
Research Paper

BREAKING THROUGH RIGID ADMINISTRATIVE BOUNDARIES

Synergies in 'soft' spaces of cooperation

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Abstract

The concept of 'soft' spaces has been introduced in the pursuit of capturing the reality of cooperation practices, marked by continuous attempts to promote new policy scales, initially through the device of fuzzy boundaries. Within such a challenging context - where interests overlap but administrative units do not - the interaction of actors in these areas often remains weak. The study focuses on exploring cooperation motives and implications arising among stakeholders in these 'soft' spaces of interaction. Through informal and semi-formal processes of negotiation employed by several relevant actors, the two case study regions attempt to overcome the clashes between local, national and supranational political and administrative discourses.

Keywords

Soft spaces, regionalization policies, territorial rescaling, relational networks,

1. Introduction

The necessity to address common interests across borders still face rigid administrative boundaries. Financial power, infrastructure coordination, ecological and environmental concerns are under the regulation of the different actors, with their respective hierarchical structures of government and governance. Shared interests thenceforward, in their application, remain limited within distinct administrative unit.

Following the necessity for spatial planning to focus on 'what works' in terms of implementation and policy delivery, the notion 'soft' spaces of cooperation has been in the spotlight of many academics working on territorial cooperation units. The concept of 'soft' spaces is a recently developed one, therefore, the rationale behind the concept is still to be explored. However, most literature has pointed out to functional needs as usual motivation for the emergence of 'soft' spaces. Allmendinger and Haughton (2009), refer to functional needs as a response to challenges of environmental character. In this case, local communities need to come together to address interests from beyond existing territorial concerns, by bringing in new forms of actor networks in order to challenge the complexity of

social issues and institutions. When restrained within fixed administrative boundaries, it becomes more difficult to reflect the geographies of the problem. Governmental structures, fail to address functional linkages within their politico-administrative territories, therefore, in such scenarios, policy-makers and interested parties need to come up with tailor-made solutions, addressing issues from both sides of the border.

Additionally, as also detected by Allmendinger et al. (2015), these spaces of interaction are motivated by the necessity to create a more efficient arena for stakeholder cooperation. In a context where environmental, social and economic issues are interconnected and pass across rigid administrative borders, sectoral and hierarchic forms of policy-making are no longer efficient. When these new actor networks come together they help to tackle territorial issues by indicating for public authorities the right geographical scale and the focus of policy design, by endorsing in this way, specific strategies or goals. This type of 'soft' space becomes an attempt to re-brand regions and redirect the existent vision of the area (Carius de Barros, 2018).

As a reaction on and reflection of this complex and challenging context, where societies are becoming more fluid, the administrative boundaries should follow. From a societal point of view, this study analyses the mechanisms and processes of governance employed by institutions and communities in these cross-border regions. By looking inside and outside the EU borders, it can contribute to both the European Union Community and the neighbouring countries, by deepening the understanding of cross-border processes inside and outside the border. Following this line of thought, cross-border cooperation programs and projects have been developed as a means of proposing more adequate narratives to the context of hard administrative borders and the communities in these areas.

In addition, this paper explores cross-border cooperation initiatives and their supportive frameworks inside and outside the EU, in order to understand and compare the challenges faced in a 'soft' cooperation context and furthermore, to investigate the role and attitude of the EU as a triggering or hindering mechanism. Within its own administrative boundaries, new processes of territorial rescaling which came as a result of EU Regional Policies can be seen as a driver for 'soft' territorial cooperation. However, these soft and informal spatial approaches go hand in hand with hard and formal regulations which affect spatial development (Haxhija, 2018)

Cross-border cooperation across the outer EU borders is, however, embedded in a highly complex context where different historical path, motivations, policy and institutional frameworks coexist with local and regional attempts of promoting development. While CBC within EU may encompass a narrative of unity and 'soft' territorial cooperation, such activity across the EU outer borders are surrounded by 'hard' spaces as security, exercise of influence and external relations (Carius de Barros, 2018).

