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Romanian Spatial Planning System: Post-Communist Dynamics of Change and Europeanization Processes

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ABSTRACT *This paper addresses the post-communist history of Romania's spatial planning system with the two-fold aim of describing its evolution and identifying the role played by the EU in this process. Taking as a starting point the contradiction between the formal goals of Romanian spatial planning and the actual spatial development patterns, the paper proposes a contextualized analysis of the system's changes. It complements the focus on the formal technical dimension with a look at the broader socio-political context, driving forces and path dependencies. It identifies five episodes within this time frame and argues that they were catalysed by factors outside the immediate technical dimension of spatial planning, such as the changes in the Romanian political scene, the dynamics in the governance and planning culture, the evolution of the economy, the actual development patterns and most notably, by the process of Europeanization. While often the role of the EU is taken for granted as a general positive force for Romania, the paper makes instead the distinction between the use of Europeanization as a rhetorical external driving force and the real changes brought about by the process.*

1. Introduction

Between 2005 and 2007, the ESPON study 2.3.2 attempted to extend the *European Compendium of Spatial Planning Systems and Policies* (CEC, 1997) to the New Member States. The study classified Romania's spatial planning system as related to the "comprehensive integrated" planning tradition originally defined as the ideal-type of the disciplined Dutch, Nordic and Germanic planning systems. However, in the same period, spatial development in Romania seemed to be hectic and piecemeal. Starting from this contradiction, the paper builds a contextualized analysis of the changes in the Romanian spatial planning system framed by its broader socio-political context.

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We adopt an institutionalist perspective to highlight not just the formal-technical aspects (laws, instruments, etc.), but also the path dependencies and driving forces (political and economical shifts, discourses, learning and networking processes, civil society agency, actual development patterns, etc.) in relation to the relevant actors. Moreover, among these various driving forces that influenced the developments in the last 23 years, the paper aims to specifically identify the role played by the EU and make the distinction between the use of Europeanization as a rhetorical external driving force and the real changes brought about by the process.

In order to achieve this, the paper is structured as follows:

The second section outlines the different perspectives related to spatial planning and Europeanization. It addresses the concept of the spatial planning system, how it has been discussed in the comparisons of such systems in Europe and the necessity of adopting an institutional perspective in order to go beyond the technical dimension (Section 2.1). Subsequently, it frames the different interpretations of the Europeanization processes in the field of spatial planning (Section 2.2) and finally shows the distinctive features of the Eastern Member States (Section 2.3).

The third section looks at the dynamics in Romania's spatial planning system after 1989 and identifies the key episodes and their driving forces. This research is based on a review of laws, policy documents and plans ranging from the European to the local level, on experts' opinions expressed in the Romanian journal "Urbanismul" or in the press and on professional experiences.

Finally, the fourth section discusses the findings on the features and evolution of the Romanian planning system, as well as the role of the EU and the Europeanization processes.

2. Theoretical Stances

2.1 Spatial Planning Systems

In general, spatial planning can be considered to be a set of territorial governance arrangements aiming to influence the patterns of spatial development in a given place (Nadin & Stead, 2008). This set is often conceptualized as a (spatial planning) "system". Nevertheless it does not imply that those territorial governance arrangements must have reached a specific coherence in order to be a "system". Neither "spatial planning system" nor (multi-level) "territorial governance" has a single and shared definition. These variations are further increased by the field's terminological difficulties such as the different interpretations given to newly imported terms (i.e. governance in Romanian¹). These concepts have constantly been explored over the past two decades in the attempt to classify the spatial planning systems in Europe. The context of analysis was expanded from the systems' legal and administrative structures to the broader socio-cultural environment. While Davies *et al.* (1989) distinguished between planning systems rooted in the English common law and in the Napoleonic codes, Newman and Thornley (1996) expanded their scope to a broader selection of countries and, focusing also on the legal and administrative structures, identified the Nordic, British, Napoleonic and East European types. The EU Compendium of Spatial Planning Systems (CEC, 1997) enlarged the focus to the system in operation, using criteria such as the scope of the planning system, the extent and type of planning at national and regional levels, the locus of

power, the relative role of public and private, the maturity and completeness of the system and the distance between expressed objectives and outcomes. Instead of fixed typologies, four planning traditions emerged from the EU15 states. First, the regional-economic tradition, which follows wide social and economic objectives especially in relation to regional disparities. Second, the comprehensive integrated tradition, which seeks to provide a measure of horizontal and vertical integration of policies across sectors and jurisdictions. Third, the land-use management tradition, which has the narrower purpose of regulating land-use change. And finally, the urbanism tradition concerned more with urban design, townscape and building control. These traditions were meant as “ideal types”, against which each system was measured. The ESPON 2.3.2 research project (ESPON, 2007b) further extended the Compendium, classifying the New Member States in relation to these traditions. It is in this framework that the Romanian planning system was associated with the “comprehensive integrated” planning tradition.

As these classifications over-emphasize the formal system of planning (Nadin & Stead, 2008), we broadened the analytical framework by looking into the emerging debate on “planning culture” as well as considering the institutionalist perspective (Servillo and Van den Broeck, 2012). In this debate, planning systems are seen as inextricably linked to their wider models of society (Stead & Nadin, 2009, p. 283, cited in Maier, 2012), to the socio-economic dynamics, and also to the cultural norms and traditions (Knieling & Othengrafen, 2009, p. xxviii). Furthermore, they are structured by specific actors, actor constellations, rules, norms, values or collective ethos (Getimis, 2012). Thus, in an institutionalist approach, planning culture complements formal planning with the sum of its social, environmental and historical factors of influence (Young, 2008, p. 35, cited in Knieling & Othengrafen, 2009), and with the ways in which spatial planning is formulated, institutionalized and enacted (Friedmann, 2005, p. 184, cited in Getimis, 2012).

