



## **Do regional policies challenge national boundaries?**

**Path-dependent strategies of legitimacy-seeking and territorial restructuring**

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### Abstract:

The paper aims at exploring the impact of regional policies on territorial restructuring in Western Europe since the 1970s. It challenges the common assumption that the political context across Europe has provided incentives to regional governments for the sole purpose of differentiating their policies to meet different needs and preferences. It opens with a presentation of two other incentives downplayed in the existing literature, namely the incentive to use policy making to impact intergovernmental arrangements and the incentive to develop social and education policies. The paper contends that legitimacy-seeking dynamics stand behind regional governments' receptiveness to various incentives. It hypothesizes that regional policy-making is partly path-dependant on previous legitimating principles. Thus the paper provides a strong explanation for the outcome of regional policy-making in many empirical cases: namely the production of nationally differentiated sets of regional policies. The hypothesis is confirmed in two contrasting institutional contexts, Germany and France.

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## 1. Introduction

Territorial restructuring is one of the most challenging issues that European states have been facing for the last several decades. The matter has arisen from familiar changes: mainly a decrease in states' capacity to steer and control (Cassese and Wright, 1996, Mayntz, 1993), European integration (Bartolini, 2005) and the rise of subnational levels of government, regions in particular (Keating, 1998). This Europe-wide dispersion of authority (Hooghe and Marks, 2001, Marks et al., 2008) raises the question of the ability of European states to control their own territory, one of their core features (Weber, 1971). Indeed, state formation led to the stabilization of national boundaries, through wars, and resource extraction (Tilly, 1985), but also through public policies<sup>1</sup> which locked in citizens as well as cities (Tilly and Blockmans, 1994, Le Galès, 2003), and regions (Ziblatt, 2006). Since the 1970s, European integration and the rise of regional governments all over Europe have challenged many of the policies among the most powerful to draw these very national boundaries: namely, social and education policies (Bartolini, 2005, Ferrera, 2005, Green, 1990). Contrary to the military or tax system, which are still in states' hands (Leibfried and Zürn, 2006), these policies have undergone major changes. In particular, European regulations have limited the right of central states to make decisions about the inclusion or exclusion of individuals into national schemes of social protection (Ferrera, 2005). Also, research into the Bologna process reveals significant Europeanization of national higher education systems (Leuze et al., 2007, Ravinet, 2011). Furthermore, over the past forty years, regional governments have gained numerous policy responsibilities in social and education matters, thus increasing their options to develop policies exiting national arrangements (Ferrera, 2005). In this sense, we may now speak of a certain porosity of European national boundaries. This paper intends to contribute to the study of territorial restructuring in Europe, and to complement existing research by investigating the dynamics taking place at the subnational level in federal and devolved institutional settings. More precisely, it focuses on the impacts of regional policies upon the territorial dimension of European states: Do regional governments use their increasing policy autonomy and growing room for maneuver to develop policies that challenge national boundaries? Do they produce territorial fragmentation by making policies that differentiate various regional regimes? Surely European geography has not yet turned into a mosaic of regional bundles of social and education policies. But regional governments' challenges to formerly prevailing state-led arrangements binding subnational territories together show that parts of territorial restructuring in Europe do take place at the regional level.

The existing literature offers rather straightforward answers. Research in comparative social policy and in the field of territorial politics highlights political incentives offered to regional governments by the

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<sup>1</sup> As do politico-administrative boundaries, policy boundaries “*differentiate different functional regimes and regulatory systems such as educational systems, welfare regimes, labour market institutions, courts' jurisdictions, etc.*” (Bartolini, 2005, p. 19).

political context since the 1970s in order to encourage them to differentiate their policies. In particular, regionalization is seen as prone to making distinctive needs, values and policy preferences drive regional policy-making once state constraints on regional policy-making have been released. There is unquestionable empirical evidence to support these analyses. Among them, studies investigating the emergence of welfare regions (see Ferrera, 2005; Gallego, Gomà, & Subirats, 2005) integrate instructive facts. However, it would be misleading and incomplete to emphasize only this incentive. Other situations (see Moreno and Trelles, 2005, Wincott, 2005, Dupuy, 2010) illustrate that alternative incentives are at play, primarily the incentive to use regional policy-making to influence intergovernmental arrangements and the incentive to develop social and education policies. In addition, data firmly reject the conclusion by which regional policies have led to differentiated regional policy regimes.

