

# THE REFORM OF PORTUGUESE TERRITORY ADMINISTRATION: OPPORTUNITIES AND THREATS FOR REGIONAL GOVERNANCE

Luís Mendes<sup>1</sup>

**Keywords:** Globalisation, territorial governance, regionalisation, governance, Portugal

## Introduction

Within the framework of what different authors have called time-space compression obtained through significant improvements made in the means of communication and transports, and through introducing new technologies that have helped to establish new structures in terms of time-space (Harvey, 1989; Waters, 1995), a qualitatively new condition of the territory has been mapped out so that it keeps abreast of and sustains the globalisation process and greatly increases networks leading to inter-regional competition.

The territory's flexibilisation and volatility as regards economic restructuring and the emergence of new spatial forms of organising labour and production linked to the globalisation phenomenon, has obliged us to rethink ways of managing and governing the territory. Decentralising responsibilities and off-loading problems from the central to the local authorities may bring about higher levels of administrative efficiency.

As from 13 May 2003, when Laws 10/2003 and 11/2003 were passed, the legislative package aimed at reforming the Portuguese governance of its territory, spear-headed a process of political intentions to transfer competences in the areas of education, health, welfare, environment and physical planning, from central to local government. These laws establish rules for drawing up a framework of duties and competences to be exercised in the new metropolitan areas, in urban communities and in inter-municipal communities, besides regulating on how their bodies should work.

In this paper, we will try to demonstrate the way in which the “decentralisation” process foreseen in this model of territorial reform has tended to centralise more than decentralise. Our starting point will show that, apart from what has been made evident in the practicalities of transferring political competences from central to local power, it

---

<sup>1</sup> Luís Mendes is a Researcher at the Centre for Geographical Studies, University of Lisbon. Correspondence to: Centro de Estudos Geográficos da Universidade de Lisboa, Faculdade de Letras, Alameda da Universidade, 1600-214 Lisboa, Portugal. Telephone: (+351) 21 792 00 00, Fax: (+351) 21 796 00 63, E-mail: luis.mendes@ceg.ul.pt

has mostly meant transferring duties and expenditure. We will be deconstructing the territorial make-up that has been proposed and stressing the aspects that best dismantle the ready-made idea that the territorial governance the law wishes to encourage may become the (real) sustainable basis of future regionalisation, thus leading to the country's regional development as well as its competitive advantage in terms of globalisation.

### **1. Globalisation and territorial competitiveness: new conditions and challenges for territorial governance**

Today, territories are subject to a constant process of evaluation and ranking. The imposition of global competition scenarios among places and regions has not only led to the adoption of corporate styles of governance, but it has also led to increased pressure to mediatise local policies; this situation has highlighted the trend towards marketing campaigns. The new dynamic has been influenced by economic and cultural globalisation as well as the development of telecommunications and transport, all of which has meant significant changes in the scenario of flows of people, capital, investment and information.

Thus, territories are now beginning to meet new challenges whereby their competitive scope has undergone a change in scale (from regional and national, to transnational) and where their future will directly depend upon the ability to capture such flows that will always be effected under the banner of global economic restructuring and inter-regional competitive pressures. It is therefore within this prospect of redesigning strategies in view of the demand for public and private capital and the territory's expectations which should be interpreted as a stake that needs to be made in all the most advanced capitalist countries in order to render governance, management and policies more efficient.

With the globalisation and integration of major geo-economic areas, regions have tended to strengthen and enhance their roles. In the way that the State's powers and functions have been reduced, state representation weakened and national particularities diluted, the regions have tended to assert themselves as representational spaces and institutions as well as spaces of social integration, thus becoming vital

partners in setting up the conditions for economic and entrepreneurial competitiveness (Fonseca Ferreira, 2005).

In this new context, speed is a vital factor, able to change and condition not only the technical-productive aspect but also transformations in power relations among several territories. The territories on the winning side are the ones that have managed to handle this change and innovation in the best way. Henceforth, such changes and innovations will be consistent, and will selectively privilege only some strategic spaces that operate under optimal conditions as regards international competitiveness (concerning Portugal, we may refer to the metropolitan areas of Lisbon and Oporto, for example).

The idea is that the combined effect of recent globalisation tendencies and economic restructuring, as well as deregulating of the markets and the transition to a service economy that has become increasingly more elaborate and competitive, and the growing geographic mobility of information, investment, capital, man-power and equipment all of which have resulted from the significant improvements registered in the transports and telecommunications sectors, has, on a national scale, produced a substantial spatial tendency to polarise strategic resources around the country's large metropolitan spaces.