The empirical research has been conducted by using two different approaches, border areas inside and outside the EU administrative boundaries. It focuses on the network set-up which involves different governmental and non-governmental bodies from both sides of the border and draws upon alternatives to foster their cooperation despite the different cultural, institutional and organizational arrangements. Through informal and semi-formal processes of negotiation employed by several relevant actors, the regions attempt to overcome the clashes between local, national and supranational political and administrative discourses.

Interviews and on-site analysis are the two main methods which have been used during the data collection process.

2. Concept of soft spaces

Alternative forms of policy delivery, in a highly and increasingly complex context of spatial planning, have been discussed by both academics and practitioners. Increasing recognition is given to the fact that recurrent issues in spatial planning, as environmental and social challenges, are often not limited by the governance units commonly used, such as territorial and political borders (Carius de Barros, 2018). In this context, the idea of soft spaces has been explored as a way to explain "continuous attempts to promote new policy scales" (Haxhija, 2018, pg 5), which aim to overcome the territorial and governance boundaries typical of planning systems (Allmendinger, Haughton, Knieling & Othengrafen, 2015).

The narrative on soft spaces and its surge relates to the New Labour's approach to spatial planning in the United Kingdom and the process of devolution it sought to promote (Davoudi & Strange, 2009). Further diving into such notion is provided by Allmendinger & Haughton (2009), who explored the growing demand for alternative approaches to planning in complex, multi-stakeholders scenarios:

So, whilst planning still needs its clear legal 'fix' around set boundaries for formal plans, if it is to reflect the more complex relational world of associational relationships which stretch across a range of geographies, planning also needs to operate through other spaces, and it is these we think of as 'soft spaces' (Allmendinger and Haughton, 2009, p.619).

Allmendinger et. al. (2015) explains such space as 'new geographies' that give the opportunity to gather different actors that, though motivated by various reasons, pursue the solution or improvement of complex issues. These spaces may overlay with fixed administrative boundaries, such as institutional frameworks, but may also entirely deny and challenge those (Othengrafen, Knieling, Haughton & Allmendinger, 2015). Soft spaces are, thus, "flexible governance arrangements that aim at overcoming institutional borders and entrenched practices by inserting new ways of doing things" (Telle, 2017, p.94).

The semi- or in- formality of soft spaces is an essential part of their functioning, which allows for a degree of flexibility, considering its non-statutory governance modes (Metzger and Schmitt, 2012). On the other side, however, the interaction of these soft spaces with well established governmental institutions allow for a certain degree of formality that, consequently legitimates such soft spaces and their networks (Allmendinger et al., 2015; Telle, 2017).

The networks involved in the establishment and functioning of soft spaces may be understood as 'communities of intent', i.e. constellations of actors cooperating towards certain goals and motivated by specific challenges (Chilla et al., 2017). While such concept suggests an essential bottom-up nature of communities of intent and, consequently, of soft

spaces, it is important to notice the top-down character of processes present in soft spaces (Haxhija, 2018). In the same line, 'soft' and 'hard' spaces should not be approached as opposite and excluding concepts. As Mezger and Schmitt (2012, p.276) explain, this 'soft' nature should not be understood "as an absolute property of certain spatial entities, and not as eternal but, rather, as a contingent stage in the development trajectories of some spatial entities".

Empirical studies have been developed in the attempt of shedding further light on the functioning of soft spaces, especially under territorial cooperation processes. The Tames Gateway Development Corporation, aiming at brownfield conversion and development is an example. Understood as an 'implementation' type of cooperation, as Chilla et al. (2017) clarifies, it is characterized by a strong participatory aspect that leads actors to take larger ownership of the project.

The ESPON Actarea project, for instance, explores several examples of soft territorial cooperation, concluding these often have a cross-border nature. Such findings relate to Chila et al.'s (2017) findings of what the author defines as 'instrumental' cooperation, where policy frameworks lay the ground for the functioning of such spaces. Instrumental initiatives are often of cross-border nature (Ibid).

