



The “Pays” — Inter-Communal Cooperation and Territorial Planning Units. The French Experience and its Applicability to Romania

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Rationale

With the numerical increase of communes, a local tendency to fragmentation has become obvious especially after 2000¹. This situation calls for the elaboration of a new territorial planning strategy either: by creating an under-departmental type of administration resembling the French “*arondissement*” (or the small rural district - Rom. “*plasă*” extent in inter-war Romania), or by having new, flexible structures of inter-communal association based on common interests and established by people’s free accord. In the first case, the political-administrative decision rests with the centre and is sanctioned in a referendum; in the second case, the initiative belongs exclusively to the local communities. From this viewpoint, we consider that extrapolating the French “*pays*” model to Romania would be a useful and beneficial experiment with positive impact on the evolution of the Romanian village. We use the term “*village*” because, with a few exceptions, the new urban nuclei created after 1945, have not become real polarization cores with urban functions. In most cases, whether enjoying urban status, or having remained rural settlements and lately benefiting from European rural development programs, their evolution has been very much the same.

A brief history of the French inter-communal model

With its 36.700 communes, France has the most fragmented local administration throughout the European Community, listing far behind any other of its member states. In Germany, for example, the merging of communes in the 1970s left 8.500 units from a former total of 24.000; in France the process took on a reverse course, similar to that foreseeable for Romania. Also the causes underlying these evolutions are similar, in principal people’s profound attachment to their locality², which is strongly identified mentally with local autonomy, local specificity against a centralized administrative system. The mayors, who were the first to be requested to state their opinion on the numerical reduction of communes, were keen on opposing the merger, usually invoking their obligation to the electorate. So, nearly 80% (28.600) of the overall number of communes have fewer than 1.000 inhabitants and 61% even below 500; in this way, the necessary services for actually discharging the attributes of local power are missing. Besides, the average area of a French commune is very small, no more than 15.1 km², many having even under 10 km². This situation prompted the elaboration of territorial polarization laws (in 1995 and 1999) institutionalizing inter-communal cooperation by way of setting up communities of communes and “*pays*”.

In France, inter-communal arrangements have a long tradition, given that the French society has always experienced great administrative fragmentation which called for inter-communal cooperation.

¹ Out of the 189 new communes formed between 1990 and 2005, only 5 held this rank before 2000.

² In France the commune is identified with the administrative territory of the human settlement (rural or urban), with no other units (of the village-type like in Romania) entering its fabric.

As early as the end of the 19th century, three successive generations of inter-communal structures appeared:

- the first generation of inter-communal trade-unions founded in 1884 ensured the gradual development of elementary public services in order to create the technical infrastructure of a modern territory (electricity, disposal of household refuse, draining, transports etc);
- the second generation of trade-unions (1959) had a more general orientation, multiple targets and distinct goals;
- the third generation (1966) was contract-based. First, it involved the urban communities of some large cities, then they would gradually extend over the national territory, by means of founding communities of communes and communities of towns. In order to simplify matters, a law was passed (July 12, 1999) stipulating the organization of a three-type inter-communal system: the community of communes; the community of human agglomeration (for territories with over 50.000 inhabitants in which the main town was to have more than 15.000 inhabitants) and the urban community of large cities with more than 500.000 inhabitants.

By and large, the concrete territorial actions based on inter-communal cooperation were the following:

- the foundation of the first regional natural parks at the end of the 1960s;
- the elaboration of rural planning schemes in the 1970s;
- the first “contracts of pays” in 1975-1979 (legally recognized in 1995);
- the first inter-communal charters (1982-1983);
- the European programs for rural development;
- regional initiative contracts (contracts of territorial planning, contracts for rural areas, global development contracts etc).

A brief history of inter-communal structures in Romania

The very definition of the commune shows it to be an associative structure: an administrative-territorial unit which comprises the rural population united by common interests and traditions, and includes one or several villages in terms of economic, socio-cultural and geo-demographic conditions (Erdeli, G. et al., 1999, p. 83).