Likewise, it is also necessary to go beyond the idea that development is a process which unfolds in a fairly even way all around the country. The territorial development process has always demanded inequalities in terms of distributing resources and with concern to the different levels of interaction at work between the territory and its ability to manage the mobility of goods and factors (Smith, 1984).

Strategic resources needed for development, therefore, will tend to be concentrated mainly around the metropolitan areas. It is obvious that cities have always played this role through mankind's history. Nevertheless, change is increasingly faster and the strategic locations of decision-making and command are becoming more and more restricted (Castells, 1985; Sassen, 1991; Bandeira de Mello e Silva, 1994; Nello, 1995; Faissol *et al.*, 1995; Spósito, 1998). In effect, it is within this scenario where the competition among territories has been stepped up, that government is having to deal with these new demands and new ways of working. They are based on consistent knowledge about the territory and the processes, the dynamics and trends characterising its change, as well as the institutional, technical and political conditions and means needed to intervene in these changes.

Although they help to make spaces more homogenous and uniform, globalisation strategies exploit the comparative advantages of places and in fact, aggravate disparities. Small differentiating nuances in matters of wages, qualifications, consumer levels and available services are valuable and may lead to particular localities being chosen for this-or-that an investment. Therefore, the apparent equalising process of globalisation depends upon these differences which for their part, owing to their having been chosen, are enhanced thereby emphasising territorial imbalances and inequalities. Greater investment mobility accentuates competition among places seeking to offer favourable conditions with a view to attracting such investment.

When considering Portugal's regions, globalisation has introduced two important changes: (i) – it has been the impetus behind the appearance of a number of particularly dynamic regions that have concentrated on knowledge-based activities while at the same time singling out, developing and innovating services that helped to strengthen entrepreneurial competitiveness and train human resources; (ii) – it has dismantled the kind of links that had previously existed among various regions, thereby leading to regional under-development and aggravating the dichotomies between driving-force regions (which are distinguishing themselves due to their functional specialisation and their power of attraction in and for dynamic activities) and regional problem cases (which have been losing their resident population and activities – in desertification, and thus putting into check their development process).

Whether to do with the most favourable aspects or the most hazardous for the Portuguese sub-regions, the set of changes witnessed in the emergence of new territorial realities has ended up by making a very clear demand to review the conditions under which the territory has been governed. Standing out among these conditions, is the endorsement of democratic procedures demanded at transmunicipal level. Challenges have been levelled at the role played by municipal government in particular, and the governability of the territory in general, in terms of bringing policies into line, forging partnerships and setting up more efficient pro-active planning and management tools.

The fact that this situation has gained increasing recognition has obliged local government to rethink the administrative planning system of the territory so that more dynamic, pragmatic forms of management adjusted to the local reality make-up are adopted. This would allow local government to take a more decisive lead in responding to challenges calling on its local competitive impetus in terms of attracting investment, for example.

Regional production conditions that emerged twenty years before, have confronted various territorial governments with the need to rethink the ways in which the territory is governed. New concepts about regional planning have emerged and led to the development of new networks and the introduction of innovating mechanisms in the relationship between public administration and territorial management. They have also led to new kinds of relations being drawn up between the public administration and civilian society during the course of governing the territory. The Government's dealings have since progressed from a normative, regulatory attitude to a new, more flexible and more strategic model (Borja e Castells, 1997).

## **2. Paradoxes, lacking definitions and the many expectations of a postponed decentralisation**

The package comprising Laws 10/2003 and 11/2003, which were both passed on 13 May 2003, aims at reforming the territory's governance. They stipulate how the system should be set up, what the framework should be with regard to the attributes and competences of the new metropolitan areas, urban communities and intermunicipal communities, as well as how their bodies should work.

By relying upon a systematic approach to a series of summarised ideas that have already been raised about the new territorial reform (Soares, 2004; Fonseca Ferreira, 2004; Gonçalves, Catalão e Sardinha, 2004; Mendes, 2005; Araújo, 2007), at this point, we shall try and show that the supposed "decentralisation" process which this territorial reform model defends, has tended to centralise more than it has decentralised. Our starting point will argue that it is not only evident in practice whereby the central power has transferred political competences to local power, but above all it is evident in its transference of duties and expenditure. In this way, it means centralised decentralisation because when we come down to it, the centripetal factors are far stronger than the centrifugal ones.