In the same context, Telle (2017) suggests an analysis of Euroregions under the concept of soft spaces. The author compares two Euroregions, Šumava and Pomoraví, and present those as soft spaces aiming to manage overarching physical and governance issues. Difficulties to overcome the administrative and political boundaries typical of cross-border contexts are part of the processes for both regions in the pursuit of cooperation across borders.

Finally, it is possible to conclude that soft spaces are involved with the attempts to overcome varying barriers typical of formal, rigid administrative spheres. Stakeholders of different nature, motivated by several reasons, build upon shared interests to reach fruitful cooperation in terms of development. Under the concept of soft spaces, the next section will analyse cross-border cooperation in different contexts, within the EU and across its external borders.

3. The EU approach to soft spaces of cooperation

3.1. CBC within the EU

Due to ever-growing globalisation processes, new forms of territorial cooperation have been introduced in the EU, in order for its cities and regions to become more present transnationally and increase their competitive advantage as global players. The EU Regional Policy has been initiated as a result of – however, not limited to – the necessity to manage dynamics in these new forms of territorial cooperation. Within its framework, new funding opportunities have been developed to support cross-border and interregional cooperation networks. In this new territorial context, it becomes difficult for political action to be fully legitimate by serving only to fixed territorial boundaries and its communities. Therefore, new conditions aiming at taking into consideration the practical and dynamic aspects of

relational spaces, ask for more tailor-made policies and place-based practices. Where the current institutional set-up, fails to explain cooperation going beyond administrative units, 'soft' forms of cooperation make sense to be used in order to explain and analyse these new forms of territorial development (Haxhija, 2018).

While the EU, using the EU Regional Policy as a supporting framework, has been one of the main drivers to trigger the establishment of these new territorial complexes, its political and institutional approach is not parallel to its 'soft' territorial approach. The EU Regional Policy is a clear example of this controversial approach. As stated by Davoudi (2007), the EU Regional Policy contributed to the creation of 'soft' spaces by operating at the NUTS2 level, which in most countries is not part of the statutory system. However, its political and institutional approach does not go hand in hand with its 'soft' territorial cooperative approach, where strict rules are to be met by local and regional actors in order to receive funding, deflecting in this way the bottom-up planning attitude as an integral part of 'soft' spaces. Suffice to say, that within these new spaces of interaction, governmental actors remain the main entities accountable for the negotiation of agreements and programs (Purkathofer, 2016). Having predefined scales, actors and instruments which influence spatial planning create conflicts and tensions when state-bounded territorial and relational networked governance, are faced.

The same controversial approach of the EU towards 'soft' spaces is spotted in what is known as macro-regional strategies. The EU has been the main driver for the emergence of macro-regions such as the Baltic Sea Region, Danube Region and the likes. These new spaces constitute a new type of planning across Europe where collaborative methods shed light into the importance of widening stakeholder involvement beyond traditional power elites and building new institutional capital by involving social networks (Haxhija, 2018). However, the institutions rules and funding instruments upon which they operate are grounded in old and fixed territorial boundaries. Therefore, these new spaces of network among interested stakeholders, lack decision-making powers for its actors and institutions that emerge as a result of cross-border cooperation.

3.2. CBC along the EU outer borders

Cross-border cooperation along the outer borders of EU, on its turn, has surged and functioned according to a different historical path and different motivations by both EU and partner countries. While CBC within EU encompassed an approach of unity and 'soft' territorial cooperation, its practice across the EU outer borders is surrounded by 'harder' issues as security, exercise of influence and external relations.

CBC, in the context of EU outer borders, played a key role in relations between the Union and its neighbours since the 1990's, through programmes such as TACIS and INTERREG (Wassenberg et al., 2015). TACIS, the Technical Aid to the Commonwealth of Independent States, was a programme established by the EU as a means to support growth of the areas recently independent from Soviet Union and Georgia, focusing on sectors such as energy, food and financials (European Commission, 2018). Such initiative did not focus on cross-border cooperation, but did count with it as one of its dimensions.