The commune, institutionalized after the Unification of the Principalities by the Communal Law of April 1, 1864³, was to have 100 families or 500 inhabitants. In this way, a number of 2.905 communes came into being in the two Principalities – Walachia and Moldavia. The average area of a commune was 47,5 km². Because of high local fragmentation and because communal administrative structures had a small surface-area and population, the formation of sufficiently large budgets to achieve real financial autonomy was rare. Therefore, the Law of May 1, 1904 stipulated that the commune must have 800 inhabitants and a minimal income/commune of 8.000 lei (Nistor, 2000). Out of the 2.905 communes only 299 met this criterion; the others would associate and constitute 962 communal rings, each having to finance a minimum of health and public order services. The communal rings functioned only four years, being dissolved by the Law of April 29, 1908, which laid the basis of a lucrative system of association of local territorial communities with a view to performing or up-keeping some public works of local economic, cultural or technical-urbanistic utility. The main legal provision regulating the local communities’ associative system at communal level was the Law for Administrative Unification (June 14, 1925) which promoted excessive centralism, materialized in small administrative units, since whenever possible, each village was to be turned into a commune. However, this was not feasible in practice because the Walachia, Moldavian and partly the Bessarabian communes had very low incomes. What emerged were 8.751 communes (the largest number of local administrative-territorial units ever recorded in Romania) comprising 15.267 villages. And again, large number and extremely low financial power made

³ Under this law, the communes, defined as administrative-territorial units with juristic person status included “all villages, towns and small towns (boroughs)”. It was after a lapse of 30 years that a distinction would be made between the rural and the urban communes (Law of July 31, 1894) as the technological progress of society widened the gap between urban and rural environments.

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local autonomy simply a desideratum, a mere formality. Therefore, this law maintained the system of lucrative association initiated in 1908 (but dissolved in 1959) when the Peasant Party, then in government, with Luliu Maniu as Prime Minister, opted for the establishment of large administrative units capable to have true local autonomy. In this way, the number of communes was drastically curtailed, from 8.751 to 1.500 but that of villages remained unchanged. In order to establish a commune it was necessary to have over 10.000 inhabitants and a local income higher than 500.000 lei. The opposition, especially the National Liberal Party, voiced its discontent and, when it came to power, it resumed the 1925 principles of extreme centralization (Administrative Law of 1936).

After 1950, the communist rule reduced local initiatives simply to actions of acquiescence with party and state decisions, local autonomy became formal and the institutional framework of inter-communal association was eliminated. The number of communes was steadily being reduced: 8.751 in 1936; 4.313 in 1956⁴; 4.259 in 1960; 2.706 in 1968; 2.326 in 1989 but 2.869 on July 1, 2005.

The present legislation provides only for contract-based cooperation between local territorial communes through the agency of the local councils. Their task is to undertake works and services of public interest and collaborate with economic agents on the basis of conventions for works of common interest. Here are the normative acts stipulating the above (Popescu, 1999): Law of Local Public Administration – Article 20.2, Letter v; Law of Public Finances – Article 54.4; Law of Local Public Finances – Article 12.

We propose further extension of inter-communal cooperation, and make the necessary legislative adjustments to include institutionalized forms. The French model would be a good example in this case.

The French model

By setting up the system of pays, France made a breakthrough in organizing its territory and stimulating local development initiatives. The idea was not to have these “pays” established by government or legislative decision, but by their own free will and become pilot-territories and develop new relationships between the state, the local communities and non-state actors. From an institutional viewpoint, these “pays” have a status (charter) of their own, a council for development, a flexible pilot structure and a contract which represents a framework for negotiations and coordination of public policies over a definite period of time. They function based on the demographic element (labour pools), but functional cohesion is determined by territorial configuration, infrastructure and residential system. In the French view, the modern definition of “pays”⁵ stems from the ever greater importance given to territorial development strategies and the need to conceive the “pays” within a broader framework, placing them on a scale better suited to contemporary socio-economic realities. So, political action supports the formation of “pilot-territories” encompassing areas of daily dynamic evolution, revealing daily fluxes of commuters and new forms of territorial solidarity, especially between town and village.

Averaging 1.300 km², the “pays” correspond to the “arrondissement” level, concentrating about 80–100 communes with a population of some 80.000 inhabitants. What distinguishes them from the “arrondissements” is the absence of administrative status, they are primarily mental spaces, spaces perceived, spaces which are identified with the local community they belong to. The “pays” features a common heritage, cultural identity, original landscapes, topography and habitat conditions, and have local actors, all of which helps ensuring territorial cohesion (Poitier, 2002).