A whole set of contradictions seem to come to light if we study the situation in a little more detail. We shall begin by focussing on what inevitably arises as a greatest paradox in the letter of this new territorial governance law. The paradox derives from the false application of the concept of decentralisation as a prelude to a supposed regionalisation. Regionalisation comes about because political ambitions supported by the people seek to decentralise Public Administration. In effect, decentralisation

consists of making public decisions specifically aimed at particular territories which are larger than municipalities, rather than with the country as a whole, no longer the domain of Central Government or the bodies depending on it. Instead the decision-making would now be the responsibility of the bodies that the population in these regions have elected. In this way, they would help to bring public decisions closer in line with the wishes of the population which is more directly affected by them (Valente de Oliveira, 1996, 1997). One could say that the “decentralisation” proposed in the new reform is false because in resorting to a “bottom-up” discourse (in other words, one in which the supposed decentralisation model intends carrying out from the bottom upwards and therefore reversing the previous process that had a top-down dynamic), it wants to make believe that the local population has been given a voice in order to discuss the full process. This is a strategic choice which, if carried out, would lead to a wider democracy encouraging everyone's participation in managing the public life of local territories (Marques, 2002).

The real political intention behind concretising this new territorial governance is hidden, disguised by an innovating democratic discourse and investment in active citizenship supposedly brought about by involving citizens in the search for alternative solutions to sustainable local development. The fallacious argument ends up by serving the interests of neo-liberal powers however, allowing them to back down from their responsibility in areas supplying public services (Reis, 1998; Mota, 2005; Soares, 2004). Similar to what has happened in health and education in Portugal in its attempt to solve regional imbalances, the central government is also trying to dodge its responsibilities by exporting them to the fringes. In other words, the (central) government seems to be shedding its political duties on the bases of its argument in favour of local and regional participation.

If we set off from the idea that the basis on which the political, administrative, social and institutional organisation of the Portuguese territory rests is confused, and therefore hardly workable, it is because the administrative circumstances of the different sectors of the government have failed to coincide with those in civilian society. It is easy, therefore, to perceive how intermunicipal organisations may help to alleviate the various kinds of malfunctioning and coordination difficulties between each sector's policies produced by this map. The indispensable importance of the scale economy principle and the effects of synergies are contained in this idea. They are indispensable

owing to the fact that they ensure that territorial governance will be smoother running and more efficient (Alves, 2003).

This principle of autonomy and efficiency goes hand-in-hand with the principle of de-concentrating competences. Deconcentrating competences means the operation transferring to lower ranking levels the duty of carrying out functions which will accordingly be more in touch with the target population although the central power will still be responsible for defining working guidelines and rules.

It is in this way that deconcentrating is, in its very nature, centralising because it oils (in the sense of making it run smoother and more efficiently) the mechanisms whereby power is exercised by the centre. The better the deconcentrated administration works, the greater the control the centre exercises over the periphery and the easier central command will become; problem situations will hence be dealt with more easily and more efficiently. The principle of subsidiarity postulates that the level of solving a problem should not rise if it may be dealt with at a lower level. It has many positive effects whether in more efficiently interpreting and solving the problem or in alleviating those at the centre who are constantly weighed down by issues demanding their attention and means. If the centre is called upon to solve current problems that have no business being sent there and involving it, it would have no time to deal with overall problems and ensure that general coordination duties are carried out. One of the ways of placing a stranglehold on the centre is by forcing too many decision-making demands on it when things could be done more efficiently at other lower levels. When we say that a problem could benefit from a more efficient solution, we are obviously referring to a well thought-out strategy which would adopt peripheral resources and means, and place responsibilities, duties and expenditure squarely on periphery's shoulders rather than on the centre which would once again, reap the benefits.

There are no doubts as to the origin of the duties now making part of the responsibilities undertaken by the regional entities which, in the meantime, have come into existence as a result of this territorial governance reform: they come from the central government which has ceased to exercise them because there are advantages to be had by shedding them. These advantages are mainly found at the level of the operational coordination of sectorial policies promoted within a framework of territorial and functional proximity and coherence.