A framework comparing planning cultures was developed by crossing two policy dimensions: anticipation vs. adaptation attitudes and consensus building vs. coercion (CULTPLAN, 2008, p. 47, cited in Maier, 2012). It led to four types of culturally embedded planning systems, as given in Table 1.

These categories will become useful in order to assess the Romanian situation and to enrich the description in ESPON 2.3.2 (2007b).

2.2 The Europeanization Processes

Despite lacking formal competence in planning at European level, the EU multi-level polity is a key backdrop for the dynamics in spatial planning. Thus, its influence in domestic planning processes must particularly be considered when addressing recent dynamics

Table 1. Culturally embedded planning systems (CULTPLAN, 2008, cited in Maier, 2012).

	Consensus building	Coercion/imposing decisions
Anticipation	Planning with the support and participation of the community	Rational planning and programming
Adaptation	Incrementalist, pluralist and fragmented policy-making style	Contingent and opportunistic top-down decision-making

in New Member States. This influence, conceptualized as “Europeanization” (Lenschow, 2006), refers to the

processes of construction, diffusion, and institutionalisation of formal and informal rules, procedures, policy paradigms, styles, “ways of doing things” and shared beliefs and norms which are first defined and consolidated in the EU policy process and then incorporated in the logic of domestic (national and sub-national) discourse, political structures and public policies. (Radaelli, 2003, p. 30)

In spatial planning, Europeanization can be related to the increasing influence of the EU policy within the Member States’ spatial policy, the support given to transnational cooperation on spatial development, and the learning effects that are expected to come with such cooperation (Dühr *et al.*, 2010). Despite lacking formal competency in the field, several EU sectoral policies such as environment, regional development, transport and agriculture have important territorial impact (Dühr *et al.*, 2010). Moreover, the EU exerted its main influence on this narrow field of competence by means of a strategic discursive apparatus. Here, concepts and methodological insights were spread through different discursive chains (Servillo, 2010) and keywords, in order to influence the structural funds expenditure.

It is in the 1990s that a territorial focus started emerging at EU level, leading to the adoption of the “European Spatial Development Perspective” (ESDP) in 1999 (CEC, 1999). The construction of “an implicit territorial agenda” ensued (CEMAT, 2007; Faludi, 2009) and was marked by the institutionalization of European Observation Network for Territorial Development and Cohesion (ESPON), the mainstreaming of experimental programmes of cooperation (INTERREG), the adoption of the “Territorial Agenda of the EU” (German Presidency, 2007) and the “Green Paper on Territorial Cohesion” (EC, 2008). The so-called European spatial planning is thus a varied set of ways through which the EU plays a role in spatial planning and which see planning as “a strategic tool for spatial integration with multi-sector and multi-level cooperation and coordination as its core elements” (Giannakourou, 2012).

The process of Europeanization impacts a domestic spatial planning system through specific mechanisms, triggered by several driving forces, which have been discussed and interpreted by different authors. Following Lenschow (2006), Böhme and Waterhout (2008) identify three types of mechanisms: top-down, horizontal and round-about. The top-down mechanisms (EU → national state) are those EU policies, mainly sectorial, influencing national policy goals, choices and instruments in spatial planning. The horizontal mechanisms (state → state) are those processes of cooperation and mutual learning, especially through transnational, cross-border and inter-regional territorial cooperation. Finally, the round-about mechanisms (national state → EU → national state) are those processes through which national positions contribute to the shaping of approaches and discourses at the EU level and subsequently re-interpreted at national/regional level when presented as EU official positions.

At the same time, when factoring-in planning culture, Giannakourou (2012) distinguishes between Europeanization through “soft coordination and learning” (knowledge-based horizontal communication and networking, which does not presuppose top-down pressure from the EU) and Europeanization through “hard regulation and

compliance” (institutional changes, transformation of domestic regulatory frameworks in compliance with the EU).

In this perspective, the EU acts as a catalyst of change through different channels in which it strategically selects interlocutors and actors via discourses and processes, while the relevant actors mobilize resources in order to comply with EU requirements and transform keywords into actions (Servillo, 2010). The way these processes take place in various countries is a unique combination of internal and external dynamics, planning cultures and specific socio-political configurations.

2.3 Eastern European Context

Emerging from communism in the same period, the Eastern Europe countries experienced to various degrees a set of similar spatial dynamics. Privatization and property disputes, de-industrialization, environmental problems, informality in housing and business, emigration, marginalization of vulnerable groups (e.g. Roma) and increase in spatial disparities are general trends that went in parallel in a context of weak legal enforcement and widespread corruption.

Moreover, in the early transition, ideological stances and (powerful) opportunistic interests stigmatized planning as being a communist attitude, based on controls and regulations, and hence undermined its legitimacy.

The role of the EU on the spatial planning reforms interfered with these general trends in the Eastern countries to such an extent that these reforms may be more profound here than in Western Europe (Dühr *et al.*, 2007). The changes required in response to the *acquis communautaire* prior to the accession had many effects, including administrative and legal changes, new regional institutions, and new administrative boundaries and new powers (O’Dwyer, 2006). Less institutional resistance to policy change than in old member states (Grabbe, 2001) transformed the EU enlargement in a “window of opportunity” to develop radical processes of change (Adams *et al.*, 2011). Such changes created, however, a new layer above and/or apart from the national planning systems, influenced by the European spatial planning agenda mostly through national policies (Maier, 2012). Furthermore, formal requirements related to EU funds resulted sometimes in new piecemeal instruments established solely for the purpose of EU funding (Maier, 2012).