Conceived to be a privileged local development framework and territorial groundwork for contract-based policies, the “pays” should draw up a coherent development strategy (included in a charter), create various types of institutions, both public and private and different administrative levels (communes, groups of communes, “arrondissements” and departments).

⁴ However they would increase from 4.052 to 4.313 over 1950-1956.

⁵ Orientative law for territorial planning and development (February 4, 1995) contains for the first time the legal term of “pays” and defines it as “a space characterised by geographical, economic, cultural or social cohesion”. The conceptual framework is enlarged by the Law of Territorial Planning (July 25, 1999) whereby the “pays” represents “a territory of mutual solidarity between the urban and the rural space”.

What is original about these “pays” is their capacity to bring together a wide range of institutions, organizations (juridical or physical persons) interested in territorial management and development. Regions like Bretagne, Franche-Comté, Midi-Pyrénées, Bourgogne, Haute Normandy, Pays de la Loire or Lorraine, have their territory largely overlapping the “pays”. They have overtaken other “pioneer” regions such as Centre or Poitou-Charentes, in which numerous “pays” exist ever since the law of 1995 was passed. On the other hand, some other regions (e.g. Corse, Ile de France, etc.) are lagging behind in forming inter-communal structures, their “pays” being fewer in number and reduced in density (figure 1).