A broader understanding of the political incentives since the 1970s is therefore needed to account for regional policy-making and thereafter to assess its impacts upon the drawing of national boundaries. Drawing on previous studies' insights, this paper contends that legitimacy-seeking dynamics stand behind regional governments' receptiveness to various incentives. In a context of changing opportunities, legitimation is indeed a chief concern, instrumental in seeking votes but also in contributing to region-building. This paper hypothesizes that legitimacy-seeking through policy-making is partly path-dependent. In other words, regional governments' legitimation methods via policies are in part shaped by preexisting legitimating principles. Depending on the features of these principles, policies may result in territorial fragmentation, or in the drawing of national boundaries. If it were to be confirmed, this hypothesis would provide a strong explanation for the production of nationally differentiated sets of regional policies as an outcome of regional policy-making. It would thus shed light on a so far neglected and unexpected outcome of regional policy-making in Western Europe: the drawing of national boundaries.

In order to explore how legitimacy-seeking has led regional governments to take up the political incentives provided by the political context since the 1970s, and to uncover how their policy-making has impacted the drawing of national boundaries, two most different cases will be examined here: regional secondary education policy in Germany and in France. Roughly put, German regional governments enjoy the greater autonomy, for since 1969, the federal government's only (shared) responsibility is school planning. French regions, on the other hand, enjoy far less autonomy. Since the mid-1980s, French regions have been responsible for secondary school buildings and equipment, as well as for financial and training planning. Moreover, the institutional background of both countries is distinct. Germany is known for being a cooperative federal system (Benz, 2001, Gunlicks, 2003), while France was long characterized by a highly centralized political system, devolving progressively since the early 1980s (Cole, 2008, Pasquier, 2012). Since then, it has been depicted as a post-Jacobin state (Le Galès, 2008). This comparison between two most-different cases therefore lends support to the argument. The empirical evidence is drawn from a comparative case study of regional policy-making in both countries (Dupuy, 2010).

The first part of this article sets the ground for an analysis of regional legitimacy-seeking policy-making in a context of multiple incentives offered by the political context since the 1970s. The remainder of the paper uncovers how regional governments' policies are partly path-dependent on preexisting legitimating principles in each national context, and shows that as a result, nationally differentiated sets of

regional policies may be developed. The second part of the paper investigates how the incentive for regional governments to use policy-making to influence intergovernmental arrangements in Germany led regional governments to coordinate to some extent their education policies, therefore implementing the longstanding legitimating principle of living condition uniformity. The third part of the paper displays how the incentive to develop social and education policies was taken up by French regions, thereby expanding education policies and tackling a core long-term legitimating principle, namely territorial equality.

## **2. Political Incentives Since the 1970s and Regional Legitimacy-seeking Policy-making**

The main objective of this paper is to contribute to the understanding of the impact of regional policies upon territorial restructuring in Western Europe. Undoubtedly, since the 1970s, many changes regarding institutional arrangements, political steering and regulation in most European countries have affected regional policy-making in various ways. When mapping out this renewed political context<sup>2</sup>, the literature points at three main political incentives that have been significant in understanding regional policy-making.

The incentive to differentiate regional policies in order to meet different needs and preferences among regions is the first and most commonly referred-to incentive. Research in the field of territorial politics emphasizes this incentive when accounting for the factors that shape regional policy-making. Introducing a special issue of *Regional and Federal Studies* on “devolution and policy making in comparative perspective”, Michael Keating and Nicola McEwen draw attention to distinct needs, value and policy preferences and conceptions of social citizenship that may impact regional policy making under the enabling institutional conditions (in particular, the existence or the extent of a framework legislation, the allocation of competence and the control of finance) (2005). This incentive originates from the release of state constraints on regional policy-making. From the field of comparative social policy, Maurizio Ferrera argues very persuasively that, since the 1970s, the strategies available to regional governments to exit national arrangements have increased (2005). As insiders in a social policy program, regional governments have the possibility of exiting national arrangements; as outsiders, they may either enter or stay out of the program (see Ferrera, 2005, p. 30 for further elaboration). The differentiation incentive is a consequence of internal state transformations, notably the devolution of policy responsibilities, the greater funding leverage enjoyed by regions, and the EU-enhanced regional involvement in social policy.

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<sup>2</sup> The political context is broadly defined as the set of institutional and non-institutional settings, resources and constraints.

Various regional policies across Western Europe illustrate that regional governments have taken up this incentive to differentiate regional policy, using it as a policy-making driver. In Spain, Gallego, Gomà and Subirats investigated the emergence of welfare regions as an outcome of three factors: diverging policy preferences, the timing of devolution and the amount of regional resources (2005). Relying on the analysis of several social policies, they make a case for a certain regionalization of welfare provision. Different welfare mixes between public, private, community and familial providers can be read as reflecting diverging policy preferences. Likewise, since devolution in the late 1990s, social policy in Scotland has to some extent displayed Scots' collectivist orientation. It has thus partly diverged from the UK Labor government's "ideas of new public management and [its] market- and consumerist-driven notion of public sector delivery" (McEwen, 2005, see also Wincott, 2006).