However, despite the common features, generalizations are limited. Altrock *et al.* (2006) underline the highly heterogeneous situation in Eastern Europe, with vast differences in the degree of fiscal and administrative decentralization as well as in geographical size, with re-considered pre-soviet legacies, such as resurrected traditions and historical (transport-) connections, and different adaptations to changes according to the contextual settlement and administrative structures and institutional path dependencies.

3. Evolution of the Spatial Planning System in Romania

In his recent “Overview of Romanian Planning Evolution”, Pascariu (2012b) identified four major periods: “the predecessors” (before 1900), “the basics” (the first half of the twentieth century), “the totalitarian age” (the communist decades up to 1989) and “the transition” (the post communist decades). This last “transition period” was portrayed as “a consistent and continuous process”, based particularly on a positive EU influence. It allegedly led to “setting up a new planning system, a specific higher planning education

and in defining the objectives and professional standards for the profession of urban planner in Romania” (Pascariu, 2012b, p. 1). However, if we look beyond the technicality of the planning system we can outline a more nuanced perspective of this period: the key changes in the spatial planning system did not always emerge in a progressive manner, but rather as conjunctions of catalysts from a broader “institutional field”, such as political shifts, discourses, availability of EU funds, learning and networking processes, actual development patterns and related civil society agency. These aspects present forms of path dependency determined by the dominant planning culture and governance tradition.

Notably, five distinct episodes were identified, corresponding to the main political shifts at national level. Starting with the violent “Romanian Revolution” of 1989 that brought down Ceausescu’s communist regime, the first episode (1989–1996) saw an initial reformist enthusiasm followed by a period of communist inertia. It brought about the repeal of the former planning law and a draft for an alternative comprehensive system based on prescriptive land-use planning at the local level with supra-local and national integrative intentions. Nevertheless, it lagged behind in its implementation. The second episode (1997–2000) brought a Western-oriented centre-right coalition which pushed ahead some privatization programmes, established the EU funds-related regional policy, and supported a more intense land-use planning activity, albeit one detached from reality or from other policies. The third episode (2001–2004) was marked by EU candidacy-triggered reforms and pre-accession funds under a centre-left government. A spatial planning law was finally passed now, but the field was then marginalized, while exemption-driven planning practices flourished. The fourth episode (2005–2008) gravitated around the EU-accession moment for which key structural reforms were implemented under a centre-right alliance. Capitalizing on “European spatial planning” concepts, a reform of the spatial planning system was also attempted now for a more comprehensive integrated model. The final episode (2008–2012) was marked by the EU funds frenzy and the increased role of public investments brought about by the Member State status and by the economic crisis. Attempts were made to align spatial planning to the regional development policy, while trying to limit the discretionary private initiative.

3.1 1989–1996

By 1989, the *sistematizare* (spatial planning) in Romania had already lost its aura of a purely technical domain in the public eye. Ceausescu’s 1974 planning law enabled top-down schemes to reshape the national settlement network to an unprecedentedly radical degree for Eastern Europe (Turnock, 1987). This led to a perception of spatial planning as a highly political tool, which was “responsible for the destruction of a large part of the built heritage of towns and villages and for the brutal reshaping of the urban environment” (Pascariu, 2012b). In the brief enthusiastic period following the regime change of 1989, this law was repealed and the field was rebranded as *urbanism & amenajarea teritoriului* (urban and territorial planning) under the competences of a newly formed ministerial commission. Led by Serban Popescu Criveanu, it gathered professionals with French and German affinities, spiritual followers of the father of inter-war functionalist spatial planning in Romania Cincinat Sfantescu (Petrisor, 2010; Pascariu, 2012a).

The new planning system, briefly sketched in the Ministerial Order 91/1991, capitalized on the sustainable development discourses emanating from the 1983 Torremolinos Charter by CEMAT (Conference of Ministers Responsible for Spatial Planning). This can be

considered the main structure of the planning system in Romania, with a clear distinction between coordination plans at the upper levels and land-use plans at local levels according to a hierarchical scheme (Figure 1).

The reformist political context vanished quickly, however. The anti-establishment voices from the “National Salvation Front” (the revolutionary body dominated by former communists, which later became the dominant political party in control of the state apparatus) were marginalized very soon, and a long period of “successor-communist” inertia ensued (Mungiu-Pippidi, 2006). This meant that this draft version of the spatial planning system has not become significant legislation. But neither was the spatial dimension of economic planning maintained, despite the persisting steering role of the central government. Instead, spatial planning was largely disconnected from regional-economic development, which was itself in crisis given the state of near-collapse of the economy in 1989 (Smith, 2006). Responsibility for the preparation of lower-level spatial development concepts, economic development planning and investment programmes was devolved to the respective levels, but such documents only started to be adopted in 1995 (CEC, 1997, pp. 87–88). Furthermore, the lower levels were not provided with an equal transfer of resources from the central level along with the new responsibilities (Dragoman, 2011), in a context of an already weak strategic planning and analysis capacity (CEC, 1997, p. 105).

