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Partie I les expériences françaises et sud-africaines dans le mouvement universel de recomposition territoriale

Kevin COX (Ohio State University) :

The territorial structure of the state: some critical reflections

The Territorial Structure of the State: Some Critical Reflections

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Context

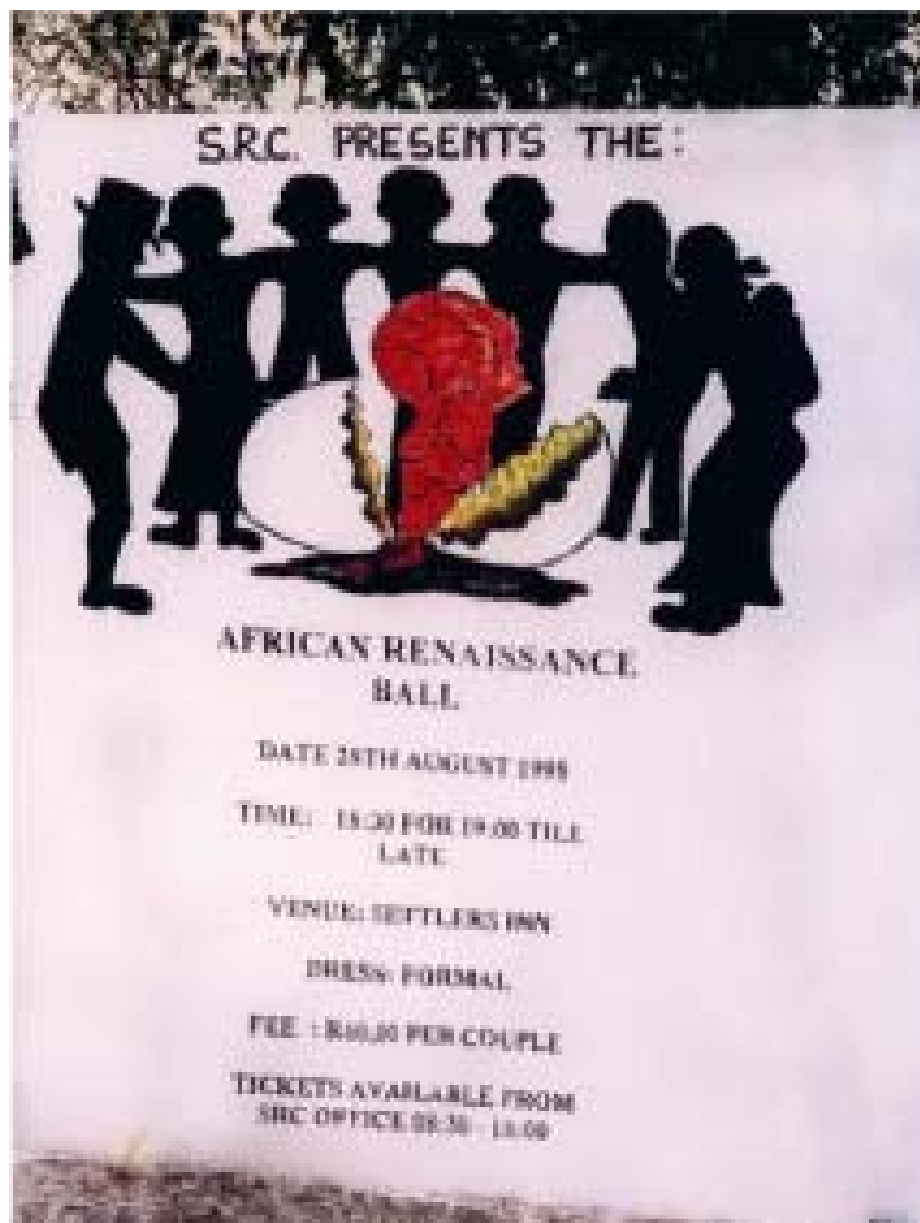
Reforms in the territorial structure of the state, whether in South Africa, France or elsewhere, join up with more academic interests. But in talking about the territorial structure of the state, we obviously need to know what this rather vague term is about. We know it has to do with electoral districting, the design of service areas, spatial planning and much more. But do these various concrete issues fit into a more coherent conception of the state and the way in which space intersects with its activities? Providing some guidelines on this has been the first priority in these notes. The second thing which I have felt important is understanding the way in which state structure, including its territorial structure, is never socially neutral. It is a product of struggles in society as a whole, different social forces come to colonize an inherited structure to their own advantage and then resist its reform, others seek to revamp the structure of the state in ways that will advantage them. The importance of the state’s specifically *territorial* structure derives from the fact that social interests are always interests in particular places or spaces; people are locally embedded, perhaps, or geographically uneven development results in them seeing advantages to themselves of a recasting of the state’s territorial form.

