

REDEFINITION OF THE STATE AND BUSINESS INTERESTS ORGANISATIONS

The case of transport's policy in the Ile-de- France

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The aim of our research is to explain the evolution of the role played by the State in France (referring to the so-called 'redefinition of the state' observed all over Europe) and the organisation of economic interests on the territory, with the hypotheses that there is a relation between the two propositions. Behind this question is the growing importance of the meso level (urban and/or regional) as a relevant tier to manage the contemporary socio-economic changes. Our question is : how does the role played by the state in public policy evolve? And what is the contribution of the economic interests organisations to this evolution?

To answer the question, we will observe the relations that exist between employers' associations and public authorities in the Ile-de-France, in a policy field likely to mobilise business interests organisations at the regional level, and for which they will develop strategies aiming at favouring or countering public choices. The sector under consideration is transportation, which represents a big part of the planning schemes at the regional level and a sector in which the State, one of the main actors in the French capital region, is historically very interventionist. We will focus on a specific procedure, developed the last 5 years and that implicated public and private actors of the Ile-de-France's transport system.

Meso-corporatism and the redefinition of the State

Among other elements of explanation of the level of organisation of economic interests, one finds at first, following Schmitter, the 'logic of membership' (size and nature of the enterprises represented), then the 'logic of influence', with the hypotheses that the territorial organisation of the state determines the one of the economic actors, either by reproduction or by compensation¹. Recent studies confirm that the relation is of course much more complex : the level at which decisions are taken is of great importance – and this depends on the policy field. The more decentralised is the decision process, the more important is the territorial component; the more ambiguity there is in the distribution of competencies among different tiers of government, the more the meso level is favoured by the economic actors. This is confirmed by Coleman and Montpetit, in a comparison between several federal systems². According to their inquiry, territorial differentiation between business interests organisations (relevance of the meso level) is much more important in policy fields where competencies are shared among different government levels.

Other external factors seem to have an impact on the organisation of economic interests, especially the changes in the nature of capitalism. Indeed, since the middle of the 80's, corporatist systems in a strict acceptance (like the Dutch and the German ones), seem to have evolved in new forms of cooperation more established on a sectoral and/or a regional base. 'Meso-corporatism' appears in a changing political context ('neo-conservative turn' and weakening of the corporatist political strategies at the national level), and a changing economy (globalisation and growing concurrence among territories)³. Heinze and Voelzkow, extending the definition of corporatism to the participation in any form of organised interests to the decision process, even characterise a local neo-corporatism. According to these authors, a local corporatism is made possible by the development of new policies that require less direct public intervention and

¹ P. Schmitter and L. Lanzalaco, 1989 : « Regions and the organisation of business interests », in W. Coleman. : *Regionalism, business interests and public policy*. Sage, London. 201-230.

² Coleman and Montpetit, 2000

³ J. Schmid, 1998 : *Interessenvermittlung und Interessenorganisationen ; Lehr- und Arbeitsbuch*. Oldenbourg, Munich.

more capacities of information, communication, and coordination, in order to mobilise a local potential of innovation and adaptation and to find out solutions that suit to the market⁴.

These analyses are very close by the ones in terms of governance. Indeed globalisation, European integration and liberalisation are commonly referred to as factors of transformation in public action on the territory. These phenomenon's participate to the challenge of the nation-state and the emergence of the cities, where population and activities concentrate and where the complexity of public intervention is the most explicit. Nevertheless, if the central state loses its importance in favour of supra national and local levels, it doesn't mean, and this is maybe more obvious in Europe, that it purely disappears⁵. After a period of alarmist predictions, asserting the unrest, the crisis, or even the dying out of the State, sociologists and politists admit that it still plays a role, but a different one. They define this new role classically in opposing two models, a hierarchical and unitary one, characteristic of the years of economic growth, and a polycentric one, developed since the beginning of the 80's.

