addressing an active subsidiarity-based interpretation of territorial cohesion.

If this is the case, it cannot be regarded as neutral with regard to the issue of what knowledge is advocated. There is obviously a need for 'common understandings' in order to make EU politics work: these, however, should be understood not as a unitary, inter-governmentally negotiated definition, but rather as a set of common concerns which only become meaningful within diverse applications. Three points can be raised in this respect.

In the first place, it should be clear that 'territorial cohesion', given its genealogy and its normative character, cannot be seen as a *theoretical concept*, but rather as a *policy concept*, that is, as a concept that shares in a 'policy paradigm' about the development of space in the EU. If this is so, it is questionable whether a definition produced within a restricted 'epistemic Community' – even if enriched by EU-wide stakeholder involvement (Territorial Agenda 2007b: 1, art. I) – would be not only acceptable, but even useful.

Even assuming that – in order to convey strategies that reflect common concerns and make these 'applicable' within decentralized policies – the concept should be necessarily articulated into recognizable indicators, parameters and benchmarks, this could effectively be done if the policy choices are played out and made explicit within the spatial arenas where 'territorial cohesion' is concretely enacted.

In the second place, it should be stressed that these arenas are not just 'intergovernmental' in a traditional sense. Accordingly, the issue at stake here is not only that of consistently establishing the measures that are foreseen in the OMC model – i.e. Community guidelines, 'evidence-based' indicators and benchmarks, subsidiaritybased translations, feedback and learning – in a traditional, 'vertical' chain of subsidiarity. Addressing 'common concerns' in a subsidiarity-based way is a multi-level process that, on the one hand, reaches beyond national states and directly involves their sub-national articulations (localities, regions), but on the other hand, also increasingly involves non-jurisdictional arenas defined by emerging forms of territorial governance. It is thus a process that cannot be restricted to a purely intergovernmental process – albeit one 'enriched' in a 'stakeholder approach' perspective – but extends to local-regional governance arenas and their specificity. In this sense, it is important that the 'Territorial Agenda' acknowledges this issue – for instance, by referring to the proceedings of the Seminar on governance held in Baden in June 2006 (Territorial Agenda 2007b: 6, art. IV.3; Austrian Federal Chancellery 2006) – but, still, the focus of current discussions remain too narrow. More critical attention should moreover be devoted to local-regional governance experiences developed in the course of Structural Funds programming over a decade.

Despite the fact that many of its various facets are debatable, it remains important to agree and to build on a few key features of the EU cohesion policy *acquis*. The 1988 reform of the Structural Funds moved from an implicit 'convergence' ideal: the assumption that short-term EU financial support should be targeted at long-term effects, in terms of material and immaterial improvements of economic performance conditions, by enhancing the endogenous resources and the institutional capacity of the territorial level involved. This implied, firstly, envisioning the 'regions' as active policy-making units, as the 'programming authorities' responsible for advancing their own strategies to the Commission, acting as a funding body as well as an 'enabler'. Secondly, it introduced a practice of multi-annual programming, in which regional projects were required to be justified within a strategic framework of development, and which could serve as a basis for negotiations with the Commission and for policy evaluation. Thirdly, it promoted an integrated approach to development, based on the territorial coordination of multi-sectoral lines of programming. Key to this was the introduction of 'territorial criteria' in the Structural Funds eligibility rules, which targeted convergence objectives to 'objectively' defined territorial conditions of economic and social backwardness – thus reducing the scope for intergovernmentally inspired distributive games. Furthermore, it implied the setting up of a system of incentives and rewards for the renewal of regional policies directed to the mobilization of material and immaterial resources – mainly through Structural Funds rules, but also through a broad array of regional innovation programmes framed by new-regionalist concepts, such as industrial clusters and innovation networks. Implementation rules played a key role in this by pursuing an idea of the 'added value' of EU policy based on rules of additionality – that is, the principle that EU funds should not substitute for, but rather integrate national funds for regional development – as well as on promoting subsidiarity and partnership – that is, the establishment of collaborative public-public and public-private relations and the involvement of civil society initiatives. In extreme synthesis, this is the political meaning of the key principles of concentration, programming, additionality and partnership introduced by the reform (Gualini 2004b; forthcoming.). As a result, the Structural Funds have influenced the nature of regional policies along three dimensions:

- the promotion of an integrated approach to regional development based on activating endogenous potentials and on mobilizing regional development coalitions;
- the strengthening of regional authorities, including their institutionalized representation in Brussels through the establishment of the Committee of the Regions;
- and, last but not least, the 'invention' of regions as new spaces and arenas for cooperation at the cross-border and trans-national level, through more 'experimental' programmes like the Community Initiative INTERREG.