In fact, the process has very little to do with the "bottom-up" idea, taking into account that what we have here are Government laws which were never open to public

debate and where apart from not being asked to give their opinion about the new territorial map (the exclusive competency of the Municipal Councils), citizens neither have any possibility of electing the new bodies nor can they exercise their direct democratic power over these same bodies.

On the other hand, it is very important to stress that in actual fact, there are no substantial differences in terms of the previous legal framework on which the present laws have been based, mainly regarding transfers to associations made by municipalities but not by the Central Government. The present territorial governance reform provides no room for setting up new, autonomous public entities with their own power-making bodies, elected by direct suffrage and endowed with their own competences and resources. Instead, what have been set up are regional scales of municipal government with their own bodies. However, owing to the fact that the municipalities' competences and funding are extremely limited, these bodies are dependent on the municipalities and the State. The weaknesses registered in attributing duties and competences are all too clear. There is no robust nucleus of original competences and no functional framework of a truly metropolitan or intermunicipal nature (Fonseca Ferreira, 2004). Laws 10/2003 and 11/2003 contain a significant number of competences and attributions (about 60); they are ranked downwards as from the Central Government and go up as from the Municipalities, through agreements and programme-contracts thereby resulting in unstable decision-making. However, nothing stops the Government Minister or the Mayor later on, from deciding to reclaim the competences which their predecessors had contracted with new supra-municipal entities. In other words, the competences of these new entities are grouped together under a special system of delegating State and Municipal powers without complying with the principles of local autonomy.

In this way, it is clear that the decentralisation process envisaged in this model of territorial reform is fraudulent because, in practice, no transfer of political competences has been witnessed except when it comes to duties and paying expenses. Added to this is the pressure exerted by having to fund initiatives in the metropolitan/inter-municipal communities where the municipalities are liable to run into debt. As a matter of fact, the risk of debt in order to build new facilities falls directly upon the local government's financial capacity, which reinforces already existing regional inequalities owing to the differences in demographic potentiality/weight among the various regions.

The fundamental question not only resides in the doubts arising about financial resources and their transference (or not), it also has to do with the on-going state of

dependency which local power continues to suffer from in relation to the central government, particularly when we know that any "decentralisation" should naturally be accompanied by attributing funding although not the kind of funding paid for by central agencies and later transferred to local agencies. The absence of executive competences and financial means is therefore to be regretted. How are transferences from the State Budget and from municipal budgets supposed to be effected to the Intermunicipal Communities as regards the transference packages?

### **3. From the lack of definition about funding and competences.... to mounting terminological confusions: "you have to be urban even if you don't want to be"**

When Laws 10/2003 and 11/2003 of 13 May 2003 came into effect, two kinds of metropolitan areas came into being: the large metropolitan areas and urban communities. Their typology was exclusively based on territorial, administrative and demographic factors. The territorial factor was confined to the physical contiguity of the territory. The administrative and demographic factors demanded that the large metropolitan areas were obliged to have no less than nine municipalities with at least 350,000 inhabitants, while the urban communities had to contain no less than three municipalities with at least 150,000 inhabitants. In mid-2005, Portugal was organised into 7 large metropolitan areas, 11 urban communities and 3 intermunicipal communities.

Following the limitations discussed in the previous section about the present territorial governance reform, it is convenient to point out that the lack of definition regarding funding and competences to be shouldered is made even more complicated by the confusing terminology with respect to the new supra-municipal agencies. The great weakness in these laws mostly lies in the ill-definition of scientific criteria that would sustain setting up large metropolitan areas and urban communities, namely criteria about population density, employment dependency ratios, the maximum number of municipalities, the total population, accessibilities and anchor-municipalities. Several Portuguese geographers have pointed out conceptual errors in the arbitrary creation of Metropolitan areas where there is an absence of the characteristics that are necessary if they are to work correctly, mainly at the level of activities and facilities able to generate converging flows. Many dozens of years ago, criteria once existed defining the metropolis but they were simply swept away in a *tabula rasa* effect. The landscape

architect and municipal councillor Ribeiro Telles strongly disagreed with this particular part of the reform according to what he wrote in one of Portugal's prestigious weekly newspapers: "the urban stamp given many of the inland communities is disastrous. It is pernicious and totally lacking in competence".