So the context and nature of the public action have changed. When in the 60's the aim was to redistribute resources and equipment's all over the territory, now it is to produce development. Unpredictable and territorially differentiated problems are now to be resolved, and this can not be done through homogenous criteria defined at the central level by technocrats. The keynesian State, that directly intervened in the economy at a macro level, now disappears in favour of a 'regulatory State' that only defines the rules of the game and tries to harmonise the action of several actors⁶. Following Duran and Thoenig⁷, the role of the State is now to offer more or less durable platforms to enable exchanges and mutual adjustment between all the parties. The characteristic institutions of the regulatory State are the independent agencies, specialised in single issue policies and whose legitimisation comes from their efficiency. G. Majone⁸ places the distinction between the positive and the regulatory state at last in the instruments of power : taxing and spending (the distribution of budgets being at stake) versus rule making.

Ile-de-France : public transports at the heart of centralisation strategies of the State

The Paris region has been governed until the French Revolution by very stable institutions representing a real regional organisation (the *province d'Ile-de-France* was created in 1519 and abolished in 1790). A regional frame is formed again since the 50's, based on the concept of regional planning : '*région de programme*' in 1956, 'district of the Parisian region' in 1961, '*région d'Ile-de-France*' (RIF) in 1976. That's the reason why the institutional region created in 1982 covers more or less the functional area of the agglomeration. French regions are local governments, but they are

⁴ R.G. Heinze and H. Voelzkow, 1998 : "Verbände und 'Neokorporatismus'", in H. Wollmann / R. Roth : *Kommunalpolitik.. Politisches Handeln in den Gemeinden*, Bundeszentrale für politische Bildung, Bonn, 227-239.

⁵ P. Le Galès : "Du gouvernement des villes à la gouvernance urbaine", in *Revue française de science politique*, February 1995. 57-95

⁶ J. Chevallier, 1998 : « Régulation et polycentrisme dans l'administration française », in *Revue Administrative* n°301, pp.43-53 ; G. Majone, 1997 : « From the positive to the regulatory state : causes and consequences of changes in the mode of governance », in *Journal of Public Policy*, 17(2), 139-167.

⁷ P. Duran and J.C. Thoenig : "L'Etat et la gestion publique territoriale", in *Revue française de Sciences politiques*, August 1996. 581-623.

⁸ *ib.*

rather seen as management authorities who supply public services and implement operational policies. They don't have legislative powers, like the Länder or the coming Italian regions. As though, the structural weakness of French regions is underlined in the Ile-de-France, due to the weight of the State which kept some powers devolved to the regions by the decentralisation laws. Kantor and Savitch⁹ describe the government of the Paris area as controlled by the State (they use the expression of 'dirigist planner'), thanks to a strong economic weight and important intergovernmental links. Indeed, the weight of the State in the French capital city is historically very strong.

This situation is even more visible in the fields of transports and planning. The power game between the city of Paris and the State concentrated historically on the transport policy : the subway network was conceived and realised between 1890 and 1900 by the municipality and the 'département de la Seine' against the opinion of the Ministry of Public works. At that time, the transport network was the ownership of the departmental council, with a lease system that left the network's management to private companies. The management and organisation of public transports have been step by step transferred to the State. No later than 1938 an Order in Council gave the power to tariff to the central government. But municipal and departmental control on transport in Paris really ended after World War II, with the creation in 1948 of the RATP (Régie autonome des transports parisiens - a national public transport company) on one hand, and of the ORTP (Office régional des transports en commun) on the other hand¹⁰.

In 1959 the ORTP was replaced by the STP (Syndicat des transports parisiens), public establishment that associates all the départements and the State, which has the leading role. When in 1964 the Seine's département disappeared, the ownership of public transports was transferred to the Syndicate, which means to the State. In all other regions in France, only the local governments are 'transport management authorities' (*autorités organisatrices de transports*). This exceptional situation was rapidly challenged and several reform's projects succeeded between 1971 and 1994. These projects were always linked with national reforms : regionalisation in 1976, decentralisation laws and Act on transport in 1982, National Planning Bill in 1995¹¹.