In general terms, EU cohesion policy has played an important role in mediating between 'regionalization', seen as a process 'from above', and 'regionalism' as a process 'from below', favouring the building of new institutional capacities as well as interest coalitions and collective commitments for regional development: in short, by contributing to the emergence of truly regional policy arenas. However, current debate on EU spatial policy appears to be completely detached from all of this, despite the persistent importance of this policy in driving and shaping EU decision-making. What seems particularly striking, in this context, is the neglect of how the 'new regionalist' stance of EU cohesion policy has developed an awareness of the situated and constitutively intertwined nature of knowledge and action in pursuing territorial development goals, promoting participatory modes of their enactment.

In the third place, we face here again the question of whether knowledge and action can be considered as two separate dimensions in the pursuit of Community goals. Much of the knowledge that is relevant for policy action is precisely knowledge that is activated and produced *within* specific action situations. In other words, in order to be 'usable knowledge' – in the sense implied by Lindblom and Cohen (1979) – knowledge on European space must reflect and incorporate the 'ordinary' knowledge-base that sustains forms of policy action in concrete socio-spatial contexts.

By this route, we are taken back once again to the limits of 'evidence-based' policy. Stating that '[u]nder cohesion policy, geography matters'<sup>3</sup> in that it refers to 'the capacity of cohesion policy to adapt to the particular needs and characteristics of specific geographical challenges and opportunities' (Territorial Agenda 2006: 2) means therefore that, in principle, there is no effective and legitimate 'common understanding' of 'territorial cohesion' based on knowledge and expertise at the EU level: there are only effective and legitimate 'local' understandings of 'territorial cohesion' – or, in other words: the knowledge and expertise applicable to 'territorial cohesion' at the EU level is only a framework for legitimate 'local' interpretations.

Under such conditions, defining 'a common understanding of the concept' of 'territorial cohesion' can easily result in a rather ineffective definitional exercise. A more realistic and pragmatic alternative would however be to recognize that, given the present state of EU affairs, 'territorial cohesion' as a policy concept cannot be defined in a way that is both 'effective and democratic' and, as such, consistently amenable to operationalization. This would therefore imply assuming 'territorial cohesion' explicitly as an *experimental* reference: as a concept that, while vague and perhaps illdefined, pursues a certain horizon of policy innovation, and does this by promoting *controlled experimental practices*. The condition would be to make the underlying dilemmas and choices explicit, and to lend them to decentralized, local-regional interpretations, where the underlying dilemmas and choices take concrete shape and can be directly legitimized and scrutinized through democratic participation.

Rather than being legitimized by 'evidence' and by a vision of an 'end-state', 'territorial cohesion' should thus be seen *an action-oriented, activating and mobilizing concept*, legitimised by the way it is interpreted and enacted. It should be interpreted as a framework for enacting innovative forms of regional governance, for promoting collective action at the level of regions and localities – at the level, that is, where the actual mobilization of knowledge and resources and the activation of capacities for policy implementation occur, and where it can be justified and made accountable in democratic terms. 'Territorial cohesion', in other words, should be amenable to becoming *an 'appropriable concept*', providing supporting frameworks and principles for regional interpretations. For this to occur, however, much greater awareness is needed of the related forms of governance and policy action, as well as a greater capacity to influence them on the EU side. This leads us to a final set of issues which are barely mentioned in current discussions: the linkage of spatial development policy and 'territorial cohesion' with the prospects for the further democratization of EU politics.

### Third discussion point: The need to actively promote subsidiarity-based forms of policy experimentation directed towards new modes of democratic governance and deliberation in spatial development

The third point worthy of note is that there is scope, as well as a need, for the EU to play a more active role in enhancing 'effective and democratic' forms of governance through its policy rationales.

The underlying assumption here is that the core challenge of an EU spatial development policy – that of combining 'common concerns' with context-specific, diverse interpretations and policy applications – is not only a matter of institutional technology and of performance-oriented policy design, but also a matter that directly concerns the development of a democratic EU politics.

This unfortunately appears to be another 'interrupted path' in recent discourse on reforming the EU. While having been the subject of an important wave of discussion and of a related Commission White Paper in 2001, the issue of 'democratic governance' in the EU has been overshadowed by a prevailing focus on institutional reforms and on the 'constitutionalisation' of the EU represented by the process of adopting a Constitutional Treaty. What has been increasingly neglected by this is the fact that the issue of the EU's 'democratic deficit' must be understood as one of policy action as well as of institutional settings. There are several reasons for arguing that democratic legitimacy in the EU – due to its *sui generis* institutional nature – can hardly be achieved through purely input-oriented solutions – in terms of quasi-federal parliamentarianism or through intergovernmentalism – and that these should at least be integrated with policy innovations capable of carrying forward a dimension of outputoriented legitimacy (Scharpf 1999; Gualini 2004a, 2006).