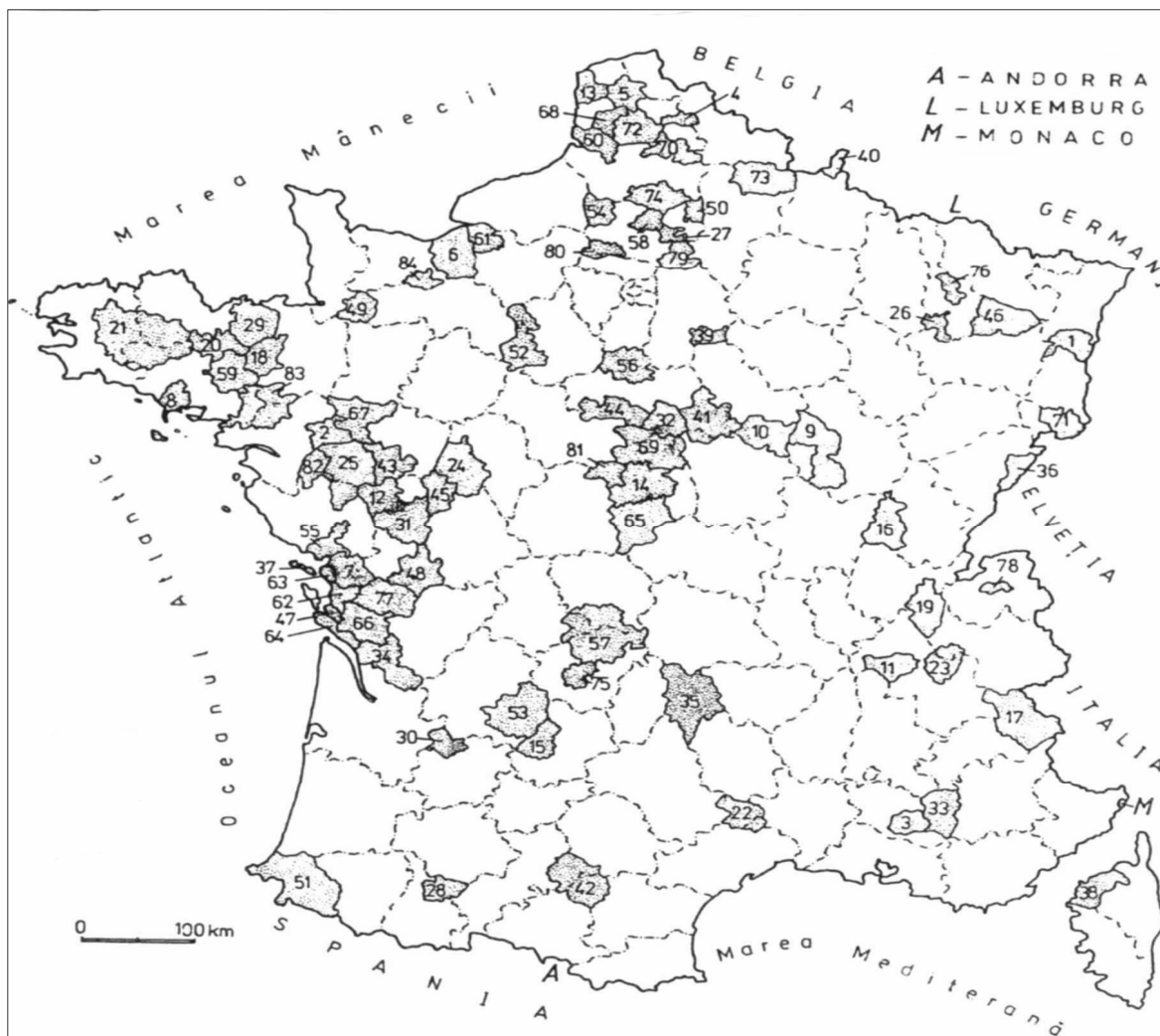


Figure 1. The French system of pays.

There are other regions still, in which forming “pays” was an uneven process, the first areas being set up as late as 2001, and rapidly overtaken by other candidates (Picardia, Rhône-Alpes etc). Even though inter-regional disparities tend to diminish, there is no denying that inter-communal cooperation, the partnership between communities and civil society, as well as participatory practices draw on a long history, being deeply rooted in the psychology and mentality of certain regions and micro-regions. In the west of France, for example, traditions of mutual cooperation, of a network of agricultural cooperatives, of great density of associations, together with strong links between the local actors proved to be a fertile ground for these policies. In addition, certain mountainous communities (the Pyrenean Piedmont, the Alpine, Jura or Vosgi valleys) have long been known for their deep-going inter-communal and particularly socio-economic solidarity. These environments proved appropriate to the implementation of inter-communal association policies.

Validated perimeters show considerable disparities in size (1:5) due largely to the following:

- the variable size of French communes;
- the demographic density resulting mainly from different levels of urbanization (400.000 inhabitants in Pays de Rennes and less than 30.000 in many of the predominantly rural “pays”);
- accessible landforms.

Rural-urban relations also reveal functional disparities between territories. The town morphology itself is an element of structuring the peri-urban zone (urban area)⁶.

The buffer zone between the town proper and its neighboring rural area is marked by a belt of small urban centres and by big mono-functional ensembles (residential quarters, supermarkets, warehouses etc.) having grown into “dead spaces” over the time. On the other hand, some towns open towards the neighboring rural zones, without visible discontinuities of the built-up area, facilitating relationships with the peri-urban and rural areas. This phenomenon correlates with the effects caused by the size of agglomerations. The “human dimension” of medium-and-small-sized towns obviously facilitates inter-relations with the rural communities situated in their area of influence. This inter-relation are twofold: on the one hand, the town is an outlet for agricultural products and commodities, and on the other hand, it is a cross-roads of collective equipments, public services, and locations of the secondary and tertiary sectors. It follows that, in the new rural areas, recent residential or recreational functions combine with traditional farming-related functions. The urbanized villages have led to a new mode of space organization, with lower population densities and a preference for individual habitat and individual autonomy. These phenomena are enhanced by greater daily mobility, automation of the individual household, more vehicles/household and migration of industrial and commercial activities towards the periphery. In areas still considered to be rural, the relative proportion of farmers / active population is on the decrease in favour of industrial or services employees. The new “neo-rural” populations often contribute to repopulating the recently declining areas. Whatever their place of origin (village or town), the peri-urban dwellers have aligned their life-style to the town. In a society dominated by tertiary activities, the job of many is in industry, trading, or offices located in the centre or at the periphery of the neighbouring town. These are but a few examples of phenomena that shape relations at the level of the local systems.

Pays de Loire-Authion: case-study

The majority of French “pays” rely on the homogeneous use of the land fund. Their profile is agricultural, wine-growing or animal breeding. One such structure is Pays de Loire-Authion, the first of its kind formed in the Maine and Loire Department and even in the Pays de Loire Region at the junction of the Loire with its right side tributary, the Authion (figure 2).

It is the outcome of the association of 23 communes grouped into three communities: Vallée de Loire-Authion - 7 communes, Beaufort en Anjou - 5 communes and Loire-Longué - 11 communes, totalizing 56.000 hectares and a population around 42.000. The institutional structures involved in the implementation of development programs are the following:

- syndicat Mixte de la Vallée de l’Authion, a public organization with members voted in a referendum. Its role is to maintain the operational capacity of watercourses and of irrigation systems;
- comité d’Expansion Loire-Authion initiates projects financed by the above trade-union. It includes both elected members and specialists from various economic and social sectors. It stimulates economic development, infrastructure, equipments and public services⁷.