At the core of the different propositions to reform the STP is, from the moment it was established as a local government, the integration of the Region. Indeed the regional government, until the beginning of this year, was not represented at the STP, although it supports a significant part of transport expenditures (23% of the investment's expenditures for public transports in 1997). Finally the SRU Act (Solidarité et renouvellement urbains - valid since the first of January 2001) allows the regional council to enter the new 'Syndicat des transports d'Ile-de-France' (STIF). This is seen as part of a global reform of the institutional and financial organisation of the public transports, with the aim "to reinforce the coherence of the planning and transport policies in this region, taking account of the role already played by the Ile-de-France region in developing and financing transport's infrastructures and, more generally, in the domain of planning" (project registered at the Chamber on 2/02/00). The reform keeps the State in parity with the local governments, but introduces changes in terms of finances : on the one hand, the entering of the region in the STIF enlarges its participation to the financing of 'exploitation's charges'. On the other hand, the new

⁹ P. Kantor, H.V. Savitch, S. Vicari Haddock, 1997 : "The political economy of urban regimes. A comparative perspective", in *Urban Affairs Review*, 32(3), 348-377

¹⁰ J. Lojkine, 1976 : *La politique urbaine dans la région parisienne, 1945-1972*, Mouton, Paris

¹¹ J.M. Offner, 1999 : "Chronique d'une réforme annoncée : le syndicat des transports parisiens", in *Pouvoirs Locaux* n°40, march 1999, 82-87

syndicate will get the subventions perceived until now directly by the public transport companies (SNCF and RATP). The use of these budgets will be determined by agreements between the STIF and the transport companies.

The reform of the STP thus enlarges the decision's power on public transports to the region, but it doesn't mean neither a retreat of the State, nor a return to the common law : in the other regions, the competence to distribute the budgets from the State through agreements with transport companies is in the hands of the regional councils. This has been instituted by the Act on transport of 1982 (LOTI - *Loi d'Orientation sur les transports intérieurs*). In the National Planning Bill of 1995 (LOADT - *Loi d'Orientation pour l'aménagement et le développement du territoire*), the 'regionalisation' of public transports goes further with the intention of transferring the competences on regional transport services - transfer fixed in the SRU at the first of January 2002 (article 51), for all the regions but the Corse and the Ile-de-France ones.

Actual competencies concerning public transports in the Ile-de-France

- The State designates its representatives in the STIF. Its hand in the region is the regional Prefect (PRIF), who takes the chair in the STIF and as such has a casting vote. The State also plays a role in the choice of investments through the State-Region programming agreement (CPER - *Contrat de plan Etat-Région*).
- The STIF, as 'transport management authority', defines the service area, delivers the running permits, determines the prices, receives the transport tax¹², finances the investments improving the quality of service and finally approves the biggest investments.
- The companies finance 40% of the operating costs through the transport tax and by repaying partially the transport expenses of their employees (see below).
- The Regional Council finances a significant part of the investments in public transports and compensates some of the special low price tickets. It is now member of the STIF board.
- The representatives of the 9 departments in the RIF, including Paris, are members of the STIF board and they finance partially the indemnities in order to balance the RATP's as well as SNCF Ile-de-France's budgets.
- The Police head in Paris has the ability to control the traffic circulation and the parking facilities in the city. (In the other cities this function is under municipality's control.)
- The 'secondary transport management authorities' (AO2), several communes organised in a public establishment or a syndicate, make agreements with private operators for transport services on their territory. They have to follow the limits imposed by the STIF. They finance the residual deficits of these transport companies.
- According to the 1949 Act, the operators (RATP, SNCF and 80 private companies organised in the APTR and ADATRIF¹³) are autonomous bodies for the management, creation and operation of their own network.

The role of economic actors in the transport system

The companies, public or private, are proper actors in the Ile-de-France's transport system. They consist both in operators (6000 companies of good transports have their headquarters in Paris and the near environs, and several others operate directly on the territory) and in direct and indirect users (employees transportation and travels to the areas of consumption and leisure). They also support the major part of the public transport expenditures in the RIF. Their total contribution reached 13,3 billions FF in

¹² This payment is transferred afterwards to private transport companies in order to compensate their deficits.

¹³ APTR and ADATRIF have merged together in 2000.

1997 over a global budget of 33,6 billions FF. This means a participation of 40%, largely superior to the contribution of the users (28%) or even that of the State (17%). It is difficult to identify the share of private companies in the contribution to the finances of transports, due to the lack of appropriate statistical means used by the data collecting institutions (mainly the URSSAF). According to the Chamber of Commerce and Industry of Paris (CCIP, 1998), it can be evaluated as 77%. The taxes paid by companies to the State or to the local authorities are not considered within this financial contribution, neither it is for the amounts coming from the Planning Fonds of the RIF (FARIF - *Fonds d'Aménagement de la région d'Ile-de-France*). This fond is constituted with the taxes on office properties and a major part of it is used for the transports. Moreover, the financial participation of companies to public transports is increasing (from 24 to 33% between 1981 and 1997).