Cross-border cooperation gained later a more central role in the INTERREG programmes, who were initially intended to foster a borderless EU, thus focusing on its member states.

However, with the enlargement wave in the 2000's, the programme became more relevant to the outer borders, as a tool to promote cooperation among EU and the candidate states (Liikanen, 2008). INTERREG had, however, its paradoxical role. It became an important tool of connection across EU outer borders enabling, for instance, regional development, infrastructure and environmental projects in the second half of 1990s (Järviö, 2012). However, the essential nature of INTERREG meant it remained an exclusively intra-EU financial tool, therefore its funds could not be applied in neighbour countries (Wesselink & Boschma, 2017). For CBC to be implemented across these borders, a combination of different funding mechanisms was necessary. Such arrangements represented itself a difficulty in the process of developing proper spaces of cooperation across the EU outer borders.

Policy frameworks for cooperation across these borders have developed along time, with the start in 2004 of the European Neighbourhood Policy (ENP). The policy built upon the experience of both TACIS and INTERREG (Khasson, 2013), steering cooperation among EU and its Eastern, North African, Middle Eastern and Caucasus neighbours (EAAS, 2016; Kelley, 2006). Through its instrument (ENPI), the policy set a common framework and funding mechanism for cooperation, which allowed for a maximum 90% of EU contribution.

Such framework, although addressing existing barriers such as funding mechanisms, still comprised of hindering elements in the process of developing spaces of cooperation. As Järviö (2012) clarified, the ENP had a strong external aid dimension that contradicted its own efforts to promote mutual and equal cooperation. Herein, such dimension can be understood as a 'hardness' essence, opposing the proposition of a 'soft' cooperation across borders towards regional development.

The co-existence of both aforementioned aspects also resulted in clashes between EU and neighbours. For instance, the relations between Russia and the EU in the context of the ENP represent an example of the struggles of cross-border cooperation between soft and hard spaces. In 2003, Russia refused to become an EU partner within the ENP framework, as Russia interpreted it as an unbalanced type of arrangement, where the EU had a position of influence over the partner country. A special relationship was created among both actors, around "common spaces" (economic; freedom, security and justice; cooperation in the field of external security; and research, education and culture) (Liikanen, 2008). Russia also introduced 50% contribution of financial allocations becoming the only equal funding partner to the CBC programmes with the EU and, consequently, gaining more influence over those (Järviö, 2011). Disagreements between Russia and EU over regulations and financial agreements have, however, represented a barrier to cross-border cooperation, as evidenced by the delay to the start of the CBC programmes across EU-Russian borders and consequent delay to calls for projects and implementation of the 2007-2013 period (Ibid).

4. Case studies

4.1. The Dutch-German case ¹

The Dutch-German case study (Figure 1) cooperates at a cross-border setting focusing on a common natural linkage and asset such as the Rhine river. It includes the province of Gelderland from the Dutch side and the district of Düsseldorf in Nordrhein-Westfalen.

Both countries work with common supranational European legal and institutional framework when it comes to water and environmental related issues (e.g. Water Framework Directive). Despite this, in reality, cross-border water policy in the area faces noticeable disparities from one side of the border to the other, due to different planning modes, different priorities in their respective territorial agenda and different legal and political conditions. For instance, as mentioned by several interested actors there are different norms and rules when it comes to water quality.



Figure 1 The Dutch-German cross-border region (Haxhija, 2018)

In any case, international (EU) regulations or national involvement in transboundary initiatives (ICPR) are mentioned as tools and policy frameworks used to facilitate cooperation. Therefore, as Haxhija (2018) mentions, international legislation tends to serve as a mechanism to stimulate transboundary governance at a regional level by formally institutionalizing cooperation and putting performance obligations.

¹ The case study draws upon empirical data which have been previously collected and analyzed by Haxhija S. 2018., in "An institutional and cultural perspective on 'soft' spaces of cooperation: Findings from a transboundary Dutch-German cooperation network."

