

# REDISCOVERING GOVERNANCE BEHIND RIGHT GOVERNMENT PRACTICES. DEMOCRACY AS BASIS, TERRITORIAL DEVELOPMENT AS RESULT

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## **I. INTRODUCTION**

After authors' work on this topic along last years, one can verify how discourse on governance has been clearly adopted from academy, technicians, citizens and even —nominally— by decision makers. However, in practice, lack of political will and weak empowerment of civil society difficult right and coherent implementation of policies. Academicians feel we reach a limit in this issue. This paper argues this limit has to be broken because the inefficiency of current system; because things can be done in a different and more positive way, as compared analysis of experiences demonstrates; and because academy should follow offering interpretations and answers both, to the single mindset (or ideology) and pragmatism imposed by short term results that guides politics by now. For this objective, trying to stop the current 'way to the bottom', it is decisive restoring true democracy values and the citizens' voice and action. Together with public ethics, democratic values and public participation constitutes the basis for a new sustainable socio-economic territorial development. Citizens are not satisfied nor agree with a democracy too domesticated and heavily adjusted to the rules some specific groups control and manage for their own interests. Here the question is how to make things change in order not all continue being the same.

## **II. GOVERNANCE VERSUS REINFORCED GOVERNANCE: TAKING POSITION**

### **1. State, Market and Civil Society Relationships**

Reinforced governance, from a neo-institutional point of view that confers to the State preeminent role among Market and Civil Society, is not a common understanding on governance from other than non Spanish (and Mediterranean) perspective (e.g. Canadian Institute on Governance, 2003). In this case these three spheres are understood in a

symmetric and not hierarchical relationship. From this point of view citizens, as consumers, can influence on market asking enterprises for social, economic and environmental responsibilities (something we could name Corporative Territorial Responsibility -see Fig. 1.1 and 1.2). These relationships, however, are very different according each specific territorial context due historical, cultural, religious... reasons (Jessop, 2004; Sorensen & Torfing, 2009; Swyngedouw, 2005). Where civil society is not strong enough it is finally subordinated to interests of dominant groups, economic and public powers that act separately or in connivance (see Fig. 2.1 & 2.2). Then is not possible talk about full democracy in strict sense.

How to reverse this situation calls for citizenship empowerment. Governance and government more than antagonist are complementary if not consecutive; both are related in an increasing spiral (see Farinós, 2008: 14). However, nor right government nor governance ensure *per se* governability due some hegemonic actors will conserve advantages trying to keep them out the rule of law. This is just main field for civil society control, looking for general interest maintenance and common goods' custody.

Traditional statutory models and formula were not so efficient, but either de-regulation or free market. Feasible solution points in two directions: new focus, methods and routines to policies design and implementation; and control, monitoring and evaluation instruments. A third one promotes the two previous ones: convenient cultural and political culture development and maintenance. This last is a large long term goal for which imbrications and bridges between academy, technicians, policy makers and civil society will act as engines.

## 2. Reviewing Four Dimensions of Governance

According to ESPON Project 2.3.2, Territorial Governance dimensions are: vertical/multi-level (among diverse political-administrative levels), horizontal (including three components: cross-sectoral policies, territorial cooperation and partnerships among actors), participation and economic development. Until now, we have focused our work on the horizontal one (considering Spatial Planning as favorite field for application of territorial governance); on results of participation practices for territorial sustainable development; and on polity, multi-level relationships and (dis)coordination among public administrations. Right now we are interested in completing the fourth one. As some reports try to demonstrate (JRC-IPSC, 2010: iv, 33; WEF 2010: 4-9, 13) institutions and governments' efficacy, regulation quality, rule of law strength and control of corruption (from the public side), and corporative governance quality (from the private sector), represent fundamental pillars to improve regional economies potential. Without suitable politics, good policies are not possible; either without apt and strong enough political culture and citizenship.

## III. SPAIN IN EUROPE: ANALOGIES, DEFICITS AND PATHOLOGIES

Along several years many European countries tried to develop new ways of territorial government and governance; also places and urban and regional scales became more relevant

(Carter & Pasquier, 2010; Henderson, 2010; Pike *et al.*, 2011). One can find some European good practices, more difficult at Spanish level. In this case, not so happy cases (Nieto, 2008: 31) are very much frequent than best practices (Pascual & Godàs, 2010).