There are two ways to explain this situation, which seems to be unique throughout big European cities:

- the establishment of the transport tax in 1971, first in Paris then in the other French urban agglomerations. This is a tax for public or private companies of more than 9 employees. In the RIF 45 000 companies are concerned (17% of the total number of the companies located in the RIF), and 3,2 millions employees (80% of the employees in the region). The rate of the tax varies from the centre of the agglomeration to the periphery (in the other cities the rate is unique for the whole urban transports service area).
- the obligation for the employers in the Ile-de-France to repay half of the monthly transport expenditures of their employees for home - work travels.

The 'Urban Travel Plan' of the Ile-de-France region :

The 'Urban Travel Plans' (PDUs - *Plans de Déplacements Urbains*) are schemes for "transportation of people and goods, for traffic and parking facilities in the area of urban transport systems". According to the Act on Transport, this area consists in "the territory of a municipality or the extent of the territorial competencies of a public institution which has the mission to organise the public transport of people". The PDUs were suggested to the local authorities in the LOTI in order to enable them integrate different projects within a global transport and travel policy. With the Act on Air (*Loi sur l'Air et l'utilisation rationnelle de l'énergie*, 30th December 1996) the PDUs became *obligatory for every agglomeration with a population over 100 000*, that is 69 agglomerations and the RIF.

The main idea of the PDUs is the decrease of automobile's traffic and the development of public transports, more economic and less polluting means of transports (Art. 28-1 of the LOTI). The plans deal particularly with the planning and the operation activities of the main road network, the transportation and delivery of goods, the incitement of the companies to encourage their employees to use public transports. However, PDUs are first strategic schemes, with the objective of achieving an agreement between the different actors concerning the problems to resolve and the scenarios of evolution.

The PDU of Ile-de-France is different from the ones of the other agglomerations for two reasons. On the one hand, the State has the responsibility of its development and implementation. The choice for the regional Prefect rather than the STIF (STP at that time) has been made by the Ministry of Transport and Infrastructure. The role of the organising authority of the STIF was quite weak until the reform made by the SRU Act. To give it the responsibility for the PDU would have reinforced this role. Moreover, the missions of the STP deal particularly with public transport,

while the deconcentrated services of the State (Regional and Departmental Directorates of Infrastructure) have traditionally a "road culture".

Nevertheless, the STP has participated to the elaboration of the PDU as a partner, at the same level as the Regional Council, the Council of Paris, the departmental prefects and the Police head in Paris. On the other hand, the PDU of Ile-de-France (developed, according to the legal principle, on the whole territory of its organising authority) is completed by 'local PDUs' which determine the contents of the strategic options at the local level. These plans are developed at the initiative of the 'transport management authorities of 2nd degree' (AO2).

The general principle which underlined the elaboration of the PDU is the principle of "shared project". This was to be obtained through the implication, from the very beginning of the procedure, of the local governments, but also of representatives of the economic sphere as well as of the civil society. For example, 'territorial platforms of dialogue' exist in each *département*, with among their charges the creation of 'local technical committees' in order to develop the local PDUs. In the implementation's phase, the PDU is characterised by small scale projects, at the initiative of the local authorities. 'Poles' (bus and railway stations) and 'axes' (axes of bus lines) must be elaborated in no more than 18 months and realised after a period of maximum 5 years. The costs, shared by the State, the local governments and private companies, don't exceed 20 millions FF for a pole and 8 millions FF/km for an axe. These are thus mainly projects for the improvement and 'requalifying' of existing infrastructures at the local level. As such, the PDU is integrated in the CPER, in the chapter 'Service's quality' : "the PDU defines a network of bus lines which, in complement to the tram and railway's network, constitute the frame of the regional public transports' network"¹⁴. Accessibility, security and traffic's improvement are three main ideas of both PDU and CPER.