Sometimes we may applaud what is happening in this revamping. But, and this brings me to the final point I want to consider here, we need to be aware of the very strict limits of the state’s territorial structure in accomplishing policy goals. The state has its limits and so does its territorial structure. In particular the state cannot tamper too much with the rights of private property or with the commodity exchange that those rights underpin. The result is that considerable power exists, typically in concentrated forms, in civil society: power that can be turned to undoing the most ambitious hopes of those engaged in territorial design or, more accurately, territorial *re*-design. Each of these three major issues is now addressed.

Kevin Cox (Ohio State University) : *The territorial structure of the state : some critical reflections*

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I les expériences françaises et sud-africaines dans le mouvement universel de
recomposition territoriale



Definitional Questions

What exactly is meant by the term ‘the territorial structure of the state’ and what are its various manifestations? As an organization the state has a structure that can be defined, among other things, as ‘territorial’. For our understanding of the idea of territory and the closely associated concept of territoriality we owe a great deal to Robert Sack (1983). For Sack territoriality was action taken in order to ‘influence the content of an area’. We can recognize the relation between the state and territory from the fact that geographically it is a bounded area: the area whose content, to paraphrase Sack, the state tries to influence. But apart from the boundary of its own jurisdiction, the area within which it is supposed to enjoy sovereign power, there are numerous other bounded areas with which it is associated and which jointly define the territorial structure of the state.

Following Jessop (1990: Chapter 12), we can define three particular aspects of state functioning and each of them has a territorial aspect:

- state inputs of modes of representation: the ways in which demands are made on the state, whether through legislators, pressure groups, corporatist structures, etc.
- state ‘throughputs’ or the internal organization of the state: its division into different departments, into different branches such as the legislative and the executive branches, along with those means, primarily monetary and legal, but also customary, through which the coherence of that organization is achieved.
- state outputs or modes of intervention: a common way of thinking about these is in terms of a distinction between policies which tend to reinforce or reproduce market relations, so-called commodifying forms of policy; and those policies, the decommodifying, which tend to undermine or counter market relations. A housing policy which tried to assure decent housing for those who would not otherwise be able to afford it through some sort of housing voucher would be towards the more commodifying end; the old form of British public housing, on the other hand, owned by the state and offering subsidized rents to those passing a means test would be a more decommodifying form.

Each of these three aspects of state functioning has some sort of territorial counterpart (see Table 1). A major *form of representation* is through the ballot box and a common way in which elections are organized is through geographically defined constituencies with the candidate who obtains more votes than any other getting elected; so-called ‘first-past-the-post’ systems. Legislators are elected to represent a particular area, though in practice the degree to which this territorializes representation varies tremendously. Both Britain and the US have the first-past-the-post form of elections in parliamentary constituencies or their American equivalent, the congressional district. But representation is distinctly more territorialized in the latter case. In Britain the choice of candidates is closely monitored by the central offices of the respective parties. Once elected the strength of the party whips means that representing one’s constituency rather than some general party interest is frowned on rather than encouraged; and while not always encouraged in the American case, it is certainly far more common and voters are more likely to expect it.¹

The more obvious point about first-past-the-post systems and their geographically defined constituencies is their contrast with proportional representation. But proportional representation systems vary a great deal. A common argument is that they contain no territorial element at all unless, where you have a pure system of proportional representation (PR), as in Israel, it can be said that representatives represent the country as a whole. But in fact PR systems often come with some subnational territorial element creating a hybrid form that combines PR with representation of relatively large regions. On the other hand, an advantage of pure PR is that it obviates the highly fraught issue of defining constituency boundaries and concerns about unequal representation and gerrymandering.²

¹ The roll call votes of local Congresspersons will be published in local newspapers, for example.