The lack of territorial and demographic demands as laid down in the law defining "metropolitan area", where its functional and relational nature has been forgotten about, and where the methodology aimed at delimiting these entities without resorting to any suitable technical and scientific fundamentals, has resulted in arbitrary territorial arrangements of extremely variable geometry which have not been accounted for in the development project. Demands to set up metropolitan areas and urban communities cannot be made exclusively on the basis of the population and territorial contiguity, where no heed is paid to requirements of a multifunctional order related to the supply of jobs and services as well as strategic demands, such as the main urban centre's relevance within the context of regional development and its link-up with networks at home and abroad. The stipulations laid down in these new laws about what is needed to establish large metropolitan areas and urban communities foresees the emergence of artificially created urban territories which in reality they are not: three municipalities with 150,000 people in a mainly rural setting may give rise to what is called an "urban community" without it displaying any really "urban" characteristics (Mendes, 2005; Claudino, 2006).

We interpret the metropolitan area to be a conjuncture composed of a large city, its satellite towns and all the relatively conurbanised space, including residential areas situated between them whereby a close interdependent relationship is evident. It is, therefore, an extension of built-up area as a result of separate, mainly urban type villages adjoining each other and representing a large-scale concentration of people, economic activities and services. The most distant peripheries are gradually drawn in and are affected by the life of the large metropolis, thereby generating a set of complex inter-relationships that become a cooperating whole (Barata Salgueiro, 1992, 2001).

If we were interpret this acceptance of what a metropolitan area is as being widely accepted by the Portuguese scientific community, and if, at the same time, we were to analyse the map of the spatial distribution of cities in 2001, the interurban axes, areas of demographic employment concentration, dynamic areas and population drainage, as well as the city axes, networks and subsystems, we would have to admit that the desire to create at least five new Metropolitan Areas apart from the two already

in existence, above and beyond “cataloguing” an equal number of territories as urban communities, we would be committing a serious conceptual error that would affect the new design of the territory.

The rural nature of most of the populated – or rather de-populated – areas which have been put forward as urban communities, as well as the large scale breaks in their continuity owing to forest and farm lands which are very much present in the landscape, the poor industrial and domestic sanitary system, not to mention the minimum parameters of population, fully unmask any attempt to classify the sub-regions of Baixo Alentejo, Lezíria do Tejo or Trás-os-Montes, as having an urban profile.

These sub-regions do not share the same territorial dynamics with what may be called the country’s emerging urban spaces, or rather, the spaces which include urban areas that have the ability to carry out positive changes as much in terms of the territory’s development as of society’s. They cannot be called growth-engines because they have not distinguished themselves nationwide in the functional specialisation process and neither have they built up spaces that attract dynamic activities. Rather, they may be called problem spaces or critical areas of regional under-development which are losing their resident populations and production activities. They are particularly unqualified in and needy of infrastructure and facilities. Only very exceptionally are they inland sub-regions which accommodate sufficient polarities able to provide the foundations on which to build truly urban communities or able to hold down investments and capital capable of spearheading a regional development process. The fact is that these sub-regions are incapable of becoming centres or axes of attraction and agglomeration in terms of functions and employment able to “urbanise” their surroundings (Sá Marques, 1999).

The territorial governance reform laws with their ill-defined scientific criteria ruling on the establishment of the large metropolitan areas and urban communities are all the weaker if the Portuguese (mainland) network of medium-sized cities is taken into account. These cities are very unevenly distributed throughout the country apart from each of them being of variable size, which acts against any attempt to call urban, sub-regions such as Baixo Alentejo, Lezíria do Tejo or Trás-os-Montes. Most of the medium-sized cities come under the sphere of influence of the two Metropolitan Areas. Lying beyond the Setúbal-Viana do Castelo axis or the Algarve coastal axis, is an extremely sparsely populated countryside which is suffering from demographic and economic loss and where only some district capitals may stand out: Viseu (about 47,000

residents, according to the *Atlas das Cidades*, INE, 2002) and Évora (about 41,200 inhabitants) are the most important ones. The next level further down the scale, shows that the population falls to about 30,000, as in the case of Castelo Branco, and even lower for the other cities.

The incoherency of the measures lies in their gross ignorance of many of the territorial dynamics generated between medium-sized cities and their surroundings. It has been a well-known fact that ever since the 1980s, the inland medium-sized cities have tended to grow and have strengthened their power of polarisation. However, the growth has come at the price of the speedy, ever-growing drainage of the surrounding countryside (people and jobs), mainly in the cases where the cities are located in very sparsely populated regional spillage points (the result of detachment), far from the conurbations and the country's main axes of development.