The changing role of the deconcentrated services of the State

In the charge of giving coherence to State policies over the Ile-de-France territory, the regional prefect is assisted by several regional directorates, among them the '*Direction Régionale de l'Équipement d'Ile-de-France*' (DREIF), the Regional body in charge of public works, housing and transport. In transportation policies, major roads are planned and managed by the State through the DREIF and the deconcentrated services at the departmental level (DDE - *Directions Départementales de l'Équipement*). For the PDU's elaboration, the role of these services was specified in written instructions given by the central State¹⁵ : it was first, as representatives of the central government at the local level, to let the local actors know the analyses and objectives of the State, and to make sure that these were taken in account in the PDU; then, as technical bodies, to give methodological and technical support and to follow the implementation of the PDU's strategic options. Due to the leading role of the regional prefect in the Ile-de-France, the DREIF actually became the central actor of the PDU. The concept of *regulatory state* seems to suit perfectly to the way the DREIF achieved its mission, by offering a general - decentralised - methodological framework and making dialogue platforms efficient. It goes without saying that it was not that easy - some people at the DREIF talk about a 'cultural revolution'. The justification of such a new method is that the State depends on the local governments to implement the options of the PDU, and as such,

¹⁴ Préfecture de la Région d'Ile-de-France, Conseil régional d'Ile-de-France, 2000 : *Contrat de Plan 2000-2006 Etat-Région Ile-de-France*, p.15

¹⁵ Ministère de l'Équipement, du Logement, des Transports et du Tourisme : *Circulaire du 24 mars 1997 relative aux Plans de Déplacements Urbains*

it has to make them adhere to the project¹⁶. The position of the DDEs is much more contrasted.

Following the decentralisation laws, several Orders in Council fixed the conditions of transfer of competencies to the local governments. Among these competencies are some ones devolved until that time to the State's agencies at the departmental level. The Departmental Directorates of Infrastructure remained, but had then (Order in Council of 13th February 1987, article 1) to transfer to the departmental councils the services in charge of school and inter-city transports, departmental roads and secondary schools. Actually this operation did not take only the form of a pure transfer. Each *département* had to decide (after a possible testing period of 5 years) the way it would be organised : DDE's services to transfer or 'to place at the disposal' of the departmental council, missions to exercise 'on the department's behalf'¹⁷. This is fixed in an agreement between the departmental council and the prefect. For that reason, the competencies left to the DDEs can be quite different from one *département* to the other. This means finally that the role of the DDEs is changing, but this role has to be defined at the local level, and this can be a source of thrill for the State's services. In the PDU's elaboration, it seems that the DDEs have had difficulties to integrate the framework established by the DREIF¹⁸, as far as, in some *départements*, they wanted to give their opinion *a posteriori* on the local committees' propositions.

Involvement of economic actors : weight of the CCIP and support of the Region

As main contributors of the public transport system, employers are particularly concerned by public transport policies in the Ile-de-France. The entry of the regional council in the STP was supported by the CCIP according to the idea that "the primary financial actors should take part in operational and financial decision making processes"¹⁹. According to the same principle, the Chamber of commerce claimed in 1998 "a tighter co-operation, to be defined, of the representatives of the companies in the decision making bodies"²⁰. Employers' organisations can legally not be member of the STIF, however the CCIP has representatives in the technical committee of the Syndicate. Indeed the main interests' organisation implicated in the PDU itself was the Chamber of commerce of Paris. It was given a formal role as chairman of the workshop on goods transportation, and made its positions visible through two detailed reports distributed respectively in 1998 and 1999. Qualified as 'ideal partner' by the DREIF, the CCIP has the advantage, towards the public authorities, of a real valuation capacity, based on important financial and human resources : almost 4000 employees (among them 60% devolved to teaching and professional training), and a budget of 2,4 milliards FF in 2000. The CCIP is also manager of important exhibition and congress centres.

The implication of economic interests in public policy at the regional level is institutionalised since the decentralisation laws through the Regional Economic and Social Council (CESR), consultative body attached to the Region. The regional council has the obligation to consult the CESR on its

¹⁶ Actually, the same can be said concerning the CPER (the local governments finance a part of the CPER's projects), but this is still an agreement between the State and the Region only...

¹⁷ In that case, a program of the missions to be achieved by the DDE is made every year; the president of the departmental council can give his own instructions to the DDE's services.

¹⁸ There is no hierarchy between the DREIF and the DDEs.