3.2 1997–2000

The elections at the end of 1996 brought to power an EU-oriented centre-right coalition (the Romanian Democratic Convention). The intentions to restructure and privatize the economy were partly initiated, but in combination with coalition disagreements and

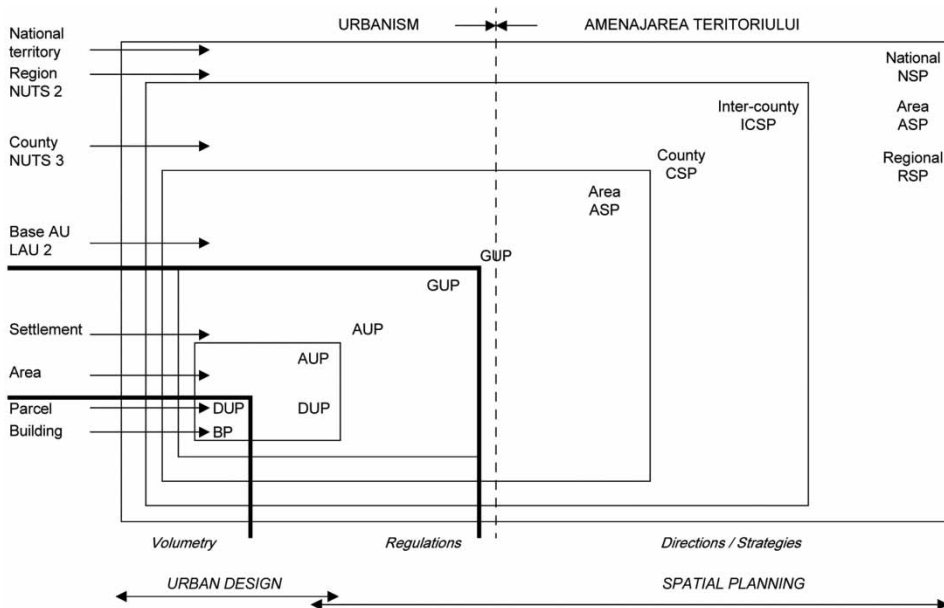


Figure 1. Instruments in the Romanian spatial planning system (adapted from Pascariu, 2010a).

generalized corruption, they led to the worsening of the recession, high unemployment and inflation, and an overall decline in the standard of living (Smith, 2006; Crowther, 2010). The adjoining wave of property restitution and privatization, biased as it was, brought several new actors to the institutional field: land owners, banks and NGOs, along the departments from all levels of administration responsible for development or European integration (Radoslav, 2010). The privatization programmes became thus the main drive accelerating spatial patterns such as incremental (sometimes informal) urban development, de-industrialization, environmental problems (ecological accidents, deforestation, floods, etc.), marginalization of vulnerable groups and increased spatial disparities.

The privatization also had a major impact on planning culture. It accelerated the dismantling of the large planning institutes and thus of the main knowledge-sharing platforms for spatial planners (Gabrea, 2010, pp. 155; Bubulete, 2010, pp. 156). When the government ordered new spatial plans to frame the emerging developments (MPWSP, 2000), these plans proved mostly disconnected from the reality of land ownership, the financial capacity and the priorities of the public sector. There was limited integration between the different sections of the plans, denoting a strong silo-mentality and lack of cross-sector cooperation (Derer, 2010, p. 154). This situation led to contradictory and unworkable solutions, still marked by the megalomaniac communist planning tradition (Radoslav, 2010, p. 148). Nevertheless, new knowledge channels were opened by the process of drafting a United Nations Development Programme (UNDP) supported sustainable strategy (GoR, 1999), the establishment of the first spatial planning faculty and of the new EU-funded supra-national territorial cooperation projects.

Apart from such incipient impact on planning culture, Europeanization played a greater role now on the emergence of regional policy. Before 1996 the lingering nationalistic rhetoric marginalized the issue of regionalization, but the new, more inclusive government helped address the EU-requirement for a regional development framework (Dobre, 2010, p. 66). Regional policy was enshrined in law in 1998 with the aim of “integrating sectoral policies at the regional level” (Law 151/1998) and eight new regions were instated as “voluntary” associations of counties (not as administrative entities). This new framework was characterized by excessive centralization, with national steering in key programming aspects, implemented with limited involvement of the lower levels, and not linked to the spatial planning instruments (Ianos & Pascariu, 2012).

In turn, the spatial planning law drafted in this period (Pascariu, 2010b, p. 150) and adopted later in 2001, did not refer to the regional development policy, although the main activities assumed by it were to translate the sustainable development strategies, policies and programmes into spatial terms and to follow-up their implementation.

(Law 350/2001). This gap between regional and spatial policies was closed formally and briefly in a few national strategic documents, under the influence of external discourses on “sustainable spatial development” emanating from UNDP (GoR, 1999) and CEMAT. Notably, *Romania’s National Programme for the Accession to the EU* (GoR, 2000), following the Hanover CEMAT, referred to spatial planning as “a component of regional development” and gave the National Spatial Plans financial instruments for implementation.

3.3 2001–2004

The left-leaning Social-Democrats (the former National Salvation Front) showed an initial commitment to consolidate the spatial planning system when they returned to

power in 2001–2004. They adopted the previously drafted spatial planning law as well as two important sections of the National Spatial Plan (Settlement Network and Natural Risk Areas), and set up a national fund for spatial planning research (i.e. AMTRANS). However, the references to spatial planning or “sustainable spatial development” vanished from the new strategic national documents (e.g. the 2001 version of *Romania’s National Programme for the Accession to the EU* (GoR 2001) no longer referred to them), and the field was subordinated to a transport ministry. Furthermore, public planning activity stagnated, with only a few municipalities initiating updates to their land-use plans, despite the unsuitability with the reality of the existing plans. The government, on the other hand, adopted a plethora of reforming legislation triggered by the mainstreamed EU accession process, some of which, despite not being integrated with the new spatial planning law, had an important spatial dimension. Such were the acts passed in 2002 (Emergency Government Ordinance 91/2002, Government Decision 918/2002) translating the environmental impact assessment (EIA) and strategic environmental assessment (SEA) procedures, the updated Regional Development Law (315/2004) into national legislation. Other laws focused on integrating sectoral policies, reflecting existing and emerging EU directives (e.g. the Water Framework Directive, the Birds Directive, the Habitats Directive) or recommendations (e.g. the Recommendation on Integrated Coastal Zone Management).