As it has been confirmed by both German and Dutch regional bodies during the interviews, cross-border governance in the region is quite complex and not easy to coordinate due to imbalances in policy competencies. When dealing with water management issues the Dutch side has a more concentrated approach with its water boards who are the main responsible bodies at a regional level. Despite the fact that water boards should exist seemingly for all countries as regulated in the WFD, the same cannot be applied to the German side, where water competencies are much more fragmented within different levels. Within such different organizational settings, with the German side sharing competences on water issues among several small organizations, the decision-making process for common issues is prolonged (Haxhija, 2018).

Following this line of thought, there is no direct connection between governmental institutions from both sides. This institutional discrepancy poses a challenge to the cooperation process where both sides of the border have difficulties finding their counterparts to cooperate with.

Other elements challenging the cross-border governance management in the area, are disparities in political commitment across different water governance levels in both sides, where the Dutch side is more agile and willing to push forward the cooperation process. As Haxhija (2018) states "...the upstream-downstream relationships introduce an element of asymmetry and dependence. The dependence lies mainly on the downstream partners, regional Dutch water authorities, resulting in a more active role in cross-border cooperation on the Dutch side".

On the other hand, both countries lack the right tools to support cross-border cooperation initiatives. The hierarchical and very formalized institutional structure in the German side seems to be slowing down the cooperation process in the two countries. As stated by interviewees in both countries, the Dutch quick, flexible, heterarchical and informal institutional structure is much more convenient. In any case, the problem that arises here is the fact that there is no common entity with full legitimate power to coordinate the cross-border initiative (Haxhija, 2018). Cooperative networks from both sides of the border try to explore and benefit from additional venues which can foster the process. At a regional level, Euregio Rhine-Waal is the only common entity which supports cross-border cooperation in the area. CBCs established in this area benefit from the history that the Euregio has in cross-border trust building and network. Additionally, in a transboundary context, international arrangements can produce common norms and values by encouraging the integration of the interests of the involved countries (Wiering et al., 2010). However, despite the fact that it works as a catalyst to attract CBC initiatives, it is not equipped with enough decision-making powers and its legal framework cannot prevail over those of each respective country.

All in all, the entire cross-border area communicates due to functional linkages such as ecological, social and economic ones. It can be interpreted as a soft space, which at the moment lacks the right formalized tools to legitimate its decisions. However, its constant progress throughout time shows that there are possibilities to 'harden' the institutions and policy strategies which foster the cooperation initiatives in the area.

4.2. The Finnish-Russian case²

The present case study approaches the CBC Karelia programme, across the Finnish-Russian borders, analysing more specifically the cooperation project “Saving our joint treasure: sustainable trout fisheries for the transborder Oulanka river system”.

The Karelia CBC programme area include the regions of Oulu, North Karelia and Kainuu in Finland, and the Republic of Karelia in Russia (Figure 2). With three crossing points, the 700 km long border counts with 1.3 million inhabitants in low dense, sparsely populated areas (DG NEAR, 2018). Cooperation in the region is ongoing since the first EU programmes of TACIS and INTERREG, and continues today under the ENPI framework.



Figure 2 The Karelia CBC programme region (Carius de Barros, 2018)

The project herein analysed, “Saving our joint treasure”, consisted in the pursuit of a joint management system of brown trout fish stock (*Salmo trutta*), which inhabit the Oulanka river system across these borders. The species, during its life-cycle, navigates across different parts of the ecosystem within the Finnish Oulanka Natural Park and the Russian Paanajärvi National Park (CBC PROJECTS, 2018a; Metsähallitus, n.d.) (figure 2). In itself, the essence of such project is to address an environmental issue that, as typical of such challenges, is not bound by politico-administrative borders. Therefore, the sustainability of such fish stock depends upon cooperation between actors on both sides of the borders.

² The case study draws upon empirical data previously collected and analyzed by Carius de Barros, 2018, in ‘The Karelia Cross-border Cooperation Programme: A soft space on the Finnish-Russian hard borders.’