The headquarters of these institutional coordination bodies is the “Maison Loire-Authion” situated in Beaufort en Vallée, a small town counting around 2.500 inhabitants.

⁶ In the French specialist literature, the urban area includes the urban centres characterised by the continuity of the built-up area (physical agglomeration) together with the periurban communes having a scarcer habitat and the rural communes situated in the area of polarization of the urban centres.

⁷ Source: Graine d’info, Bulletin du Pays Loire Authion, 1, December 2000.

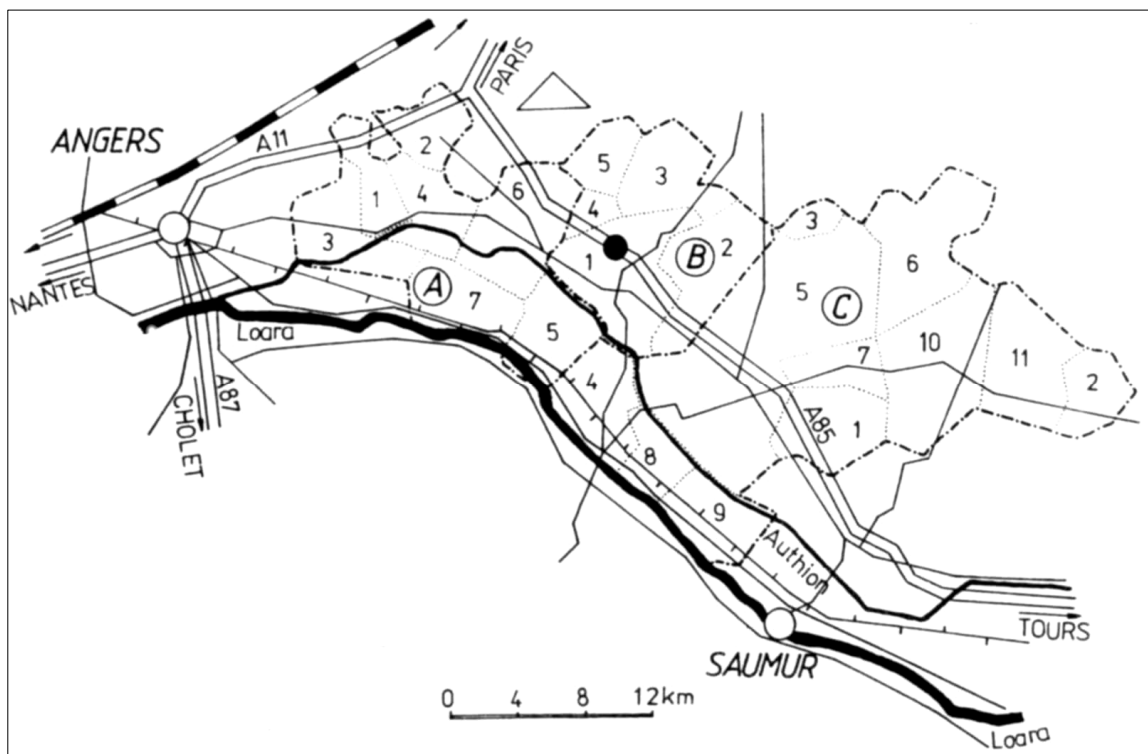


Figure 2. Pays de Loire-Authion. Communes: A. Vallée de Loire-Authion: 1. Andard, 2. Bauné, 3. Brain sur l'Authion, 4. Corné, 5. La Menitré, 6. Mazé; 7. Mathurin sur Loire; B. Beaufort en Anjou: 1. Beaufort en Anjou, 2. Brion, 3. Fontaine Guérin, 4. Gée, 5. St. Georges du Bois; C. Loire-Longué: 1. Blou, 2. Courléon, 3. La Lande Chasles, 4. Les Rosiers sur Loire, 5. Longué-Jumelles, 6. Mouliherne, 7. Saint Philbert du Peuple, 8. St. Clément des Levées, 9. St. Martin de la Place, 10. Vernantes, 11. Vernoll le Forrier.