Alongside this very much-emphasized incentive to differentiate regional policies, research also points to two other incentives. Though downplayed in the common understanding of regional policy-making, these incentives are in fact vital in explaining it. The second incentive proposes using regional policy-making to influence institutional arrangements. As students of federalism have long shown, in any multi-level system, the relations between the central state and regional governments are far from being stable (Swenden, 2006). Rather, they are characterized by conflicts, negotiations, re-negotiations and, generally speaking, with very few periods of exception, instability. This is all the more true when federal systems are put under pressures, financial pressures for instance, that exacerbate intergovernmental issues (Zibblatt, 2002). These features are very likely to depict multi-level systems as well, where devolution has happened in the short- or middle-run, and where collective practices have not yet been routinized. This second incentive therefore emerges from unstable intergovernmental arrangements, which have, since the 1970s, been the norm. In contexts where intergovernmental arrangements are particularly unstable, regional governments pursue collective- or self-interests in regards to constitutional and financial issues, policy responsibility allocation, policy making and implementation issues, etc. They collectively mobilize through second chambers, organizations that represent their interests or constitutional reform commissions (Keating and Wilson, 2009, Scharpf, 1988).

Regional governments also mobilize through policy-making. Scholars working on sub-state nationalism have demonstrated this convincingly (Béland and Lecours, 2008, McEwen, 2006). For instance, Scottish and Flemish nationalist parties used social policies as a key target of their mobilization and as a tool to establish and strengthen subnational national identity. The "demonstration effect" also illustrates regional governments' mobilization through policy-making (Moreno and Trelles, 2005, Arriba and Moreno, 2005, Guillén, 1996). In the original Spanish case, the Andalusian government used its policy-making capacity to make an institutional demand: the region wished to enjoy the same set of policy responsibilities as the historical nationalities (Catalonia, Galicia, the Basque country). Andalusia implemented policies, though it was not formally responsible for them. The autonomous community aimed in developing these policies to demonstrate to the central state that they were indeed able to deal with policy responsibilities. By seeking for legitimation through policy-making, the region made a case for further devolution. Moreno and Trelles show that Andalusian policy-makers thus made their "*own adaptation of programmes already implemented in other Comunidades Autonomas*" (Moreno & Trelles, 2005, p. 527). The demonstration effect was also found elsewhere in Europe, particularly in France and Germany. In the French case, since

the late 1990s, regional governments have “raced to the top” to develop education policies outside the legal framework. In order to consolidate region-building, each region’s objective has been to prove to the electorate and to the central state that the region was capable of tackling the issues of social and territorial equality – two core values of the French education system.. Therefore, just like they were used by central states in the phase of centre formation (Rokkan and *al.*, 1987), public policies have been powerful tools used by regional governments to impact intergovernmental arrangements (constitutional, legal, financial, etc.) in contexts where they have been particularly subject to change and negotiation.

As a third incentive offered by the political context since the 1970s, regional governments have been encouraged to develop social and education policies. One major feature of the second half of the 20<sup>th</sup> century across Western Europe is the expansion of welfare states. Though diversely (see Ferrera, 1996, Esping-Andersen, 1990, Lewis, 1998), social protection systems have expanded the scope of their intervention by including more social risks and more social groups (see Ferrera, 2005, Leibfried and Mau, 2007). Welfare state expansion has triggered a self-reinforcing mechanism: over time, social policies have developed constituencies whose “support for the welfare state is intense as well as broad” (Pierson, 2001). Drawing on Pierson’s insight that “intensity of preference matters because it is associated with higher rates of political mobilization and with voter’s actual choices at election time” (Pierson, 2001), Campbell argues convincingly that “policy influences the amount and nature of groups’ political activity (...). Public policy can confer resources, motivate interest in government affairs by tying well-being to government action, define groups for mobilization, and even shape the content and meaning of democratic citizenship” (Campbell, 2003). That is why, in a time of permanent austerity and under a “new politics of the welfare state” (Pierson, 2001), governments around the Western world have adopted diversified strategies to cope with budgetary constraints and to avoid blame for cutting welfare programs (Pierson, 2001). The incentive to develop, expand, or, at the very least, to not dismantle social and education policy originates therefore from the development of welfare clienteles by previous policies.