² Though we should note that unequal representation can be seen as a virtue; the fact that a Senator from California represents some forty or fifty times the number of people as a Senator from Wyoming is supposedly a desirable feature of the American system: a representation of areas of equal constitutional status as opposed to representation of equal populations.

Table 1: Three Dimensions of State Functioning Exemplified

| MODES OF ... | A-TERRITORIAL | TERRITORIAL |
|-----------------------|---|--|
| REPRESENTATION | Party political, pressure groups, corporatism, clientelism, social selectivity of civil service recruitment. | Electoral districts, place-specific pressure groups (e.g. neighborhood organizations), regionalist political parties, local vs. central candidate selection, spatial selectivity of civil service recruitment. |
| ORGANIZATION | The state’s division of labor: departments, executive vs. legislative, committees, statutory and customary delimitation of departmental jurisdictional spheres. | The state’s scale division of labor: local vs central, use of conditional grants, mobility of personnel between more local and more central branches. |
| INTERVENTION | Commodifying vs. de-commodifying; redistributive vs. distributionally neutral. | Land use planning; state intervention into the distribution of employment; geographically selective infrastructure policies. |

The internal organization of the state likewise has its territorial counterpart. There are, for example, more local and more central branches each with their own distinct powers and responsibilities. The state, in other words, has a *scale division of labor*. Sometimes, as in a federation, the division of powers is defined in the constitution. In unitary states responsibilities may be delegated, the principle being that they can be rescinded if the more central branch of

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government feels that they should be. But in practice delegation is not much short of constitutional assignment since rescinding powers for which there is a strong local base can be to court electoral backlash.

Just how those powers and responsibilities are exercised, however, and what the outcomes are when they are so exercised can depend on the other geographic aspects of state organization. Jurisdictions can vary considerably in terms of geographic area. All other things being equal, smaller jurisdictions are likely to generate a pattern of social provision characterized by a good deal of inequality; which is one of the thoughts behind the creation of larger uni-cities in South Africa instead of the patchwork of white cities, Group Areas and townships that was the legacy of the apartheid era. On the other hand, larger jurisdictions, by virtue of the variety of ‘tastes’ that they are likely to incorporate, are less likely to provide policies that fit any particular set of tastes, though resort to the concept of ‘taste’ is often an ideological ruse of the more privileged designed to resist outcomes that would be more redistributive. It is also sometimes argued that state agencies with responsibility for larger territorial jurisdictions face problems of acquiring the requisite information on which to base policies and this may be a more plausible claim.³

Finally, with respect to state outputs, or *modes of intervention*, we can distinguish among others between those that are explicitly territorial and those that aren’t. There are, for example, a variety of policies aimed at achieving place-specific effects like Enterprise Zones, tax increment financing districts, urban management districts or the old development areas that used to be common in Western Europe, as in Southern Italy or the old coalfield areas of Britain. But the land-use zones of planning documents fall into the same category. Yet another facet of this are those inter-governmental grants whose magnitude depends on some features of the areas to which they are directed: such-and-such a proportion of the total population under the poverty line, for instance. In the British case the grants that comprise the burden of local government

³ For a stimulating discussion of the dangers of centrally conceived and implemented policies that are devoid of local input see James C Scott’s *Seeing Like a State*.

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revenues are calculated by a formula that is explicitly designed to achieve some redistributive effect between areas based on respective resources and (demographically defined) ‘needs’.⁴

On the other hand, there is a range of policies that have effects that are unintentionally geographic in character; in fact one might ask whether or not there are *any* policies that don’t have such uneven effects. Defence policy provides defence regardless of where people are located, but the location of military and air bases, the geographic allocation of orders for *matériel*, can have important effects in channeling value through particular localities and can be hotly contested, as indeed they are in the US. But this suggests that once territory-specific effects flowing from policies are realized by those losing from them, there may be attempts to change the policies in question, at which time they become explicitly territorial as different territorial groupings enter into conflict so as to channel fiscal flows in their own particular directions.