How can an urban community come about in Trás-os-montes or an urban community appear in the Beiras if the spatial distribution of the urban population at national level shows that most of the municipalities composing these new formations are profoundly rural? Another example lies in the Alentejo, in the event a large Metropolitan Area is established there. The lack of population would end up by creating an absurdity. In short, metropolitan areas and urban communities are being set up without displaying any of the characteristics needed for them to exist.

Doubts still persist at this level in terms of the maladjusted relationship between the various territorial compartments that have now been established and the challenges facing European regions where European Union regional development funding is concerned. These challenges are aimed at the larger metropolitan areas with their critical mass neighbourhoods that are competitive among themselves. They are entirely beyond the reach of the smaller urban centres. The principle based on setting up new territorial entities according to the territorial governance reform because it will be easier to receive Community funding distributed within the 4<sup>th</sup> EU Framework Programme of Support (IV – 2007/2013) is false. The truth is that if the supra-municipal and plan-regions maps fail to coincide, the new entities will face serious difficulties when applying for European funds, mainly if they have to answer to more than one Coordinating and Regional Development Committee.

If this reform goes ahead, the problems issuing from imbalances in the urban network will become even more serious, mainly: concentrations along the coastline, bipolarisation and the de-peopling and aging of the inland rural areas. Urban congestion

and over-occupation along most of the coastline will continue owing to the fact that most of the cities are located there. The greatest dynamic will continue to be felt in the metropolitan area of Lisbon which stretches from Leiria to Sines and involves Greater Lisbon, the metropolitan area of Oporto which extends from Braga to Aveiro and includes Greater Oporto, and the Algarve coastline between Lagos in the West (*Barlavento*) and Olhão in the East (*Sotavento*). Bipolarisation which is characterised by a heavy concentration of cities and urban centres around the two largest cities in the country – Lisbon and Oporto – which polarise the entire National Urban Network and oblige all the other territories in the country to become dependent upon them, will come out on the winning side. At the same time, depopulation and aging in the Inland rural areas will become an even stronger tendency where people will leave the countryside and settle in the district capitals and in other smaller cities.

As a result, the urban network will stress the unevenness between large or very large cities and the small cities owing to the fact that there will be few medium-sized cities. The traditional monocentric network will continue to be favoured where a given number of urban agglomerations will continue to depend upon a single city that will carry out higher ranking duties in detriment to urban re-planning favouring a more polycentric network (made up several poles).

If this polycentric network were favoured, it would mean effecting a true, modern, integrated and participative decentralisation in which the territory would be organised on a local scale (local government), a regional scale (administrative regions) and a national scale (central government) in the light of a transnational strategic goal. It would promote deconcentration (transferring the population and economic activities of a large city to other smaller cities) and urban re-planning able to decentralise in order to establish new polarities.

In this sense, regional entities would be shaped bearing in mind the interests of the municipalities or intermunicipal communities which are geographically polarised into urban axes (aggregates of cities sharing strong functional inter-relational bonds), and thus lead to the integration of the respective hinterlands (semi-urban rural areas that are influenced by one or several urban poles which they serve and are served by). There would be no risk, for example, of the surroundings of a middle-sized inland city (the hinterland) being excluded from the opportunities that would benefit the city in its interaction with other poles and cities lying nearest it (Portas, Domingues and Cabral, 2003).

Measures to address the balance in the country's urban system will have to be promoted, at the same time taking in account the way in which the centres are ranked and how the network of relations that structure urban systems is articulated. This will have to be done by means of developing the polarities of mainland Portugal, apart from the Metropolitan Areas, so that they play a strategic role in organising the territory nationwide. The present reform will not ease the way to finding a new balance, due solely to the fact that vast sub-regional territories whose demographic and economic territorial dynamics purely and simply do not fit an urban profile, are labelled urban communities. On the contrary, as we shall see further on, what will happen if this territorial reform goes ahead will be the perverse effects generated by (de)structuring at regional level which will merely help to aggravate regional asymmetries.