The Social-Democrats adopted a series of reforms, continued the privatization process and governed over a period of economic growth, but also of demographic decline, underemployment and poverty (partly relieved by emigration) and increased social inequalities (Smith, 2006; Turnock, 2007; Crowther, 2010), in a context of persistent systemic corruption (Mungiu-Pippidi, 2006, 2009). These dynamics, along with the EU-funded structural investments and the growing private real-estate market, created the conditions for new spatial patterns: slowly improving infrastructures, polarized urban development in favour of the capital and the larger cities, with housing, retail and subsidized industrial parks built often incrementally on greenfields despite the large availability of brownfields (Turnock, 2007). As these new developments did not always correspond to the unrealistic plans of the 1990s, a new exemptions-driven planning practice flourished at local level, aiming to accommodate any development intentions by amending General Urban Plans with parcel specific plans (Pascariu, 2012b). This practice was rooted in the communist planning tradition of a perverted adaptation to the rules. According to it, local communities which had to obey the directions from the upper levels were able to attain their own objectives by a process of piecemeal shifting (Bubulete, 2010, p. 150; Maier, 2012). Like in other East-Central European cases, the outsourcing of planning activities to the private sphere shifted the position of practitioners towards business, forcing them to meet primarily the wishes of their immediate clients (Maier, 2012). The public interest, on the other hand, had few advocates and even the new participation rules imposed through EIA/SEA where often minimized (Parau & Bains, 2008).

In the meantime, a process of change was emerging within the profession, with new laws regulating architecture practice and eventually the creation of a Romanian Registry of Urban Planners (Registrul Urbanistilor din România). A growing number of EU territorial cooperation projects was also adding to the knowledge base of a few relatively enclosed entities (the ministry responsible with spatial planning and the Urban-project planning institute), while the increasingly numerous exchanges with European universities opened broader channels in the cognitive dimension.

3.4 2005–2008

At the end of 2004, yet another political shift brought to power the centre-right “Justice and Truth” alliance whose rhetorical support for reform, anti-corruption measures and increased transparency along with a partial transfer of leadership to a younger generation of European-oriented politicians did in fact bode well for democratic change (Crowther, 2010). Besides the great energy for revamping the legal system in the run-up to Romania’s EU accession in January 2007 (Turnock, 2007; Mungiu-Pippidi, 2009), the government implemented several market-liberalism-inspired economic policies, including the imposition of a flat-rate tax of 16% (Smith, 2006). These conditions, in conjunction with the growing remittances from Romanian emigrants further accelerated economic growth. This in turn multiplied manifold the spatial development patterns of the previous period, but also the associated practice of granting planning exemptions, with a peak of the building boom in 2008.

Meanwhile, planning was increasingly present on the political and civil society’s agenda. In the political discourse, it was specifically catalysed by the emergence of the “territorial cohesion” goal in the EU treaty and closely linked to the intensive investment-planning activity for the 2007–2013 programming period. Here, the terms “strategic” and “integrated” were used extensively, despite the fact that these plans were not connected to the spatial planning provisions (Vrabete, 2008). The civil society on the other hand, empowered by the process of Europeanization, was importing practical knowledge through transnational networking (Parau, 2009). Some NGOs, such as Pro Patrimonio, Alburnus Maior or Asociatia Salvati Bucurestiul, started challenging some of the illegal practices of the authorities such as granting approvals to large-scale projects (e.g. mining) despite missing sectoral permits, approving local zoning plans inconsistent with the General Planning Rules or other laws, granting permits for projects not respecting planning regulations or not fully complying with the procedures. There were also more pro-active NGOs such as ATU, Planwerk (2001–2003) and later Arhitectii Voluntari or PlusMinus, proposing development visions and promoting multi-actor involvement in the planning process. Eventually, this institutional frame led to a partial overhaul of the spatial planning system by 2008, supported by some reformist professionals absorbed in the spatial-planning ministerial department, such as Mihaela Vrabete and Anca Ginavar (Dan, 2008; Vrabete, 2008). Initiated in 2005 by the process of drafting a national Strategic Concept of Spatial Development (SCSD), this reform emphasized the evidence based, strategic and integrated approach at the national level (following the goals of the ESDP and of territorial cohesion), but also strengthened land-use control. It aimed to integrate the competences of spatial planning with the framework of the regional development policy (Law 289/2006, Government Ordinance 27/2008, Vrabete, 2008). Nevertheless, it strengthened the national level, which was responsible for drafting spatial plans also for the regions or for functional areas such as the coastal zone.

The process of drafting the SCSD required multi-sector and multi-level cooperation and the reform inscribed these principles in the spatial planning law. Furthermore, the centralization allowed for the National Development Plan (GoR, 2005) and National Strategic Reference Framework 2007–2013 (GoR, 2007) to acknowledge the grounding function of spatial planning, in particular of the SCSD and the National Spatial Plans. Nevertheless, in the Regional or Sectoral Operational Programmes this integration was much more limited, given the still strong silo-mentality, the mistrust between stakeholders and the

isolation of planners in small and competing companies. Furthermore, once the EU accession goal achieved, infighting escalated in the ideologically diverse political coalition that included genuine reformers, but also many compromised figures (Mungiu-Pippidi, 2009; Crowther, 2010).

3.5 2008–2012

The emergence of the crisis positioned the economic development on an abrupt downward spiral in 2008, which was addressed by the newly formed centre-right government of the Liberal-Democrats with increased taxation and salary cuts. In the context of a frozen real-estate market, this led to an even greater importance given to the now mainstreamed EU funds. The way was thus open for new public-led development largely influenced by the Regional and Sectoral Operational Programmes.