Though contradicting theoretical expectations from fiscal federalism theories<sup>3</sup>, patterns of social policy after devolution in Western European countries share the common trend of social policy

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<sup>3</sup> Fiscal federalism theories argue that subnational governments tend to engage in a “race to the bottom” as far as social policy is concerned Peterson, Paul E. (1995). *The Price of Federalism*. Washington DC: The Brookings Institution.. The rationale behind this is that each subnational government aims at avoiding becoming a welfare magnet, namely to attract poor people instead of investments. Though modified by further elaboration Rodden, Jonathan (2003). "Reviving Leviathan: Fiscal Federalism and the Growth of Government", *International Organization*, 57: 695-729., the general argument made by this strand of literature is that subnational governments have a general interest in decreasing social spending to satisfy voters’ preferences Kirchgässner, Gebhard (2001). "The Effects of Fiscal Institutions on Public Finance: A Survey of the Empirical Evidence", *University of*

development. The many studies focusing on devolved social policies emphasize that devolution was not conducive to welfare dismantling or to a “race to the bottom”. It is certainly not the case in the United Kingdom because of the state’s institutional framework and its “partisan makeup of political culture” (Wincott, 2006). Neither is it the case in Spain, where the “expansion of welfare was linked from the outset with a decentralized structure” (Gallego et al., 2005), nor in France (Dupuy, 2010). In some cases, the development of social policies by regional governments has even led to a decrease in regional inequalities in welfare activity, as Costa-Font shows for Spain using the examples of education, health and long-term care (2010). The incentive to develop social and education policies has thus been taken up by regional governments across Europe.

The contemporary features of the background of regional policy-making are therefore multiple and cannot be reduced to the incentive to differentiate regional policies. But as variously suggested by the above cases, the rationale for regional governments to take up the incentives shows certain commonalities. Regional governments take up incentives in the pursuit of legitimacy. For instance, the demonstration effect in Spain and France highlights that through policy-making, regional governments attempt to build up their legitimacy as newly-established political institutions in the eyes of the central state which tends to downplay it. Similarly, Spanish, Scottish and French regions’ development of education and social policy aims to gain votes by proving the regions capable of tackling core issues for citizens. Legitimacy-seeking through policy-making is thus doubly constructed for Western European regional governments: governments seek both to contribute to region-building and to gain votes. Broadly defined, output legitimacy refers to “the government for the people”. Policy-making aims at demonstrating regional governments’ “capacity to solve problems requiring collective solutions because they could not be solved through individual action, through market exchanges, or through voluntary cooperation in civil society” (Scharpf, 1999).

This paper hypothesizes that the ways in which regional governments across Western Europe have taken up the incentives provided by the political context in each country are partly shaped by legitimacy-seeking and by preexisting legitimating principles (Barker, 2007). Durable are the preferences of citizens and other political actors regarding what is legitimate, and what values must be fulfilled through policy-making. Preferences do not adhere to, or certainly not at the same pace, either formal institutional change or changes in policy-making circumstances. The case of education and social policy-making, discussed above, clearly illustrates this path-dependence of legitimating principles. New opportunities for the expression of territorially differentiated claims (Bartolini, 2004) or increases in territorial mobilizations do not necessarily mean a brutal shift in legitimating principles. The provision of differentiated policy baskets, which may have emerged as a new legitimating principle, is a development very likely to coexist with other previously existing and dominant legitimating principles.

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*St. Gallen Discussion Paper No 2001/15. CESifo Working Paper Series, N. 617, Wellisch, Dietmar (2000). Theory of Public Finance in Federal State. Cambridge: Cambridge University Press.*



The implication of this hypothesis for the impact of regional policies upon national boundaries is straightforward. It is most likely that, in cases where legitimacy issues are salient, regional governments will develop public policy implementing previous legitimating principles. The outcome of such cases is that instead of producing differentiated sets of regional policies, national boundaries may be drawn. In this way, the current paper dismisses explanations which use one of two arguments to describe why regional policies do not produce territorial fragmentation: either because of the strength of state constraints on regional policy-making, be they financial or legal, and the allocation of policy responsibilities (e.g. McEwen and Parry, 2005, Cole, 2005), or because of the absence of a cultural basis for policy differentiation (Mathias, 2005, McEwen, 2005, Erk, 2003). The remainder of this paper documents empirically regional path-dependent legitimacy-seeking policies in the case of German and French secondary education policies.

### **3. Coordinating Regional Policies to Influence Intergovernmental Arrangements in Germany**

The second half of this paper investigates how and under what conditions regional governments take up the incentive to influence intergovernmental arrangements through policy-making, and how this may impact the drawing of national boundaries. We have chosen to examine regional education policy in Germany because of the unlikelihood that regional governments adopt path-dependent strategies to conform to certain preexisting legitimating principles. Surprisingly enough, in this case they have done so; hence our choice of study.

The German political context since 1969 is characterized by an overall evolution of federalism towards more and more entanglement between regional and federal state policy responsibilities (Scharpf et al., 1976, Gunlicks, 2003). Since 1969, when joint tasks were introduced by a constitutional reform, secondary education policy has progressively become the sole policy area in which regional governments have managed to keep out of the reach of the federal government's many attempts at intervention (Schmidt, 1994). In many other areas of education policy, including higher education, German regions have lost large parts of their policy autonomy, challenging the very basis of their sovereignty: that is, here, education policy autonomy (*Kulturhoheit*). Over the years, albeit differently, the federal government has argued that federal intervention was necessary to organize efficient and socially fair regional school systems because regional governments independently were incapable of the task (Dupuy, 2010). Over the last four decades, there has therefore been much instability in intergovernmental arrangements, and much uncertainty regarding education policy allocation of responsibility. The incentive given by the political context to regional governments to assert their secondary education policy autonomy through policy-making has grown stronger as policy autonomy in education has been seen as a warrant for German federalism.