## **1. Multi-level Territorial Government and Governance in Spain: Rhetoric and Reality**

Despite profuse regulatory instruments and plans developed by Spanish political-administrative levels of government, governance practices are so far from European (EU, Council of Europe) recommendations and standards for good government, coherence, territorial cohesion and democratic governance. In polity terms, Spain represents a case of federal structure without a federal tradition nor culture (Moreno, 2008). Spanish de-centralization process deeply modified polity system; however that did not suppose better governance practices but more fragmentation of public policies and the institutional map. In addition, still remain old perspectives and procedures, un-coordinated, compartmented and too sectoral oriented. Tradition and inertias sometimes impose to reality. We present some examples.

## **2. Some Examples of Multi-level Territorial Governance Deficit between Spanish Government and Autonomous Regions**

*A) Integrated Coastal Zone Management:* Real Estate bubble effects shows how difficult is to talk about a true ICZM strategy at Spanish level. Territorial actions from diverse administrations act in parallel, usually juxtaposed, with very different intensity and usually low effects; as impressive land development process and coast destruction clearly demonstrates (Ministerio de Medio Ambiente, 2007:13; Romero, 2009:127-141; Barragán, 2011a & 2001b; Farinós, 2011). Academicians have made an attempt to do all was in their hands, but politics frustrate more meaning progresses.

*B) Water Basins Management:* Public water management failure at Spanish level reflects incapacity to organize multiple and diverse public and private stakeholders involved, and synthesize much more territorial governance deficits. The result: failure of the last three hydrologic plans (since 1993) and not so clear expectations for current alternative (AQUA Program) because lack of consensus and political commitment among administrations and stakeholders. Without a general Spanish framework, Autonomous Regions tried to achieve exclusive competences instead inter-regional agreements. Spanish Constitutional Court (as in its Rule of 16-17th March 2011) should act in order to play the role that politics neglected, by solving conflicts instead develop political agreements and pacts. That tells about both governance and governability in this field.

*C) Transport Infrastructures Planning:* According to a rigorous economic, mobility and sustainable analysis and diagnostic is not possible at all support the current model, priorities and projects of transport infrastructures; it only could be explained because parliamentary majorities and interests (Albalade y Bel, 2011). Furthermore there is an evident discoordination among national and regional administrations, with the additional paradox that Spanish Ministry in charge of infrastructures has not any competence in Spatial Planning (is a exclusively regional one) but in fact decide main axis and corridors that vertebrate

territory. Surprisingly, this National Infrastructure Policy runs backwards or not coordinates with autonomous regions governments.

### 3. Territorial Government and Governance at Autonomous Regions Level

Spanish polity system offers Autonomous Regions great opportunities to develop coordination and cooperation principles at regional and sub-regional scale in order to improve territorial coherence of policies and lead -in a harmonic way- influence and territorial impact of those local policies (Romero, 2009: 148-213). Even though all regional governments -with very diverse ideological orientation- have adopted territorial governance rhetoric, notwithstanding only in few cases were produced significant advances on coherence and territorial development. Usually is difficult to go further on formalities because the lack of political will.

### 4. Government and Democratic Governance at Local Level

The local is the level for most important progresses on territorial cooperation both to face common challenges and threats and to develop strategic plans and projects (Romero y Farinós, 2005 & 2006; Junta de Andalucía, 2007; EU, 2007; VVAA, 2007; Brunet, 2011). Unfortunately, from an spatial/land use planning point of view, territorial fragmentation in municipalities without a clear defined common framework has been lethal for the biggest part of the Spanish territory. Urbanism practices reflect in many cases a situation of public policies 'capture' (Matsuda, 2007) and political corruption, that involves much more than politics (Iglesias, 2007; Jiménez y Villoria, 2008; Transparency International España, 2008).

*A) Urban and Metropolitan Regions as Best Laboratory for Territorial Governance:* Despite 'partenarial fatigue' and failures, there are so many examples of good territorial governance practices in European urban regions and metropolitan areas (Pinson, 2011). Similar comments can be made at Spanish level (Feria & Albertos, 2010); however good practices are punctual: *Bilbao Ría 2000* (Mas, 2011) and Barcelona Metropolitan Area Law (in July 2010). The reason is key factors for success underlined by Kübler & Heinelt (2005: 22-23) are not usually present in a combined way: civil society strength, functional legitimating of local governments, and open nature of networks of relevant political actors at different levels.