#### **4. Is democratic legitimacy a certainty in the new territorial entities?**

The lawful nature of the new territorial entities lies in the voluntary association of municipalities, although they are bound by the decisions made by the municipal bodies, and despite the fact that democratic legitimacy is recognised, there are no representative bodies that have been elected by direct, universal franchise. Owing to the fact that none of the bodies working in the new territorial entity (the Parish Council, the Municipal Assembly or the Municipal Council) is elected, there is a risk of encouraging a narrow view of things based only on the interests of each municipality (and its respective Mayor). Therefore, opposite to what it is supposed to defend, the local population is excluded from any possibility of discussing the planning projects and is prevented from actively taking part in developing the territory in which it lives. The endorsement of these new territorial entities therefore calls for the need to talk about the very democratic legitimacy of these territories: is a body elected on the population's direct vote, or is it defined by intermunicipal circles which do not invite the population to give its opinion?

Furthermore, another problem lies in the fact that the new territorial entities may become pre-defined electorates. That is, they may change the election law without directly interfering with it but rather, by going through the territorial law which may end up by working against the Constitution. Based on this question, the risk may be run of drawing up a new political map whereby small electorates are generated.

#### **Final remarks**

In agreement with Laws 10/2003 and 11/2003, of 13 May 2003, the process setting up new territorial entities has, on the one hand, opened up new opportunities for intermunicipal membership and for the supra-municipal management of the territory. However, on the other hand, it involves hidden risks that we need to be cautious about.

One of the positive aspects that should be mentioned is the fact that the new territorial reform laws have placed the subject of decentralisation on the agenda. A second advantage lies in the fact that they help to go beyond the narrow municipal view so as to strengthen association membership thus setting up intermunicipal entities of a supra-municipal nature. A third advantage consists of promoting greater harmony between Central Government and Local Government.

Nevertheless, it happens that despite all the important advantages laid down in these laws, they are still lacking and incoherent because they fail to solve three fundamental problems.

Firstly, they do not set up an intermediate level to administer the State's territorial governance, but resort to supra-municipal associations where the management of Central Government competence is contracted out to the associations. Secondly, there is no democratic endorsement or political representation, both of which are vital conditions if effective decentralisation is to be ensured. Thirdly, they are unable to solve the serious problems involving the lack of the State's decentralised governance which is likely to become even more disconnected. The territorial implantation of governance over various State sectors has been made according to multiple geographies without heeding any nexus or criterion leading to agreements among: the municipalities, districts, NUTs III, setting up health, school, legal, economic services, etc.

It remains to be seen, therefore, up to what point this new territorial governance will serve the general interests of the Portuguese population rather than bowing down to the rationale of self-serving clienteles and sharing out the lesser powers, as it will do nothing more than encourage neoliberal framework based on speculation, cement regional imbalances and deepen the gap containing the already visible asymmetries marking off territories that have been included from those that have been excluded in terms developing social and economic opportunities.

As long as Central Government interlocutors are composed of groups of municipalities, intermunicipal organisations or small regions without any strategic weight of their own or any capacity to formulate truly strategic demands (in a critical awareness sense), centralisation will be strengthened. This is because all solutions and

all innovations will end up by originating at the centre which, in this way, will ensure its presence if not strengthen its control.

Decentralisation made in isolation without properly decentralising competences will never awaken the latent energies of the local territory. They have to be activated in the sense of consolidating a well-structured, sustainable development process that works from within. There can be no lasting development process if it is entirely directed from without. Even if the Central Government decides to “adopt” the inland territories as its “protégés” and pump them full of benefits by resorting to positive discrimination measures, it will be doing nothing more than reinforcing these territories’ dependencies on the central power. The regional contribution able to mobilise energies will continue to be amiss because the whole process has been distorted from the very beginning.

We should not forget that the origin of regional competences lies in the Central Government and its administration. The movement will always be top-bottom and never bottom-up. It will always be from the outside to within the local communities – as something imposed upon the local communities from without and never from within to without. In all likelihood, the movement will stop close by as it is not possible to sustain positive discrimination for very long without giving rise to political envy that will endanger the whole process. Stripped of their competences and unable to impose themselves upon the central authority, the weakest local territories will continue to depend on it for almost everything in terms of investments and human resources.