This evolution of German federalism has increased the likeliness that regional governments will protect and avoid any restriction of their autonomy in secondary education policy-making. It is therefore very unlikely that they will agree to coordinate or harmonize this secondary education policy even if "the uniformity of living conditions" has been a major legitimating principle advanced by the federal state since the establishment of the Federal Republic in 1949 (Schmidt, 1994). Yet, regional governments have

collectively agreed on coordinating various dimensions of their secondary education policies on the basis of KMK agreements. The Conference of Education ministers (KMK - *Kultusministerkonferenz*) was established in 1949 by regional governments in order to secure their *Kulturhoheit*, to collectively discuss supra-regional education matters, and to reach a certain level of national homogeneity in education (Fränz and Schulz-Hardt, 1998). It is argued that under strong pressure to recast secondary education policy responsibility, German regional governments sought to secure the *status quo*, developing policies that implemented a preexisting legitimating principle: the promotion of territorial homogenization through the coordination of regional policies<sup>4</sup>.

The simultaneity of the attempts by the federal government (the Chancellery, the Parliament or the Federal ministry) to challenge the distribution of secondary education responsibilities and the amount of coordination agreements reached by the KMK supports this claim. During the 1970s and 80s, the KMK entered into 37% and 38% of its agreements, but only 16% in the 1990s (Stern, 2000). In the 70s, the federal government mobilized heavily to get new school policy responsibilities (Raschert, 1980, Dupuy, 2010), after its failure to secure the joint school planning competence it acquired in 1969 (Dupuy, 2010). During reunification in the late 1980s, before the restoration of regional authorities in the former German Democratic Republic, federal actors tried to take the lead in secondary education matters (Münding, 1995) in a context where the constitutional features of the newly-reunified Germany were highly debated. During this period, heads of German universities also rallied, pointing out the strong heterogeneity of first-year students and noting the detrimental consequences such a wide variety might have on economic growth (Fuchs, 2004). On the contrary, in the 1990s, despite the federal government's attempt to intervene in higher education and in vocational training, secondary education policy was absent from the Federal ministry of Education and Research's agenda, (Anweiler, 2007). Over the same period, the number of "school experiments" receiving federal financial support – that is, innovative policies implemented in select schools only – decreased strongly (Stern, 2000).

The first decade of this century offers a second set of evidence, allowing us to unravel the dynamics at play in regional path dependant legitimacy-seeking policy-making. When the results of the first PISA study were published in the early part of the decade, German results stood below the OECD average (Baumert and et al., 2003), triggering an intense debate surrounding education, largely covered in the media (Ellwein, 1998). Among the debate's main participants were the Chancellery and the Federal ministry of Education and Research. In many statements and newspaper articles, both the Chancellor Gerhard

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<sup>4</sup> Therefore, this explanation partly departs from Fritz Scharpf's analysis of the "joint decision trap" Scharpf, Fritz W. (1988). "The Joint-Decision Trap. Lessons from German Federalism and European Integration", *Public Administration*, 66: 239-287.. Instead of emphasizing the difficulties of regional governments to reach coordination agreements, it is argued that it is sometimes in their collective interest not to reach coordination agreements, in particular when there is no sustained media coverage, or when pressures by the federal government are not high enough: by setting the agenda of the KMK, regional governments demonstrate their ability to tackle issues without actually giving up policy autonomy.

Schröder and the Federal Minister of Education emphasized that the PISA results displayed a collective failure on the part of regional governments to develop efficient school systems<sup>5</sup>. Since the 1960s, the federal government had made the same argument several times, but because this time the PISA study provided data the federal government could rely on, the case was a landmark moment. Until the early 2000s indeed, no statistics and no data of any kind properly compared either regional school systems' performances or regional school systems more generally (Köhler, 1980, Dupuy, 2011a). Not only did the federal government provide voters with information on a collective failure of regional governments, but it also provided solutions to cope with it, namely implementing a national framework and thus abiding by national standards. In addition, the Federal ministry of Education and Research introduced an incentive 4 billion euro program (*Zukunft Bildung*) to promote education policy reforms.