The cognitive dimension of the spatial planning system was expanding on the other hand, despite the increasingly politicized media (Mungiu-Pippidi, 2009, p. 46) which acted as an inhibitor of a fair spread of knowledge. An increased publishing activity was promoted by professional organizations (most notably the *Urbanismul* review), the presence of foreign consultancies for funds applicants, or several conferences in Bucharest related to territorial cohesion (“Territorial Cohesion and Competitiveness in the Context of Europe 2020 Strategy” in 2011, including keynote speakers Andreas Faludi and Tomas Hanell and the “EU Friends of Cohesion” high level EU meeting in 2012). The networking activity of the previous period broadened with increased participation in ESPON and EUKN, but also with the emergence of lobbying groups such as the Romanian Association of Building Owners in Brussels, that was challenging the limits to private initiative in requesting exemptions from land-use plans (Muresan, 2011).

In this changing institutional frame, an intensive production of strategies and plans at sub-national levels ensued, in order to produce the various instruments required by the competition for EU funds (e.g. Local Strategies, Integrated Urban Development Plans and Flood Risk Management Plans). In parallel, the new generation of General Urban Plans was being drafted as the existing ones were reaching their 10-year validity period. The EU-triggered strategies and plans were widely infused at the discursive level by the principles of territorial cooperation and integration, and led to the creation of a variety of new governance arrangements (e.g. territorial cooperation groups, inter-community development associations and local action groups). In practice however, the rhetoric proved mostly formal and declarative, with many of these often overlapping strategies and plans contradicting each other (Elisei, 2009, Ianos & Pascariu, 2012). Apart from this lingering silo-mentality, an important characteristic was also the excessive centralization, revealed by a stronger correlation of the administrative performance to political affiliation rather than to fiscal capacity (Dragoman, 2011), or by the fact that less than 20% of the regional funds were managed by the regions, the rest being centrally managed (Ianos & Pascariu, 2012).

Eventually, these contradictions between planning instruments triggered a new wave of exemption-driven spatial plans at the local level, not least when required to support specific EU funded projects. At the national level on the other hand, despite the centralization, but related to the fragility of the political coalition, the process of drafting the National Territorial Development Strategy (the follow-up of SCSD required by the 2008 spatial planning law) lagged behind. Nevertheless, planning at the supra-national

level continued within the European Territorial Cooperation framework, such as in the case of the development project for the Tisa river catchment area.

Building on all these dynamics, the spatial planning law was amended again in 2001. Spatial planning was further linked with the regional development instruments also at the lower levels, the evidence-based approach was strengthened following the INSPIRE Directive (2007/2/EC, establishing an infrastructure for spatial information in Europe), while the private initiative for land-use changing plans was further restricted. Furthermore, the broadened participation process defined in 2008 was implemented now in specific procedures down to the local level (Ministerial Order 2701/2010). The effects of these legal changes were, however, still challenged in particular cases by weak or discretionary law enforcement.

In May 2012 the Liberal-Democrats lost a vote of confidence, following mounting discontent over austerity policies, and the power was handed over to the Social-Democrats-dominated Social Liberal Union until the elections in December. This cohabitation between the new government and (Liberal-Democrats-supported) president Băsescu, however, triggered a major political crisis. The new government was formally committed to eventually drafting the postponed National Territorial Development Strategy, but it did not succeed in doing so in 2012. Meanwhile, a new amendment to the spatial planning law was proposed, likely to undo the strengthened public authority and land-use control measures brought about in 2008 and 2011. On the other hand, a broad debate on a more profound administrative regionalization was initiated, triggered among others by the EU funds' poor absorption capacity.

4. Findings

4.1 *A Far Cry from a Comprehensive-Integrated Planning Tradition*

The institutionalist perspective on the Romanian planning system provides a framework for re-assessing the system's positioning in the European classifications. According to the *European Compendium of Spatial Planning Systems and Policies* (CEC, 1997) in the comprehensive integrated tradition "spatial planning is conducted through a very systematic and formal hierarchy of plans from national to local level, which coordinate public sector activity across different sectors but focus more specifically on spatial coordination than economic development" (CEC, 1997, pp. 36–37). Considering the formal structure and scope of Romania's spatial planning instruments and the fact that ESPON 2.3.2 was drafted in 2005–2007, when attempts were made to strengthen its integration with sectoral activities, one could conclude that the planning tradition was chosen more as an act of faith than on the basis of empirical evidence. This evidence shows instead an overwhelming amount of contradictory planning strategies and instruments and the endurance of exemption-driven planning practices in favour of private developers and lobbies of interests.

It could be argued that this was just a snapshot of the formal Romanian spatial planning system, as it experienced dramatic changes over the last two decades. In the 1990s it started with a land-use management approach, having an urbanism-type flavour focused on the local level, albeit with some national integrative intentions. It moved towards a more comprehensive integrated scope in the 2000s, and in the last 5 years it increasingly strengthened its regional-economic dimension with its attempts to align spatial planning to

the regional development policy. But it also strengthened its urbanism and land-use control dimension, formally increasing its prescriptive and control orientation in order to address the constant distance between stated goals and the actual development patterns. It remained strongly sectorial, with a lingering silo-mentality and an excessive centralization attitude, revealing a strong correlation between administrative performance and political affiliation. Thus, as the goals of the system broadened, so did the distance between these expressed objectives and the actual outcomes, because of the immaturity and incompleteness of the system. Moreover, as the evidence shows, in the Romanian case the planning institutions were characterized rather by laggard, non-authoritative, marginalized and discretionary institutions and mechanisms with a far-from-ideal political commitment to the planning process.

The Compendium traditions provide a useful framework for understanding the multi-layered dynamics of the formal goals of spatial planning in Romania, but no ideal-type can be singled out as the dominant characteristic of the changing system. Considering the incongruence of a purely technical approach, the culturally embedded classification of the planning systems (CULTPLAN, 2008, cited in Maier, 2012) gives better insights into the Romanian case, as it highlights the importance of planning and governance culture in the operation of the system.