Returning to the earlier distinction between modes of intervention that are commodifying and those that are decommodifying, one can also see how the policies of many different local governments can have commodifying effects, and once again, ones that are quite inadvertent in character. In the United States, and for a variety of reasons, including taxable resources and social composition, school districts vary tremendously in terms of their ‘outputs’, whether one judges the latter in terms of school spending levels, achievement test scores, or a mix of both. When conjoined with the housing market, the effect has been to bid up home values in those districts regarded as more ‘desirable’ relative to other districts. The result is that obtaining entry into particular schools depends, again, in effect, on the payment of an entrance fee: the premium that people pay when purchasing housing in one of the more reputable school districts. In Britain, on the other hand, where resources are less likely to vary so much between the local authorities in charge of education, where those with money put their children in private schools, and where districts are often much larger than in the American suburbs, the incentive framework for these sorts of commodifying effects is not so apparent.

⁴ For example, all other things being equal, more money will go to local governments with ageing populations in order to finance services specifically for them.

The Social Significance of the State’s Territorial Structure

We are used to thinking of the state as having a power of its own, as inherently powerful, and it certainly seems that way when we are pulled over for a traffic violation or have to pay our taxes or risk a penalty. But counter-intuitively, the state has no power in and of itself. As an organization it is, rather, a condensation of broader social struggles, a form of struggle even, through which social forces come together to gain an advantage relative to other social forces. In short the state is a structure of social relations that empowers and limits, but not apart from those struggles which are designed to mold that structure, transform it, in ways that will empower particular social forces and limit others.⁵ Accordingly the state has a form, a particular organization, particular modes of representation and intervention, that is sometimes quite deliberately designed, at other times, colonized because it facilitates the ends of some rather than of others. It is, in short, a state for some and not for all.

An obvious case in point is the apartheid state with its racial franchise, racialized internal organization – homelands, separate departments of education and of housing for the different race groups and race-specific modes of intervention: a state that wasn’t so much for some rather than for all, but for very few indeed. Precisely what coalition of forces it advantaged is still debated (O’Meara, 1996). The white working class were certainly protected in a way they would not otherwise have been, and so were certain fractions of capital: mining and agriculture in particular. The implications for manufacturing were more uncertain and this is perhaps one of the reasons that tensions built up, tensions which could only be mitigated through a restructuring of the state; though obviously this is to overlook industrial capital’s implicit, if fragile, coalition with the black masses.

⁵ This is not to overlook the fact that state agents will themselves participate in those struggles, and use their monopoly of the knowledge they have acquired, their own rhetorical abilities, to push for solutions that will either allow them to expand their own bureaux or protect their jobs and their existing powers. But ultimately they have to enter into alliances with factions outside the state if they are to achieve their ends.

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The same reasoning applies to the territorial structure of the state. This exhibits what Jessop has called a *structural selectivity* that privileges certain fractions over others. Again, we can get a sense of what is at stake here by considering the debates and conflicts that emerged over a new constitution for South Africa in the early ‘nineties. In terms of the interests pushing for them, the demands for power sharing, a confederal state, a white homeland, the retention of the black homelands, not to mention proportional representation, are all quite transparent. This is not to argue that one can reduce that debate to its territorial aspects. Among other things there was the issue of what to do with the dominantly white senior civil service, and the question of a bill of rights that would, among other things, protect white landowners from expropriation.

Yet when we move from a consideration of the social structuring of the state to that of the social structuring of its territorial aspects, something different is involved. This is because the forces at work are not ‘social’ in an aspatial sense. Rather the agents involved have stakes in particular places at particular geographic scales which they wish to protect, so it would be more accurate to describe them as *socio-spatial*. In introducing this topic we need first to record a debt to the work of David Harvey and his (1985) path breaking work on the difference that space makes to capital and capitalist development and its subsequent politics.