In a political context like the one at hand, where regional governments' legitimacy was strongly challenged and debated, the actors under scrutiny ended up deciding to coordinate important parts of their policies. Coordination was a tool to restore their shaking legitimacy regarding secondary education policy. Indeed, promoting territorial homogeneity, or the "uniformity of living conditions", has been a major legitimating principle advocated by the Federal government and, more broadly, by political and social actors since the 1950s. It is possible to observe the regional governments' coordination efforts in the very evolution of their response to the federal government's pressures. At the end of 2001, the president of the KMK emphasized the necessity to improve the quality of German school systems through standards and evaluation procedures<sup>6</sup>. But each regional government was then in charge of defining its own standards and procedures of evaluation. However, in the spring of 2002, the regional education ministers decided on national standards to be defined by the KMK and to be implemented by each education ministry. These standards broke with previous arrangements not only in terms of their national reach, but also in specifying school curricula content for each school type (*Gymnasium*, *Realschule*, *Hauptschule* and *Gesamtschulen*). They were in this sense more constraining than the standards the education ministers had discussed in 2001: standards had, until this point, consisted only in final examination requirements for the *Gymnasium* and, far less so, for the *Realschule*. In addition, the KMK introduced procedures to evaluate the implementation of the national standards through comparative tests at school, regional and national levels. At the end of 2002, regional governments had agreed on implementing national-wide standards, and through the voice of the president of the KMK, made a strong statement in favour of the federal organization of secondary education<sup>7</sup>.

These regional path-dependent strategies of legitimacy-seeking have led to the coordination of certain dimensions of regional secondary education policies. As a result, nationally differentiated sets of

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<sup>5</sup> See for instance *Die Zeit*, 2002/ 27.

<sup>6</sup> Press Conference, December, 4, 2001, « *Schulisches Lernen muss stärker anwendungsorientiert sein* ».

<sup>7</sup> See in particular *Statement der Präsidentin der Kultusministerkonferenz und Thüringer Ministerin für Wissenschaft, Forschung und Kunst, Prof. Dr. Dagmar Schipanski, zur Vorstellung und Bewertung der PISA-E Studie am 25. Juni 2002*.

regional policies for the KMK agreements bind regional policy-making by common regulations, as the implementation of older agreements (Lohe et al., 1980) as well as recent ones (Avenarius and et al., 2003, Weishaupt and al., 2010) demonstrates. In particular, after the agreements on school curricula in the beginning of the last decade, curricula for a given discipline in each school type have been uniformized. In this case, a nationally differentiated set of regional policies seems therefore to be the outcome of regional policy-making.

#### **4. Expanding education policies to tackle social and territorial inequality in France**

The third part of this article uses the case of French regional education policy to focus on the political incentive to develop social and education policies. It studies the political conditions under which regional governments have taken this incentive up, along with the resultant outcome on drawing national boundaries. Contrary to what existing research might suggest, devolution in France has prompted regional governments to expand education policies and to implement policies conforming to pre-existing legitimating principles. As such, the French case speaks eloquently for the current paper's hypothesis.

The first steps of the devolution process in France were decided upon under François Mitterrand in the early 1980s. Regional institutions were established in the mid-1970s, but these were merely administrative, lacking financial resources. In the wake of the devolution process, they were established as fully-fledged subnational authorities. From 1986 on, their assembly has been elected by direct universal suffrage. In the early 1980s, they were assigned two main policy responsibilities in education and economic development. In education, regional governments were given responsibility for the material dimensions of secondary education. Since then, they have been formally charged with building and maintaining buildings (*lycées*) and athletic facilities as well as planning financially for the schools. This set of education policy responsibilities has often been considered as modest; regions have been qualified as playing "rather restricted functional roles" (Keating and McEwen, 2005). One might therefore expect that after devolution, French regions would have continued developing the same policy the central state had implemented previously. This, however, was not the case.

The devolution project raised very strong opposition from teachers and administrative staff and from the ministerial to the school level. It echoed a wide-spread opinion equating "*republican equality with uniformity. For many French citizens, decentralization [was] synonymous with social regression, unequal provision, even a pre-republican social order*" (Cole, 2005, p. 85). This opinion was even stronger in regards to education matters, for from the late 19<sup>th</sup> century on, central state education policies had emphasized territorial uniformity as the necessary precondition for equal social access to opportunities. Ever since, these values, territorial and social equality, have been at the heart of the French education system (Van Zanten, 2006), values which, in the mid-1980s, regional governments were widely and forcefully blamed for challenging. As institutions without reliance on either input or output legitimacy to contribute to region-building or to garner votes, regions struggled doubly. In order to seek legitimacy, French regional governments took up the political incentive to develop education policies, thus conforming to a strong pre-

existing legitimating principle, expanding education policies in order to tackle the issue of territorial inequality in education. This objective has often been expressed explicitly by high civil servants running the regional education office (Dupuy, 2010). Immediately following devolution, regional governments carried out an investigation into the condition of high school (*lycée*) buildings. Each government was struck not only by intra-regional disparity but also by the poor physical shape of the buildings generally. The investigation triggered a political mobilization of each regional government which aimed to cope with the bad physical state of school buildings as well as with the subregional inequalities in provision. As such, regional governments had replicated a core legitimating principle of central state policies, that is, the promotion of territorial equality.