### **Referências bibliográficas**

- ALVES, R. (2003) – “Algumas orientações estratégicas para a organização intermunicipal”; *Urbanismo*, Ano V, n.º 15: 6-14.
- ARAÚJO, D. (2007) – *Áreas Metropolitanas e Comunidades Urbanas: Que Descentralização?* Lisboa. Departamento de Ciência Política da Universidade Nova de Lisboa.
- ASCHER, F. (1998) – *Metapolis. Acerca do Futuro da Cidade*. Oeiras. Celta Editora.
- BANDEIRA DE MELLO E SILVA, S. (1994) – “O papel das cidades no processo de crescimento económico: uma reavaliação”; *Revista Brasileira de Geografia*, 56 (1/4): 239-253.
- BARATA SALGUEIRO, T. (1992) – *A Cidade em Portugal. Uma Geografia Urbana*, Porto, Edições Afrontamento.
- BARATA SALGUEIRO, T. (2001) – *Lisboa, Periferia e Centralidades*, Oeiras, Celta Editora.
- BORJA, J.; CASTELLS, M. (1997) – *Local y Global*. Madrid. Taurus.

- CASTELLS, M. (1985) – “Mudança tecnológica, reestruturação económica e a nova divisão espacial do trabalho”; *Sociedade e Território*, 3: 112-121.
- CLAUDINO, S. (2006) – “Portugal Peninsular e os desafios regionais”; *Finisterra*, 81: 105-120.
- FAISSOL, S. *et al.* (1995) – “Sociedade global, cidade global, um mundo só: uma discussão da globalização”; *Revista Brasileira de Geografia*, 57 (2): 67-100.
- FONSECA FERREIRA, A. (2004) – “A descentralização e a necessária reorganização territorial do Estado”; *Metrópoles*, 6: 53-54.
- FONSECA FERREIRA, A. (2005) – *Gestão Estratégica de Cidades e Regiões*. Lisboa. Fundação Calouste Gulbenkian.
- GONÇALVES, J.; CATALÃO, J.; SARDINHA, F. (2004) – “Questões antigas e novos desafios nos caminhos da descentralização”; *Metrópoles*, 7: 12-19.
- HARVEY, D. (1989) – *The Condition of Postmodernity. An Enquiry into the Origins of Cultural Change*. Oxford. Blackwell.
- MARQUES, R. (2002) – “O local enquanto espaço de afirmação cívica: uma condição para o desenvolvimento”; in BARATA SALGUEIRO, T. (org.) – *Olhares Sobre o Território e a Espacialidade*. Estudos de Geografia Humana e Regional, n.º 45. Lisboa. Centro de Estudos Geográficos da Universidade de Lisboa. pp. 57-72.
- MENDES, L. (2005) – “A reforma da administração territorial: crítica a uma desconcentração centralizadora”; *Apogeo*, 29: 4-9.
- MOTA, A. (2005) – *Governo Local, Participação e Cidadania*. Lisboa. Vega.
- NEL.LO, O. (1995) – “Políticas urbanas y gobierno metropolitano en el proceso de integración europea”; *Ciudad y Territorio – Estudios Territoriales*, 106 (3): 783-792.
- PORTAS, N.; DOMINGUES, A.; CABRAL, J. (2003) – *Políticas Urbanas. Tendências, Estratégias e Oportunidades*. Lisboa. Fundação Calouste Gulbenkian.
- REIS, M. (1998) – *Regionalização: O que não foi dito*. Aveiro. Estante Editora.
- REZENDE, V. (1982) – *Planejamento Urbano e Ideologia*. Rio de Janeiro. Civilização Brasileira.
- SÁ, L.; SERRANO, A.; BRANCO, D. (1998) – *As Regiões Administrativas. Democracia e Desenvolvimento*. Lisboa. Editorial Caminho.
- SÁ MARQUES, T. (1999) – “Um território em mudança: padrões territoriais, tipologia urbana e dinâmicas”; *Inforgeo*, 14: 21-42.
- SASSEN, S. (1991) – *The Global City. New York, London, Tokyo*. Princeton. Princeton University Press.
- SMITH, N. (1984) – *Uneven Development: Nature, Capital and the Production of Space*. Oxford. Blackwell.
- SOARES, P. (2004) – “Descentralização e regionalização de novo na agenda política”; in <http://www.udp.pt/textos/diversos/descentr.htm>
- SPÓSITO, M. E. (1998) – “A gestão do território e as diferentes escalas da centralidade urbana”; *Revista Território*, 4: 27-37.
- VALENTE DE OLIVEIRA, L. (1996) – *Regionalização*. Porto. Edições Asa.
- VALENTE DE OLIVEIRA, L. (1997) – *Novas Considerações sobre a Regionalização*. Porto. Edições Asa.
- WATERS, M. (1995) – *Globalization*. Londres. Routledge.