The reason behind the formation of the Pays de Loire-Authion was the agricultural reputation of the area, also labeled “Garden of Anjou” Province⁸ or “Little Holland” due to its soils good for farming and the cultivation of flowers. Tourism is expected to become a complementary branch of the local economy. To this end, a program of association with Loire-Anjou-Touraine Regional Natural Park is underway. The historical dimension of cooperation, the first associative bodies dating to 1901, is important.

Romanian experience. Proposals

While the French “pays” have emerged relatively recently, the Romanian geographical space has recorded them as far back as the Early Middle Ages (1200 - 1300). In time, “lands” (“pays”) have acquired some features which define them as specific geographical regions of Romania (Ilieș, 1999). By level of importance “lands” rank lower than the historical provinces, but higher than the commune-type local communities. “Lands” stand out as the most characteristic medium-level functional territorial structures in Romania (figure 3).

That they are viable structures has been proven by their great temporal stability having become actual landmarks of the locals’ identity, of their mental, ethnographic and life experience (l’espace vecu) (Cocean, 2002).

The same as the French “pays” the Romanian “lands” do not overlap the whole national territory, but only the old pockets of settlement, usually corresponding to depression areas used as shelter-places.

But for all their having discharged political and political-administrative functions throughout history to the present day, and despite representing well-individualized regional spaces, “lands” in Romania, unlike their counterparts in France, have never enjoyed a legally

⁸ Historical province of France approximately overlapping the “Maine et Loire Department”.

institutionalized status. We consider that the elaboration of a normative act to set things right would be highly beneficial.