## IV. A REVIEW TO EUROPEAN SITUATION

According to ESPON Project 2.3.2 (ESPON, 2007) advances at EU level in multi-level relationships are much more evident than policies coordination and coherence. Also partnership and territorial cooperation initiatives are well represented. History and tradition play an important role for openness and participation. However, from a dynamic point of view, evolution to new governance practices are clear and so much faster as big is the impact of European Structural Funds. Nevertheless advances are difficult when territorial actors'

relationships are conflictive, particularly regarding soil property rights (as in Mediterranean countries). In a synthetic way, one can conclude the following:

- There is not a single model of governance but several, depending on each institutional and cultural specific context.
- National, regional and local governments play still the main role, and so many preconditions and parameters for decision making depends on hierarchical relationships among them.
- Decision makers still are who mobilize territory.
- Participation, openness, effectiveness and accountability seem to be the most important elements for good territorial governance. Public participation is increasing its importance.
- Favorable pre-conditions for territorial governance are: experiences on (and attempts of) participatory processes and partnerships development, combined with decentralization and devolution processes (accompanied by correspondent budget allocation at local and regional levels).
- Coherence can be promoted through evidence based planning. Academics, technicians and experts voices could be more actively profited by.
- Main barriers for territorial cooperation, mainly in South European countries and New Member States, are related with technocracy, legislation complexity, administrative rigidity and persistence of authoritarian structures of government and bureaucratic procedures.
- In some cases one can speak about ‘deformed governance’ to refer to excessive power concentration at local level, or too preeminent presence of important groups of interest (stronger than local powers) at this level (Wassenhoven y Sapountzaki, 2010: 22-26).

## **V. CONCLUSIONS: THE ANSWER HAS TO COME FROM INSIDE**

Even though State - Citizen relationships has been also incorporated into neo-liberal interpretation of governance, in this paper authors defend a renewed interpretation of neo-institutionalism with a re-interpretation of democracy and protagonist role of public powers. As we underlined in ESPON Project 2.3.2 territorial governance has to be ‘democratic governance’ and not only political economy responding particular interests.

Governance is a process very linked to particular conditions of each specific context. Good practices coming from other scales and contexts only can be used as reference, by analogies. In the Spanish case territorial democratic governance is not a clear or well defined issue. Academy has been working in right direction on this topic but is not the case of politicians nor decision and policy makers. They have incorporate rhetoric on governance to the political discourse, as sustainable development was, but practical effects are really scarce. Main difficulty is placed at political level, more even when territorial governance mainly bases on coordination and cooperation principles.

Situation in Spain is worst due weakness of social web that reinforce (as consequence as well as cause) weight of political parties and their capacity for institutional control. As

result, they fight against any new emerging citizen movement, as it was the case of recent '15 of May' one coincident with local and regional elections in Spain in 2011. Promoting cooperation from 'top-down', as in the case of France, could offer good results; but also it is necessary a complementary 'bottom-up' approach from local level, cities and urban regions. For that, local governments need ensure financial sufficiency as well as brightness about powers and competences. In the Spanish case this is a key issue to territorial policies.

In addition to coordination and cooperation, territorial governance requires empowered civil society. However it is being difficult promote openness and participatory processes in a right and useful way. Democratic innovations as such have to face some resistances. Sometimes progresses are much more limited and contradictories than expected (Echebarría *et al.*, 2007; Kübler; Faure *et al.* 2010, Brunet, 2011; Farinós & Sánchez, 2011). Also common are risks of 'fatigue', 'window effect', tactics instrumentation, conflicts among local actors, and avoiding representative democracy without clear understanding about limits and possibilities of participative democracy (Subra, 2007).

Nonetheless it is worth to go forward and try to promote socio-institutional and territorial innovations at this time when new attitudes and proposals are emerging and claim for a renewed way to understand and play democracy and territorial government. Academicians, technicians, mass media and citizens' movements show how society is changing; also its values and priorities. It is an expression of increasing process of empowerment and of social, cultural and political re-composition (Alfama *et al.* 2007; Cruz, 2010). Politics right now has the greatest responsibility to lead straight to a democracy of quality (as illustrated in Fig. 1.2).

For achieve this goal top-down and bottom-up strategies have to be combined. From a top-down perspective political will and leadership are essential in order to facilitate and promote new practices. There is a large pending agenda for the three levels of public administration, mainly for regional and local governments: transparency, accountability, openness and rights of information, and improvement of financing. From a bottom-up perspective by creating new participation and democratic innovation opportunities, specially at local level.

Opposite to ambiguous or neo-liberal interpretations of governance —also legitimate— in this paper we claim for more and better politics, more democracy, more public ethic and defense of general interest, and a greater prominence of public sphere in the process of construction of a decent society in which could cohabitate, as a sign of maturity, Civil Society, State and Market. At last, in front of de-regulatory trends, of minimum State and market prominence, we advocate for more democracy, more civil society and any better State.