It is obviously not in the EU's competence and responsibility to devise local-regional governance settings for the pursuit of its spatial development strategies. This is a task which has to be accomplished within given jurisdictions and within given national and sub-national structures of responsibility – according to subsidiarity principles – while respecting the diversity and specificity of social and political-institutional contexts. However, it is consistent with the EU's strategic approach to aim at promoting forms of governance that are both 'effective and democratic' with regards to accomplishing Community strategies. EU policy, therefore, cannot refrain from approaching the task of actively promoting local-regional interpretations of governance that respond to strategically defined and mutually agreed Community criteria.

The relevance of this issue is underlined by the fact that, starting in the late 1980s and particularly since the 1990s, EU member states have developed an impressing array of 'experimental' forms of regional governance, for which the 'Europeanization' of spatial policy – and in particular EU cohesion policy – has been a crucial underlying fac-

tor. There is then significant scope for EU policy-makers to reflect more explicitly upon not only the features of these developments, but also their desirability and their possible controlled promotion in the framework of an emerging new style of EU spatial development policy.

In the wake of the diffusion of new regionalist policy paradigms – and with the significant support of Structural Funds rationales – many European countries have developed approaches to local-regional development policy that lean on a socialconstructive understanding of the 'region' as an action-space. Their focus is increasingly directed to promoting programmes and initiatives based on the selfmobilization, self-activation and self-organization of actors, targeted at mutually defined performance objectives and pursued within locally-regionally agreed strategic frameworks. They respond to the perceived necessity of finding new forms of governance – involving new constellations of actors, institutions and interests – to deal with issues of endogenous regional development and inter-regional competition. All are confronted with the question of realizing 'the right' mixture of players, appropriate forms of interests representation, and innovative ways to legitimate ideas and decisions, in a relationship that is respectful of, but relatively autonomous from, administrative and jurisdictional structures.

As a result, horizontal patterns of multi-level governance relations have developed in which state-led coordination – while still determinant in framing intergovernmental relations, in particular as regards the mediation between supra- and sub-national institutions – becomes more indirect and non-hierarchical as the definition of 'regional' arenas is concerned. Rather than being defined by 'nested' rationales, steering and control over territorial policies is increasingly achieved through the promotion of specific policy rationales – based on regional strategic consultation, policy competition, promotional initiatives, and the like – and hence contributes to defining an environment of local-regional 'islands of cooperation' which stand in a relatively loose relationship and sometimes even in a competitive tension with general-purpose territorial institutions.

While such regional governance experiments may be instrumental in successfully pursuing objectives of endogenous development and in activating regional learning and capacity-building processes, their liability to engender short-term instrumentalization, to hegemonic interest domination and to the weakening of democratic accountability is vigorously highlighted in the critical geographic literature (cf. Harvey 2001; Herod and Wright 2002).

As previously noted, an EU politics that aims at becoming 'effective and democratic' needs to address the political nature of the spaces it contributes to create, as well as the strategies and means it can use to shape them. There is scope for so doing in respect of EU spatial development policy, as long as its goals and measures devote systematic attention to key criteria such as:

• democratization, i.e. the overcoming of the democratic deficit through both local-regional appropriation and interpretation of EU strategies and through innovative modes of democratic deliberation, in alternative and/or integration to deficits democratic in representation;

- capacity building, i.e. the durable activation of abilities to learn and to diffuse knowledge and skills in local-regional societies;
- recognizing, defining, addressing and valorising specific needs and assets;
- developing arenas and settings for governance beyond narrow or exclusionary forms of participation, and beyond interest-driven hegemonic politics.

The directions that EU spatial development policy should take in order to play a role in improving forms of governance include framing their institutional conditions as well as actively promoting and supporting innovation. The former dimension would in particular require:

- evaluating 'experimental' forms of regional governance in EU member countries as to their consistency with the above-mentioned criteria;
- assessing the extent and measure to which emergent forms of regional governance are the result of 'Europeanization' – i.e. of the impact of EU policy rationales on domestic institutions and policies – and hence subject to controlled influence;
- assessing possible ways by which Europeanization by means of setting the 'rules of the game' for implementing spatial development policies can direct us towards desired governance criteria;
- incorporating the findings in an 'extended' operational model of OMC for the regional application of EU spatial development strategies.