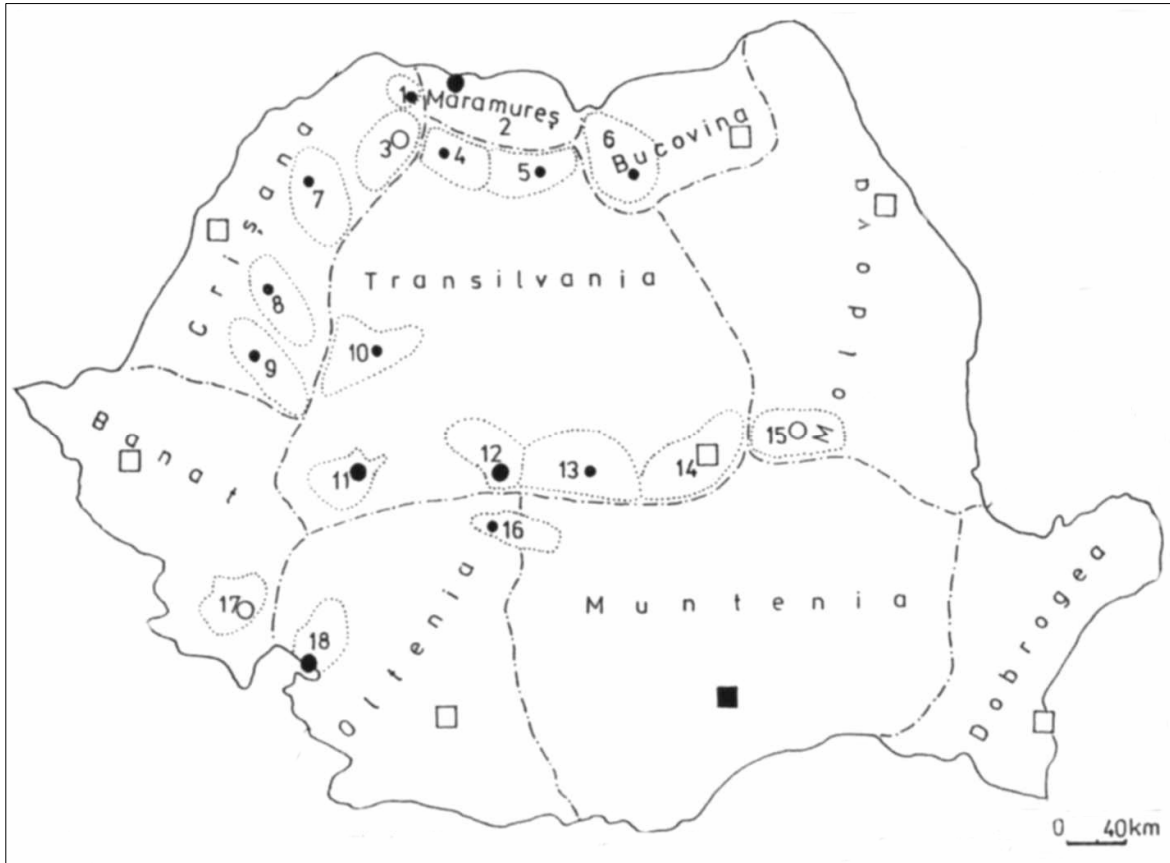


Figure 3. Romanian historical lands. Lands: 1. Oaş, 2. Maramureş, 3. Chioar, 4. Lăpuş, 5. Năsăud, 6. Dorne, 7. Silvana, 8. Beiuş, 9. Zarand, 10. Moţi, 11. Haţeg, 12. Amlaş, 13. Făgăraş, 14. Bârsa, 15. Vrancea, 16. Lovişteia, 17. Almăj, 18. Severin.

Such a document should provide for their institutionalization, for the establishment of some inter-communal cooperation structures scheduled to overlap the historical “lands”. The functional capacity of these structures must have been demonstrated; at the same time, they should be open to any form of cooperation beyond their area. “Lands” would correspond to some medium-scale mental spaces of the French “department”-type administrative structure (table 1).

The presence of some strong urban nuclei capable to effectively polarize local settlement systems might help some of those “lands” (Maramureş Land, Dorna Land, Bârsa Land, Făgăraş Land, Amlaş Land) develop into under-departmental-type administrative structures, an aspect taken into account when elaborating an administrative framework proposed as optimization model (Săgeată, 2004).

However, in our view, a first and most important drawback to forming inter-communal cooperation structures in Romania’s rural area is the local psyche.

Unlike the French, who have a positive perception of participatory practices, of partnership between local communities, or between various institutions and the local actors, liable to producing mutual benefits, the Romanian peasant had for decades an experience of forcible collectivization.

Therefore, he is extremely reticent to such a move, because in his mind the idea of inter-communal system, of collective participation is perceived as a comeback to the communist principles.

A good illustration of the above is the fundamentally different acceptance given by the French and the Romanians to the term agricultural production cooperative.

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Table 1. The main mental spaces in Romania structured by spatial levels.