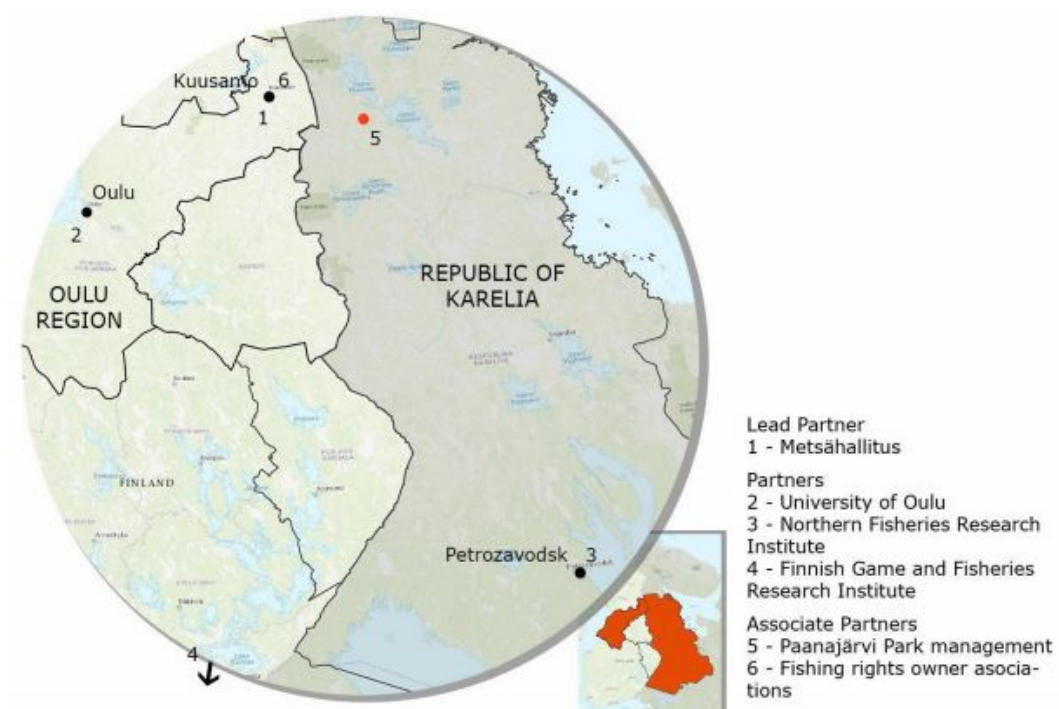


Figure 3 'Saving our joint treasure' project - partners and location (Carius de Barros, 2018)

Taking place between January 2013 and December 2014, activities such as the scientific monitoring of the fish population, studies on socio-economic impact for local fisherman, as well as an awareness campaign on the value of the brown trout stock for the community were elements of the project (CBC PROJECTS, 2018a; EUROPARC Federation, 2018). Participants of the project were Metsähallitus, a Finnish state-owned company managing the country's natural parks; the University of Oulu; the Finnish Game and Fisheries Research Institute (currently Natural Resources Institute of Finland), and the Northern Fisheries Research Institute in Petrozavodsk, Russia (KEEP, 2015a). Other partners were the Paanajärvi National Park; the Municipality of Kuusamo in Finland; and several association bodies representing private owners of water areas along the Oulanka river system in Finland (EUROPARC Federation, 2018).

The motivation of such project is mostly based on an environmental challenge, the sustainability of a joint fish stock management. As Carius de Barros (2018, p.37) finds, the shared resource and shared need to guarantee its survival transforms it into a "transboundary matter which, to be effectively handled, must be negotiated across the distinct formal structures of each country".

Nevertheless, the challenges faced by the project were mostly related to the political and administrative barriers posed by the different spheres across the borders. As the project materials mention as a challenge, activities took place "in a time when high level political relationships between the EU (with Finland as a member) and the Russian Federation were quite challenging" (EUROPARC Federation, 2018). An example is the long delay to the

beginning of the programme start, due to disagreements in high-level between Moscow and the EU over the approval of the ENP CBC framework (Carius de Barros, 2018).