In observing budgetary data, it is possible to bear further witness to the expansion of regional education policy. Until the early 2000s, when regional governments were given the responsibility for train transportation, regional education policy had been the regions' largest policy budgetary commitment.

**Table 1: Share of education spending in total spending of French regions (%)**

	1987	1988	1990	1992	1994	1996	1998	2000	2002
Metropolitan regions	22,7	26,9	35,6	35,1	28,6	26,3	23,5	22,7	20,4

Source: *Les finances régionales*, Ministry of the Interior, DGCL.

Second, since the mid-1980s, regional governments have invested massively in secondary education policy by increasing regional taxes or by issuing regional debt loan, a fact that becomes evident when one compares central state and regional government spending. Central state spending is measured by the amount of grants earmarked to regions aiming at covering the costs of devolved responsibilities. Transfers calculation for year Y mainly relies on year Y-1 and Y-2 amounts, that is, on state spending before devolution (CCEC, 1999). There are two types of grants, one to compensate for running costs (DGD – *dotation générale de décentralisation*) and one to cover investment costs (DRES – *dotation régionale d'équipement scolaire*). Between 1986 and 1992 and since 2000 onward, metropolitan French regions<sup>8</sup> spent 10 % more than the state grant amount for running costs (see table 2). Between 1993 and 1997, these regions spent around 6 % less than the grant and about the same in 1998 and 1999.

**Table 2: Central state/ regional spending ratio (running and investment costs)**

Year	Running costs ratio	Investment costs ratio
1986	0.91	0.70

<sup>8</sup> Excluding Corsica, as in the rest of the presented data.

1987	0.92	0.45
1988	0.91	0.44
1989	0.92	0,44
1990	0.93	0.19
1991	0.91	0.24
1992	0.90	0.24
1993	1.09	0.24
1994	1.08	0.20
1995	1.06	0.20
1996	1.03	0.21
1997	1.04	0.20
1998	1.00	0.21
1999	0.99	0.21
2000	0.95	0.23
2001	0.94	0.23
2002	0.91	0.21
2003	0.91	0.20

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Source: Author's own calculations. Data from *Comptes administratifs des régions*, Direction générale des collectivités locales, Ministry of the Interior.

The ratio between state financial transfers and regional government spending for investment costs is striking (see table 2). Since 1990, metropolitan regional governments have spent on average 80 % more than the state grant amounts. State transfers have covered about 20 % of the investments made by regional governments.

The increase in secondary education spending holds true for each single French metropolitan region, even the poorest regions<sup>9</sup>. From the mid-1980s to the mid-2000s, Languedoc-Roussillon, Limousin, et Nord Pas de Calais were the poorest regions, measured in regional GDP<sup>10</sup>, whereas Ile de France, Alsace, Rhône-Alpes and Provence-Alpes-Côte d'Azur were among the richest. The comparison of each

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<sup>9</sup> The same holds true for right-wing and left-wing governments Dupuy, Claire (2011b). "Y a-t-il de la politique dans les politiques régionales d'éducation ?", in Barone, Sylvain (ed.) *Les politiques régionales en France*. Paris: La Découverte - PACTE, 65-83..

<sup>10</sup> [http://www.insee.fr/fr/themes/detail.asp?reg\\_id=99&ref\\_id=pib-va-reg](http://www.insee.fr/fr/themes/detail.asp?reg_id=99&ref_id=pib-va-reg) (16 December 2011).

regional investment ratio shows that, like the richest regions, the poorest regions' spending went above the state grant amount.

**Table 3: Central state/ regional governments spending ratio (investment costs) for the poorest and the richest French regions**

Regions	1986	1987	1988-89	1990	1991-92-93	1994-95 <sup>2000</sup>	1996-98-99	2000	2003
Limousin	4,17	0,75	0,69	0,26	0,44	0,30	0,34	0,23	0,19
Nord-Pas de Calais	0,67	0,36	0,64	0,22	0,32	0,19	0,20	0,25	0,21
Languedoc-Roussillon	1,51	1,1	0,40	0,23	0,25	0,19	0,20	0,20	0,14
Ile de France	0,80	0,53	0,31	0,10	0,18	0,16	0,17	0,17	0,18
Alsace	2,21	0,41	0,51	0,21	0,30	0,28	0,23	0,27	0,27
Rhône-Alpes	0,46	0,49	0,57	0,25	0,24	0,16	0,16	0,16	0,16
Provence-Alpes Côte d'Azur	0,23	0,34	0,43	0,41	0,17	0,18	0,22	0,38	0,20
<b>Metropolitan regions</b>	<b>0,70</b>	<b>0,45</b>	<b>0,44</b>	<b>0,19</b>	<b>0,24</b>	<b>0,20</b>	<b>0,21</b>	<b>0,23</b>	<b>0,20</b>

Source : Author's calculations. DGCL, Ministry of the Interior.