Harvey’s major point was the tension inherent in capitalist development between fixity and mobility. In order for value to be produced, it has to be embodied first in the relatively fixed forms of factories, physical infrastructure, machinery, worker skills, housing for workers, lines of transportation. But once that value is realized it can be reinvested elsewhere, and there will be pressures within the capitalist development process to do precisely that. The result is the emergence of new, competing centers of development elsewhere, centers which can threaten the viability of earlier vintages of fixed capital in (e.g.) other cities, other countries and regions. One result of this is the emergence of territorial coalitions, often cross-class in character, designed to protect the future of their factories, jobs, home values, through ensuring that value will indeed continue to flow back towards them, allowing the amortization of fixed investments and

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continued employment of skills and knowledge whose devaluing would imply a considerable opportunity cost for those affected.

On the other hand, one can also expect territorial coalitions elsewhere to come into being as they too try to structure the overall economic geography of flows – of investment, of labor, of sales – to their own advantage. These tensions tend to be intensified by the way the circulation of capital that is at their root produces or overlays uneven geographic development. Some places become more ‘developed’ than others and their products can threaten those with less productive technologies, for example; or alternatively, as in the recent concerns about globalization, the shift of investment to low wage areas can produce a new sort of uneven development: one of rates of growth and rates of increase (or decrease) in employment.

The tensions so produced can clearly have implications for struggles over state form. One approach for a territorial coalition is to push for a state of their own; for a sovereignty that would alter the pattern of fiscal flows to their advantage, for example. This seems to be the case in the drive of the Northern League in Italy for a new state of Padania: eliminate the fiscal burden of redistributive flows to the south of the country and redirect those northern taxes, as they are seen, into satisfying the infrastructural backlog in what would become Padania. At more local levels, similar logics apply. In urban areas developers make investments in land whose value they hope to realize later once it is developed. But if jurisdictional arrangements change in the meantime, then the value that would otherwise flow through their new housing in the form of purchases, won’t and the money laid out for land won’t be recouped. This has been an issue in suburban school districts in those American metropolitan areas in the central cities of which there has been busing for racial balance. Busing induced ‘white flight’, which provided a real estate bonanza for developers and encouraged them to purchase more land. But subsequent proposals to extend busing to the whole metropolitan area threatened those investments and brought them out on the side of the opposition and the territorial status quo.

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In the EU there has been a debate about common welfare standards: whether or not the same social safety net provisions should apply to all members. The main protagonist of uniformity has been a coalition of labor unions and smaller businesses in Germany, and it is easy to see why. By virtue of its relatively high wage levels, as a site for new investments Germany is less attractive than lower wage areas of the EU like the Iberian peninsula, Greece or even Britain. Uniform welfare provisions as in unemployment compensation, would, so long as the leveling was upwards, tend to reduce Germany’s disadvantage in this regard and so reduce unemployment there. The reason for this is that German unemployment compensation standards would be more competitive with wages in low wage cost countries and so exercise upward pressure on wages there.

Yet this particular instance underlines the complexities of talking about uneven development and how it relates in its politics to questions of place dependent interests. For while it is certainly true that Germans would rather stay in Germany than move to Portugal to take up jobs in German transplants there, say, more is at stake. For even if they were willing to move they would have to accept a lower standard of living. What is at stake here, therefore, is not just jobs in Germany but the traditionally high standard of living that German workers have experienced. And this can only be preserved by limiting the competition from the EU’s periphery. Similar remarks can be made about the origins of what Titus Alexander (1996) has called ‘global apartheid’: the way in which the territorial structure of the global polity and the way in which the privileged of the West mobilize those powers to their own advantage so as to reduce Third World competition, produces an outcome not that much different from apartheid in South Africa.

These arguments also suggest a way out of what might be called ‘state-centered views of the territorial structure of the state’. Capital is united on a global scale, as the protagonists of globalization constantly remind us. As Marx stated many years ago, the world market is given by capital. But if there is a unified global economy, the global polity is far from united; rather it takes the form of many states, and to be sure many state agencies that act in quasi-state manners like the World Trade Organization and the EU. There are in other words many nodes of state

power in the world. The omnipresent tensions between fixity and mobility and the (often associated) emergence and reproduction of uneven development suggest why that might be; each represents a concentration of force through which the wider circulation of value can be turned to more local advantage. Some of these will be the central branches of states, some the local branches, yet others supranational forms like the EU or the WTO. In this way we can also begin to see the relation between the capital accumulation process on the one hand and the extraordinary tensions of a geographical kind that it generates, and territorial structures of the state that push beyond what we commonly regard as ‘the state’ into forms of a more imperial kind; or which, as in the case of the EU, are designed among other things, to provide a springboard for the domination of the economies of other countries so that the overall economic geography of the world will work to the advantage of the various coalitions for forces that comprise the EU’s social base.