Macro-space	Median space	Micro-space
Historical provinces	“Pays” (“Lands”)	Communes
BANAT	ALMĂJ (Caraș Severin County)	Bozovici, Lăpușnicu Mare, Dalboșeț, Bănia, Șopotu Nou, Prigor, Eftimie Murgu
BUCOVINA	DORNE (Suceava County)	Vatra Dornei, Dorna Candrenilor, Dorna Arini, Iacobeni, Panaci, Șaru Dornei, Poiana Stampei
CRIȘANA	BEIUȘ (Bihor County)	Beiuș, Pocola, Remetea, Căbeștii, Curățele, Budureasa, Târcaia, Finiș, Șoimi, Uileacu de Beiuș, Drăgănești, Lazuri de Beiuș, Bunțești, Rieni, Pietroasa, Ștei, Lunca, Câmpani, Vașcău, Nucet, Cărpinet, Criștioru de Jos
	CHIOARU (Maramureș County)	Șomcuta Mare, Remetea Chioarului, Copalnic Mănăștur, Satu Lung, Săcălășeni, Mireșu Mare, Valea Chioarului
	OAȘ (Satu Mare County)	Negrești-Oaș, Vama, Certeze, Bixad, Călinești-Oaș, Orașu Nou, Târșolț, Cămărzana, Gherța Mică
	SILVANA (Sălaj County)	Șimleu Silvaniei, Pericea, Vârșolț, Crasna, Horoatu Crasnei, Cizer, Bănișor, Sâg, Vălcău de Jos, Nușfalău, Ip
	ZARAND (Arad County)	Sebiș, Vărfurile, Pleșcuța, Gurahonț, Brazii, Dieci, Almaș, Chisindia, Dezna, Ignești, Moneasa, Buteni, Bârsa, Bocsig, Șilindia, Tăuț, Cărând
DOBROGEA	-	-
MARAMUREȘ	MARAMUREȘ (Maramureș County)	Sighetu Marmatei, Sarasău, Câmpulung la Tisa, Săpânța, Remeți, Giulești, Vadu Izei, Călinești, Desești, Ocna Șugatag, Bârsana, Rona de Jos, Rona de Sus, Bocicioiu Mare, Budești, Botiza, Strâmtura, Ieud, Dragomirești, Rozavlea, Leordina, Ruscova, Repedea, Bistra, Vișeu de Sus, Vișeu de Jos, Poienile de sub Munte, Poienile Izei, Bogdan Vodă, Moisei, Borșa, Săcel, Siliștea de Sus
MOLDAVIA	VRANCEA (Vrancea County)	Năruja, Vrâncioaia, Nistorești, Bârsănești, Valea Sării, Paltin, Vidra, Reghiu, Andreiașu de Jos, Nereju, Tulnici
WALLACHIA (MUNTENIA)	-	-
OLTENIA	LOVIȘTEA (Vâlcea County)	Brezoi, Mălaia, Voineasa, Racovița, Căineni, Boișoara, Perișani
	SEVERIN (Mehedinți County)	Drobeta-Turnu Severin, Breznița-Ocol, Izvoru Bârzii, Malovăț, Șimian, Husnicioara, Căzănești, Șișești
TRANSYLVANIA	AMLAȘ (Sibiu County)	Sibiu, Cisnădie, Sadu, Tâlmăciu, Râu Sadului, Rășinari, Poplaca, Orlat, Gura Râului, Săliște, Cristian, Tilișca, Șelimbăr, Ocna Sibiului, Șura Mică, Șura Mare, Roșia, Vurpăr, Slimnic, Loamneș
	BÂRSA (Brașov and Covasna counties)	Brașov, Săcele, Codlea, Ghimbav, Râșnov, Cristian, Vulcan, Brad, Moieciu, Zărnești, Poiana Mărului, Șinca Nouă, Târlungeni, Budila, Teliu, Dobârlău, Hărman, Prejmer, Sânpetru, Hălchiu, Bod, Dumbrăvița, Feldioara, Hăghig, Măieruș, Apața, Belin, Vâlcele, Ilieni, Chinchiuș, Dobârlău, Ozun, Sfântu Gheorghe, Valea Crișului, Bodoc, Ghidfalău, Reci, Moacșa, Boroșneu Mare, Brateș, Covasna, Zăbala, Ghelinta, Cătălina, Cernat, Târgu Secuiesc, Turia, Sânzieni, Poian, Ojdula, Brețcu, Lemnia
	FĂGĂRAȘ (Brașov County)	Făgăraș, Mândra, Șercaia, Șinca, Hârseni, Recea, Voila, Beclean, Lisa, Victoria, Viștea, Ucea, Șoarș, Cincu, Bruiu, Chirpăr, Arpașu de Jos, Cârța, Porumbacu de Jos, Avrig, Racovița
	HAȚEG (Hunedoara County)	Deva, Hunedoara, Călan, Simeria, Turdaș, Băcia, Mărtinești, Boșorod, Bretea Română, Hațeg, Sântămăria-Orlea, Totești, General Berthelot, Cârjiți, Peștișu Mic
	LĂPUȘ (Maramureș County)	Târgu Lăpuș, Lăpuș, Cupșeni, Suci de Sus, Vîma Mică, Cernești, Coroieni
	MOȚI (Alba and Hunedoara counties)	Câmpeni, Abrud, Roșia Montană, Bucium, Bistra, Almașu Mare, Lupșa, Buceș, Vidra, Sohodol, Poiana Vadului, Scărișoara, Horea, Albac, Mogoș, Vadu Moților, Întregalde, Ciuruleasa, Bulzeștii de Sus, Blăjeni, Buceș, Bucuresci, Crișcior
NĂSĂUD (Bistrița-Năsăud County)	Năsăud, Rebrîșoara, Rebra, Feldru, Ilva Mică, Coșbuc, Salva, Zagra, Nimigea, Chiuza, Șintereag, Dumitra, Telciu, Șintereag, Dumitra, Telciu, Șieu-Odorhei	

The Human settlements acting as polarising (central place) centres are written in capital letters.

Consequently, in order to make people realize that things have indeed changed, and that the new forms of association have nothing in common with the past situations, local communities need be well informed.

Otherwise, any local initiative tends to be blocked from the very outset by prejudice accumulated over decades of collectivization.

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