In the previous section, five phases were identified in the Romanian spatial-planning-system evolution (Appendix 1), which can help clarify its movement across the culturally embedded planning categories (Table 1). It came from a top-down “planning and programming” communist system, followed by a period of deregulation in the “90 s and leading towards a “contingent and opportunistic top-down” planning in the 2000s, characterized by immediate target-oriented planning with a limited scope of stakeholders. The changes from the 2000s in the scope of the Romanian spatial planning system strengthened the formal integration with regional development programming, implemented some pre-conditions for a more substantial public participation and multi-level cooperation, along with some legal tools for more control and coercion in respecting plans (participation rules, limiting discretionary planning practices). These changes point to a possible shift of the system towards “planning with the support and participation of the community”. Whether this will take root or not remains a question of how it will be translated in practice, as the law enforcement is still weak in some cases, while new dynamics foreseen in the current political context—particularly an amendment to the spatial planning law—are likely to undo the strengthened public authority and land-use control measures brought about in 2008 and 2011.

4.2 *The Europeanization Process*

Did the EU enlargement “window of opportunity” mentioned by Adams *et al.* (2011) trigger “radical processes of change” in Romania? The empirical evidence reveals that in those episodes closer to key accession moments, the EU played indeed a strategic role as a catalyst for major changes in spatial planning. However, the combination of various processes such as the adoption of EU directives, opportunistic governance arrangements, new methodologies, horizontal exchanges or diffusion of EU discourses depicts an ambivalent situation.

Apart from their obvious effect on formal national policy goals, choices and instruments, the European integration process and the EU sectoral policies brought important

structural changes as well, such as the new governance arrangements required by the EU funds expenditure mechanisms. These catalysed a broad process of Europeanization by reforming the multiscale re-distribution of powers, especially at regional level, where funds' management bodies were created, albeit with no proper administrative function. Moreover, the process had repercussion also in terms of actors that were strategically selected and mobilized. Europeanization acted as a vector of change not only for the national and regional administrations, but also for a vast amount of local ones, in which private actors and the cooperation arrangements between them were also structured by the different rules for accessing specific EU funds. This led to positive effects such as the new integrated and strategic approaches or the building of spatial evidence within the territorial cooperation projects. Nevertheless, it also led to an overwhelming amount of contradictory planning strategies and instruments, and to the endurance of the exemption-driven planning practices previously used by private developers.

A high degree of formalism in the adoption of new "integrated" and "strategic" instruments and procedures characterized most of the processes, in which "new methods" were used to justify single investments disconnected in reality from a truly integrated approach. Meanwhile, spatial plans ended up subordinated to those instruments, reduced to a tool for zoning investments on pre-established locations. It also led to contradictions among territorial development policies, such as funding industrial-technological parks on greenfields, while formally adopting strategies focused on rational use of land and brownfield redevelopment.

From this perspective, rather than a coherent reform, the European agenda determined a new layer apart from the national planning system, while the EU discourses started to penetrate and to have an impact through national planning policies. Thus, at the lower levels, the funds-related "integrated" strategies and plans have often been drafted for the sole purpose of justifying single projects, and instead of seeking integration with spatial plans they simply ignore them or change them incrementally.

At the same time, however, the Europeanization through horizontal processes of cooperation and mutual learning has been present since the first cross-border cooperation projects and provided important innovations in which EU discourses played an important role, triggering reforms and new approaches. The impact was limited in the initial years, but over time both the number of exchanges and the number of partners grew, becoming one of the catalysts of the intended reform in spatial planning. The key document of this reform, the Strategic Concept of Territorial Development (MDPWH 2008), was marked by the concept of territorial cohesion in relation to both the continent and the disparities within the country. The document also allowed for the actors involved to increase their awareness that they are part of larger territorial entities.

Spatial planning discourses, particularly those from the ESDP and Territorial Agenda, played a central role in the attempt to reform spatial planning (ESPON, 2007a). This use of European discourses can be seen as an attempt to legitimize the field of spatial planning in a general context of marginalization throughout the transition and was particularly visible in two instances. First, in 2000, in connection to the CEMAT Hanover, the goal of "sustainable spatial development" was integrated in the National Programme for the Accession to the EU (but was dropped a year later). Then, in 2005–2008, the SCSD strongly capitalized on the emerging territorial cohesion discourses and was accepted as a reference document for the National Strategic Reference Framework 2007–2013.

The latest attempt to draw legitimacy from the European level was made in 2011, when the strengthening of public power in controlling land-use was justified by the impossibility of making a proper SEA of the General Urban Plans due to the unpredictable development previously caused by private-led exemption planning practices (Preamble to the Government Ordinance 7/2011).

5. Conclusion

While the post-communist evolution of Romania's spatial planning system may appear at first sight to be a consistent linear process, the paper identifies instead several parallel formal directions, each with its specific trajectory (i.e. prescriptive land-use management, hierarchical comprehensive planning, strategic planning, or integrated with regional-economic policies). The general image is that of a system characterized by an overwhelming amount of contradictory planning strategies and instruments, which are the effects of several reform periods, and the persistence of exemption-driven planning practices in favour of private developers and lobbies of interests.

By looking beyond the technicality of the various changes, we notice that they present forms of path dependency related to the dominant planning cultures and governance traditions, economic and political shifts, actual development patterns and related civil society agencies, discourses brought and used by different actors, learning and networking processes and not least the influence of the EU integration process.

The changes in the planning system are summarized in Appendix 1. They were promoted by specific coalitions of actors brought about by the political and economical shifts of every new episode, but did not gain the support of a critical mass of other relevant actors in spatial development. The lingering silo-mentality, the mistrust between stakeholders, and the practices of perverted adaptation all played a role in this, leading to contradictions between the provisions across different scales and sectors, between regional and spatial policies, perpetuating the immaturity and incompleteness of the system and the gap between expressed objectives and the actual spatial outcomes.