The Explanatory Limits of the State’s Territorial Structure

To repeat: The state in and of itself has no power. Rather it is a condition for the exercise of power on the part of various social forces, which contest its form precisely for that reason. Its form empowers particular fractions and places severe limits on the ability of others to change things to *their* advantage. The fact that the state relies for its revenues on taxation – something that we tend to take for granted – places it at a severe disadvantage over the forces that ultimately determine the sum total of values to be taxed: those who make investments in productive property. In short, state structure puts pressure on the state to enact policies that will not undermine the capital accumulation process. More generally the state is a capitalist state. That means that it must protect those relations of private property and commodity exchange which are the basis of capital accumulation. This places limits on what it can accomplish, for any policy that fails to satisfy those endowed with the power of money is likely to generate actions which will undermine what it is trying to achieve. So too is it the case with territorial structure.

Busing for racial balance was a territorial solution to the fact of racially segregated schools in the urban areas of the United States. Traditionally, within school districts pupils had been assigned

to the nearest school: the so-called ‘neighborhood school’ assignment principle. In a context of residential segregation by race this meant schools that were almost entirely white or entirely black. And as housing patterns changed and threatened particular ‘white’ schools with more racially mixed compositions so the school board would redraw the boundaries of the neighborhoods. In the nineteen sixties, in the midst of the civil rights revolution in the United States, this attracted the attention of the anti-segregationist forces and led to court-enforced solutions. Where it could be shown that school boards, through their designation of school catchment areas had aided and abetted segregation between schools then there would have to be a district wide re-assignment of pupils to schools so as to achieve racial balance in each of its schools. In some cases this involved busing students lengthy distances: hence the term ‘court-ordered busing’. But people, for the most part white, particularly those who could afford it, reacted to this so as to preserve relatively segregated schooling for their children. They did this in several ways. What attracted most attention were the acts of residential relocation: people simply moved from the central city school districts which were the object of desegregation into almost entirely white suburban school districts: this was what became known as ‘white flight’. They also placed their children in private or in parochial – i.e. Roman Catholic – schools. But in order to do these things they had to have the necessary money.

This particular example will resonate with those with interests in South Africa. This is because one of the counter-actions of white authorities in areas threatened with uni-city status has been to sell off public assets, like schools and parkland, to private authorities which will then use the power of the market to preserve segregation, not so much racial but by income, which often amounts to the same thing. But there is something else in these examples that is worth isolating. White flight in the American instance represents a territorial ‘solution’ for those who wanted their children to remain in largely white schools. On the other hand, a moment’s reflection suggests that the private school option was also a territorial solution. The private school, after all, has an area surrounded by a boundary and admittance is regulated so as to influence what happens inside those boundaries. The only difference is that this particular territorial solution is not one provided directly by the state in the form, say, of separate suburban school districts.

In other words: territoriality is not reducible to the state, though we should note that the state may support and regulate these other forms. Private property is itself territorial. We use fences, locks, private security services, security peepholes in order to regulate ingress, and insurance companies encourage it. There are private schools, private shopping centers, gated communities, high rise apartment buildings with ‘desks’ designed to monitor comings and goings. Even the car represents a form of territoriality, if mobile: so much safer than public transport and certainly safer than walking where the ‘territory’ we have to rely on is normatively rather than physically defined.

To some degree these represent the power of money when confronted with a state whose standards of provision fall short of what they want. Perhaps territoriality is an omnipresent feature of social life⁶ and one that we need to take into account when talking about the territorial structure of the state. But that would be to shift the discussion onto an ahistorical plane, and to contravene an underlying thesis of these notes: that we live in a capitalist society and this imparts a distinctive dynamic to questions of the territorial organization of the state.

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⁶ The classic statement is that of Edward Hall (1959: Chapter 10).