Even more important, however, is the deployment of active measures and instruments directed towards the promotion of governance innovation. These measures and instruments should address issues that are crucial for the quality of governance practices, such as:

- promoting 'controlled' experiments in territorial governance;
- initiating forms of 'creative competition' in spatial development;
- providing the appropriate means for regulating forms of policy competition

   including those related to systems of rewards and incentives;
- promoting the readiness and mutual responsibility of public sector institutions, NGOs, enterprises, and civic organizations to jointly take part in their conduct and evaluation;
- favouring the embedding of such experiments in territorial governance in local-regional institutional settings which may grant them democratic accountability and legitimation while also promoting durable forms of institutional learning and capacity building.

### 4. Conclusions: towards an epistemology of agency

There is a key task facing EU spatial development policy in the future: promoting action spaces that, on the one hand, are the expression of endogenous and self-determining regional forces and initiatives and that, on the other hand, are responsive to overarching EU goals and objectives. This can only happen if substantive and procedural inputs 'from above' – like overarching goals, resources, and related implementation rules – are not only general enough as not to constrain local-regional mobi-

lization and creativity 'from below', but also clear enough as to promote directions of local-regional innovation.

At present, however, this cannot be achieved by agreements on general definitions of spatial development priorities and by the simple delegation of their application to 'vertical' subsidiarity-based structures. In the context of the desire to make EU policymaking both more 'effective and democratic', on the contrary, what is needed is a capacity to enable local-regional actors to interpret and to enact these priorities in accordance with their legitimate needs. This implies that the EU-wide 'framing' of spatial development policies should combine conceptual innovation with a commitment to innovative forms of agency so as to include opportunities for collective learning, implying the production of collective meanings and frames, and the discovery and invention of solutions and of conjoint modes of agency. In line with this perspective, EU spatial development policy should contribute to the building of a framework for mutual legitimation: a system of relationships by which local-regional action corroborates EU goals and objectives by reinterpreting and appropriating them within specific contexts, and by which EU goals and objectives corroborate local-regional action by providing them with a broader scope for justification.

Current debates seem to recognize the centrality of knowledge that is implied by such a system of mutual relationships. However, the kind of knowledge involved is much different from that evoked by 'evidence-based' policy and planning approaches. Contrary to what seems to be implied in 'evidence-based' approaches, the form of knowledge which needs to be mobilized for this purpose relates more to the development of experience than to the transmission of information. What is needed then is an epistemology of agency. Adopting an epistemology of agency means reversing the instrumentalist nexus between knowledge and agency implied by classical epistemology, seeing knowledge as a precondition for agency. It means acknowledging that the production of knowledge is a dimension of social agency focussing instead on its production process and its producer. This also entails acknowledging that knowledge of EU spatial policy is knowledge produced in relation to the experience of a situation, and that, accordingly, the nature and quality of the social relations involved in that situation is decisive for the quality of the knowledge produced. In this sense, the production of relevant knowledge on spatial development implies an active and experimental attitude towards the promotion of forms of agency in spatial development. Only if it actively addresses this dimension can EU spatial development policy play a role in constructing a more 'effective and democratic' European politics.

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### Notes

<sup>3</sup> This statement has, as such, disappeared from the final version of the 'Territorial Agenda'. For similar statements in the final document (Territorial Agenda 2007b) as well as for the semantic shifts they introduce, see note 2.

<sup>&</sup>lt;sup>1</sup> One may think, in this respect, of the politics of 'mapping redundancy' pursued by ESPON in its first phase of activity. Admittedly, the new ESPON 2013 programme seems to represent an important development in the direction of a commitment towards territorial agency and local-regional experimentation. In this sense, however, the change in scope and philosophy being introduced by ESPON 2013 only highlights the legitimacy of the original remark.

<sup>&</sup>lt;sup>2</sup> This request has in fact disappeared from the final version of the 'Territorial Agenda' (Territorial Agenda 2007b), where no reference whatsoever is made to the persistent semantic equivocality of the concept of 'territorial cohesion'. It must be furthermore noted that the requirement of "including a policy of territorial cohesion in the Treaty of the European Union (*sic*), when being ratified, as an indispensable step towards a better territorial coherence of EU policies", still present in previous drafts (Territorial Agenda 2007a: 4, art. IV.1) has been withdrawn from the final document (Territorial Agenda 2007b: 2, art. 1). This can certainly be understood in connection with the then ongoing negotiations on the Reform Treaty being conducted in 2007, in parallel to the 'Territorial Agenda' process.

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