Challenges faced related not only due to the shaking relations between EU, Finland and Russia, but also the different regulatory and administrative demands and cultures (Carius de Barros, 2018). For instance, different standards are applied by Finland and Russia in terms of fishing regulation, which makes it difficult to guarantee the sustainability of such fish stock for all regions involved, which is even more detrimental to the Finnish local economy and biodiversity (Ibid). Furthermore, Visa issues hindering the movement of partners across borders, as well as customs barriers to the transfer of equipment were among the challenges the project faced in order to achieve success (Ibid).

Such challenges were faced by actors in several levels of both project and programme and tackled through mechanisms such as negotiation, knowledge exchange and support that characterize a soft approach to overcome the barriers of the outer EU borders context.

At a higher level, for instance, informal negotiations by interested actors, outside the formal discussion tables were essential to bring about the programme itself. According to Carius de Barros (2018, p.41) findings, the approval of the ENPI CBC programmes required an alternative approach by the Finnish Ministry, “a slight of hand”, which appears to involve an informal diplomatic influence over the process, since the agreement itself did not comply entirely with Russian legislation. At the project level, similar processes took place aiming to overcome the hard borders and its typical barriers, for instance, with exchange of information and support between institutions in the pursuit of visas and permits (Ibid). The centralization of power common in the Russian Federation was also a point of struggle for the Russian and Finnish actors alike, who pursued to maintain a strong partnership to compensate for possible complications coming from higher levels.

A bottom-up approach towards developing a space for cooperation is clear, where local stakeholders count on each other to achieve solutions; programme level actors pursue to influence the Finnish-Russian decision making and negotiation; and where Finnish national level actors pursue to influence supranational levels as an intermediate between EU and Russia (Carius de Barros, 2018).

The project has managed to develop a successful study into the dynamics and challenges in the life-cycle of the trout population as it aimed, as well as strategies of management, generating also the proposal of another project in the fisheries field gathering old and new stakeholders (Carius de Barros, 2018). In this sense, the project can be considered to have developed a consistent soft space where actors are continuously pursuing further development through partnerships and the overcoming of shared challenges.

It is in this context that the Karelia CBC programme can be interpreted as a soft space in construction. Stakeholders, public and private, aim to tackle issues of shared interest. While the cooperation is made possible by the ‘hard’ spaces of policy frameworks, such as the ENP, financial mechanisms, high-level agreements between national and supranational levels, these do also lead to hindering processes. Both programme and project level stakeholders constantly engage in semi and informal negotiation and exchange in order to breach the gap left between administrative spheres and promote development.

5. Conclusions

Both case studies, the Finnish-Russian and Dutch-German borders, reveal a type of soft space motivated by the overcoming of shared environmental challenges.

The Karelia study case shows how the 'hard' spaces promoted by EU frameworks, in this case, the ENP, enable cooperation in the sense it provides a common space, institutional parameters and funding mechanisms that allow for the functioning of formal procedures. Nevertheless, at the same time, such 'hardness' often represent a barrier in itself to the activities of cooperation, resulting in the need for stakeholders to work across such barriers and overcome the very frameworks set in the first place. Soft and hard spaces are thus in constant interconnection, where the latter both reinforces and hinders the former.

The Dutch-German case study is based on flexible and spontaneous networks who come together to solve a joint ecological issue. It is true that within such a flexible cooperation network, actors can easily identify relevant issues and partners to work with, as they are driven by common interests. However, working together in such a 'soft' context of planning their cooperation process is hindered by the lack of common norms, rules, procedures and policy frameworks. At the same time, hierarchical forms of policy-making pose a barrier when cooperating in a cross-border context. This relates back to theories of 'soft' spaces, where hierarchical forms of governing cross border regions are seen as less efficient.

In Karelia the creation of a soft space for cooperation is achieved through informal and semi-formal negotiation mechanisms, support and knowledge exchange among stakeholders.

Carius de Barros (2018) concludes, the Karelia CBC programme "can be understood as the enabler of communication between different levels and interests, as well as a regionalization of decision-making".

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