¹⁹ Chamber of Commerce and Industry of Paris, 1998 : *Les entreprises dans le financement et l'organisation des transports publics en Ile-de-France*, Rapport présenté par M. Francis Lemor au nom de la commission de l'aménagement régional, de l'environnement, du tourisme et des transports, Paris, p.58.

²⁰ id., p.59.

budget, transport's policy and professional formation. Since the CESRs, descendants of the *Comités d'expansion* of the 50's, are only consultative and non elected bodies, they have been long criticised as non representative, ineffective bodies controlled by the State²¹. Their role depends actually strongly on the relations between their members and the ones of the regional council. Well, these last years the Region (with S. Méry - Socialist Party - as vice-president in charge of transports) referred to the CESR several times concerning questions of transport, especially goods transportation and delivery, a priority for employers' organisations.

More generally, a tight cooperation between the regional council and economic interests on these questions seems to develop since the middle of the 90's. The IAURIF (*Institut d'aménagement et d'urbanisme de la région Ile-de-France*), public agency in charge of the planning studies for the Region, started in 1993 a research on heavy goods vehicles' traffic in the Ile-de-France, the first global research on this subject in the region. For this research (published in 1997), a guiding committee was created, consisting in private and public actors - the IAURIF, the Police of Paris, the CCIP, the GATMARIF²², airport and port's authorities, State's services and the Region. This guiding committee remained as such, *plus* users' associations, in the elaboration process of the PDU. Moreover, it became permanent in 2000 in the form of a 'concertation's committee on goods transportation in the Ile-de-France', with as chairmen M. Méary (DREIF) and M. Méry.

²¹ H. Hudebine, 1992 : *Organisations patronales et conseil régional en Ile-de-France*, mémoire de DEA de l'IEP de Paris sous la direction d'Y. Mény.

²² *Groupement des activités de transport et de manutention dans la région Ile-de-France*, federation of all employers' organisations in the sector of goods transportation in the region; created in 1972 (thus before the institutionalisation of the Ile-de-France). The GATMARIF seems to have had a leading role in the creation of the different committees.

Conclusion

As far as it is an obligatory procedure, piloted by the State through the Prefect and the regional Directorate of infrastructure and transports (DREIF), the Urban Travel Plan of the Ile-de-France region can be clearly interpreted as a 'turn back' of the State to the local level, or rather as a confirmation of its central role in the planning and transports systems in this urban region. However, the method set up by the DREIF, consisting in offering a general decentralised framework in order to make a dialogue between all the parties possible, refers almost in a caricatural way to the *regulatory state* as defined by political scientists like G. Majone, P. Duran and J.-C. Thoenig or J. Chevallier. The importance of this experience is to be measured in terms of practice, with maybe the creation of more durable local committees, or the diffusion to other decision making processes. It can also be measured in terms of content of the policy, with the question of the conformity of the propositions to the objectives of the central State (to be compared with the content of other - centralised - procedures like the last SDAU or CPER). Are the propositions of the local governments, but also of the other actors involved (employers organisations and users' associations), raised by the PDU not just footnotes to the general planning decisions?

For the economic interests part, the PDU implicated representatives of employers associations in a formal way. What appears is, in an institutional framework, the advantage of the Chamber of Commerce as expert. But it is maybe more interesting to see how the procedure has been used by the employers organisations to open the debate on the questions they are first interested in, that is to say goods transportation and delivery²³, and this not only *in* the PDU process, but also beside : they obtained for example the reform of the regulation on delivery vehicles parking in Paris in 1999. The PDU stimulated the institutionalisation of the cooperation between public and private actors specifically on these questions (creation of the 'concertation's committee on goods transportation in the Ile-de-France' in December 2000). This can be interpreted in the sense of the lack of efficiency of the Regional economic and social council (CESR), assembly that must be consulted precisely on the questions of regional planning and transports. Finally, the support of the regional council must be noted, in the sense that it helped initiating a debate on goods transportation (IAURIF's report), debate in which the economic interests have been formally implicated from the beginning. Could that be a mean for the Region to strengthen its position towards the State? What is the position of the economic interests on this question?

²³ These are also the questions on which their opinion is the most asked (on which they can rightfully bring their opinions out?).