Here, the role of Europeanization emerged as ambivalent, whereby it brought about specific real changes (participation mechanisms, new governance arrangements, learning and networking effects, empowerment of civil society, construction of spatial evidence, emergence of the integrated and strategic approach, strengthened land-use control), as well as acted as the rhetorical external driving force for less positive practices and opportunistic behaviours (e.g. contradictory planning strategies and instruments, and formalism in adopting new instruments adopted to justify single investments disconnected in reality from a truly integrated approach).

To conclude, the paper highlighted how the Romanian planning system has gone through an intensive and turbulent process of change, which is embedded in a wider restructuring of a relatively new democratic State after the dismantling of the former communist bloc. As such, it is part (and effect) of the societal and political dynamics that are giving new configurations to the State and macro dynamics among which the EU integration process. As we have shown in the findings, none of these trajectories are concluded and further efforts are needed in achieving a coherent approach to spatial dynamics. Given that the EU indeed plays an important role in this process, it should learn from the challenges posed by former communist countries such as Romania. In the future, the new transformations will follow some of the trajectories initiated in the last two decades.

Factors such as the new socio-economic developments and the upcoming EU financial programming period will be important challenges and driving forces for these coming changes. The capacity to provide coherence and a more mature role to spatial planning and sustainable development is at stake.

Note

1. The term governance (*guvernanta*) is new in the Romanian professional vocabulary, used for very specific but varied purposes. In this paper governance refers to all the rules, processes and behaviours that affect the way in which powers are exercised, particularly with regard to openness, participation, accountability, effectiveness and coherence (CEC 2001).

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Appendix 1. Dynamics in the Romanian spatial planning system after 1989 based on conceptual dimensions drawn by Servillo & Van den Broeck (2012) (source: authors).

	1989–1996	1997–2000	2001–2004	2004–2008	2008–2012
Socio-political dimension (society model, government, governance procedures, rules and decision-making configurations structuring public, civil and private actors)	Brief “revolutionary” enthusiasm and ideological shift, but followed by successor-communist government. Slow democratizing process, limited privatization, devolution of responsibilities (including planning) but not of resources	Intentions towards EU accession, privatization of housing and some industry and emergence of real estate market actors. Centre-right coalition government marked by infighting and clientelism	EU candidacy-triggered reforms and pre-accession funds, under a centre-left government. Industry privatization, economic growth, mass migration abroad and rise in inequalities	Key structural reforms leading to the 2007 EU accession moment, under a centre-right alliance with the involvement of some empowered activists. Neoliberalism and peak of economic and real-estate boom	EU funds frenzy and increased role of public investments brought by the Member State status and by the economic crisis. Slowed-down or frozen reforms, increasingly politicized media, but also increased civic agency
Cognitive dimension (implicit and explicit knowledge, planning theories, educational models)	A few reformist planners rooted in a comprehensive planning tradition and a base of architect-planners educated in “urbanism” tradition. Debut of large planning institutes dismantling, with few surviving knowledge arenas: ministry, “Ion Mincu” Institute, Urbanproiect, CEMAT	Lingering silo-mentality and megalomaniac planning culture. Potential new knowledge channels at central and (supra)national level (new planning faculty, UNDP, Interreg)	Emergence of the order of architects, further privatization of practice with de-professionalized public administrations. New cooperation arrangements structured by EU funds rules, national funds for planning research, academic exchanges	Spatial evidence building and new cooperations within territorial cooperation projects and the SCSD drafting process. Emergence of the Romanian Registry of Urban Planners, EU networking of NGOs and lobbyists, new university study programmes. External audit (“French experts”)	Foreign funds accession consultancies, increased agency

(Continued)

Appendix 1. Continued

	1989–1996	1997–2000	2001–2004	2004–2008	2008–2012
Discursive dimension	Rebranding of spatial planning from the infamous “sistematzare” to “urbanism & amenajarea teritoriului”, following sustainable development discourses. Meanwhile anti-planning/deregulation assimilated to freedom and anti-communism.	Emerging EU and CEMAT triggered discourses: Green Book on Regional Development (1997); “sustainable spatial development” as national reform orientation vector (2000)	Spatial dimension vanished from discourses	Reform capitalizing on ESDP and emerging territorial cohesion discourses: emergence of “strategic” and “integrated” planning, “spatial” and then “territorial” planning. Dichotomy investment-development vs. control-preservation discourses	Strengthened public power control justified by the impossibility to make proper SEA of the General Urban Plans “Regional development” and “European spatial planning”-related discourses absorbed at lower levels (e.g. IUDP). Pro-“cohesion” lobby at EU level
Technical dimension (planning instruments)	A new system of hierarchical plans proposed to replace the repealed communist spatial planning law: comprehensive spatial intentions, but no economic integration. Limited planning activity, emerging deregulation through loosened control	Regional level & policy established for “funds absorption, integrating sectoral policies and reduce disparities”, albeit not linked to spatial planning. Intense planning activity, detached from reality and with limited participation and integration	Institutional marginalization of spatial planning and flourishing of exemption-driven planning practices. Indirect strengthened sectoral cooperation (e.g. ICZM) and participation (EIA, SEA)	New scope of spatial planning: territorial cohesion, ESDP aims, strategic, integrated, multi-level, evidence-based. Limited private initiative, more participation options. Spatial planning tools adapting to regional development ones, SP merged with RD in one ministry. Transposition of territorial-sensitive EU policies (environm., transp., agri., rural dev.)	Strengthened strategic-integrated dimension and strengthened public power in controlling land-use