The significant expansion of secondary education policy in each French region since mid-1980s compared with central state policy prior to devolution has led to nationally differentiated sets of regional policies. The evolution in time of their outputs makes it very clear. Data on the outputs are taken from a survey by the Ministry of National Education describing the material state of school buildings (*Enquête sur le patrimoine immobilier – EPI*). Among the existing survey indicators, some of them are presented below: the average surface area per pupil in the *lycée* buildings, the average number of pupils per library seat, the average surface area per pupil in the science and computer classrooms. For every indicator of policy output considered, variance value decreases, meaning that the outputs of each regional policy are becoming more similar over time within metropolitan regions. For instance, the variance of the average surface area per pupil in the *lycées d'enseignement general* decreases from 13 in 1989 to 5 in 2003. As far as the number of pupil per library seat is concerned, the variance decreases from 108 in 1998 to 7 in 2003 (the indicator was introduced to the survey in 1996). These results help support the hypothesis of a nationally differentiated set of regional policies as outcome.

**Table 4: Regional policy outputs**

<i>Indicators</i>		1989	1998	2003
Surface area per pupil – Lycée d'enseignement général et technologique	Mean	15.2	-	15.3
	Variance	12.96	-	5.08
Surface area per pupil – Lycée professionnel	Mean	18.5	-	21.3
	Variance	68.96	-	13.87
Number of pupil per library seat <sup>11</sup>	Mean	-	26	17
	Variance	-	108.49	7.26
Surface area per pupil in science classroom	Mean	-	83	72
	Variance	-	53.76	34.83
Surface area per pupil in computer classroom	Mean	-	67	58
	Variance	-	45.99	13.35

Source: Author's own calculation. Data from EPI survey 1989, 1998 and 2003.

## 5. Conclusion

This paper aimed at exploring the impact of regional policies on territorial restructuring in Western Europe since the 1970s. It challenged the common assumption that the political context across Europe has provided incentives to regional governments for the sole purpose of differentiating their policies to meet different needs and preferences. The paper opened with a presentation of two other incentives downplayed in the existing literature, namely the incentive to use policy making to impact intergovernmental arrangements and the incentive to develop social and education policies. It was demonstrated how these incentives account empirically for important dimensions of regional policy-making in Western European countries. These various incentives are taken up by regional governments seeking legitimacy through policy-making. Against this backdrop, the paper hypothesized that regional policy-making based on legitimacy-seeking is partly path-dependent on previous legitimating principles. Depending on the qualification of the legitimating principle, the outcomes of regional policies vary from territorial fragmentation or the drawing of national boundaries through policy making. Thus the paper provides a strong explanation for the outcome of regional policy-making in many empirical cases: instead of differentiated regional policy regimes, as often expected, policy-making results in the production of nationally differentiated sets of regional policies. The rest of the paper documented empirically how preexisting legitimating principles shaped regional governments' policies in significant legitimization issues. The hypothesis was confirmed in two contrasting institutional contexts, Germany and France.

<sup>11</sup> The following indicators were introduced in the survey in 1996.



The paper concludes that in the last past four decades in Western European countries, regional policy-making has contributed to the drawing of national boundaries and cannot systematically be associated with the production of territorial fragmentation. The implications of the conclusion are manifold. First, we contribute to the ongoing debates surrounding territorial restructuring. Some argue that the contemporary period features an unbundling of territoriality (Ruggie, 1993), or even territoriality's demise (Badie, 1995). Others oppose this position, and suggests instead a "restructuring of territoriality" (Ansell and Di Palma, 2004). The current paper supports this second group, showing that despite unbundling pressures on national boundaries due in particular to the rise of regional governments across Europe, these boundaries are in fact partly the outcome of regional policy making. Therefore, the territorial boundaries of the European states are not blurred but, on the contrary, drawn and redrawn by regional policies. Second, this conclusion raises a major issue regarding contemporary state transformation (King and Le Galès, 2011). Indeed, we suggest here that since the 1970s, regional policies have partially taken charge of one of the main tasks that central states have been responsible for since centre-formation, that is, drawing national boundaries through policy making. As such it is necessary to further elaborate on its implications for the ability of Western European states to control their territory, one of these states' core features (Weber, 1971). The last issue regards the feedback of regional legitimacy-seeking policy-making on output legitimacy (Soss, 1999, Kumlin, 2004). Do regional policies across Western Europe in fact achieve legitimation through policy making? Are regional institutions becoming more legitimate thanks to their social and education policy-making, or does the state reap the fruits of the regional governments' efforts? In order to better understand major contemporary changes in Western Europe, it is thus necessary to study the various dimensions of territorial restructuring.

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