



## Government or Governance? The Challenge of Planning for Sustainability in the Ruhr

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**Abstract.** Sustainable development has a distinct spatial dimension. Decisions about the locations of workplaces, housing, retail and leisure facilities have a significant impact on the achievement of sustainability goals. In recent times, under the influence of neo-liberal economic theories, more and more decision powers have been transferred to private actors and, in the interest of public participation, from higher to lower levels of government. The traditional model of government setting the framework for private decisions has been replaced by a flexible system of communication and adjustment between public and private actors called governance. From the point of view of sustainable spatial development, the trend from government to governance must be put into question. In a situation in which long-term ecological challenges, such as climate change and energy scarcity, are likely to exceed the problem solving capacity of democratic decision structures, these need to be strengthened rather than further weakened. One way to achieve this is to make sure that decisions are made at the appropriate level of government at which not particular interests but the common welfare are pursued. This is not always the municipal level. The conclusion is that sustainable spatial development requires the reinforcement of democratic decision making at higher levels of government than the local level. This is demonstrated in the paper using the recent planning experience in the Ruhr agglomeration in Germany as an example.

### Introduction

All over the world, ecological problems are mounting. Global warming, receding ozone layers, maritime pollution, destruction of tropical rain forests, decreasing variety of species and depletion of fossil fuels and other non-renewable resources are only a few keywords characterising the ecological consequences of our growth-oriented way of life. Since a number of years it is being attempted to find solutions to these problems using the principle of sustainable development.

Sustainable development has a distinct spatial dimension. The utilisation of space by humans for production, reproduction, consumption and leisure determines the consumption of material and energy, the locations of land uses and the pressure on the natural environment. The spatial distribution of land uses determines the spatial division of labour and hence the degree of spatial interaction and so energy consumption and environmental impacts of transport.

Decisions about the locations of workplaces, housing, retail and leisure facilities and the spatial interactions between them have a significant impact on the achievement of sustainability goals. These decisions are largely made by private actors (firms and households), but to a substantial part also by public actors, from local governments to the European Union. In recent times, under the influence of neo-liberal economic theories, more and more decision powers have been transferred to private actors and, in the interest of public participation, from higher to lower levels of government. The traditional model of government setting the framework for private decisions has been replaced by a flexible system of communication and adjustment between public and private actors called governance.

From the point of view of sustainable spatial development, the trend from government to governance must be put into question. In a situation in which long-term ecological challenges, such as climate change and energy scarcity, are likely to exceed the short-term problem solving capacity of democratic decision structures, these need to be strengthened rather than further weakened.

One way to achieve this is to make sure that decisions are made at the appropriate level of government at which not particular interests but the common welfare are pursued. This is not always the municipal level. Due to the evolution of transport systems, the problem space of sustainable spatial development has long exceeded the jurisdiction of local communities. The growing influence of strong private stakeholders on local government decisions and a tax system rewarding competition between municipalities rather than co-operation has led to urban sprawl and more unsustainable transport, in particular if under the motto "less government, more market" regional planning above the local level has been disempowered or entirely abandoned. The most effective policies to achieve sustainable spatial development, policies that make mobility more expensive, can be implemented anyway only at the national or European level. The conclusion is that sustainable spatial development requires the reinforcement of democratic decision making at higher levels of government than the local level.

This is demonstrated in the paper using the recent planning experience in the Ruhr agglomeration in Germany as an example.

## **The spatial organisation of spatial planning**

The small-scale territorial organisation of the Federal Republic of Germany is a fortunate heritage of the medieval division of Germany into many small states. Despite the subdivision into provinces, districts and counties following rational principles after the collapse of the Napoleonic Empire and numerous functional and territorial reorganisations after World War II, important elements of the decentralised spatial structure dating back to the Middle Ages have remained intact, with the effect that Germany's urban hierarchy is today more balanced than those of most other European countries. This is one of the reasons for the relatively strong position of cities in the political system of the country.

Already in the 1970s there was a debate about the most appropriate spatial organisation of spatial planning. Frido Wagener argued that non-compatibility of planning space, administration space and decision space is an impediment for long-range development planning and proposed a five-level spatial planning hierarchy analogous to the federal system of Germany (Wagener, 1970). More recent tendencies in administrative science and practice, however, have reinforced the responsibilities and decision powers of local governments to reduce bureaucracy and strengthen citizen participation (Landesregierung NRW, 2003).

These tendencies affect spatial planning at all levels of the federal system. The reform of federalism of 2006 revoked the right of the Federal Government to define the principles of national spatial planning. Instead, both the Federal Government and the Federal States (Länder) are now entitled to make plans for the spatial organisation of their territory, and the Länder have the right to deviate from national plans (ARL, 2008). In several of the Länder, state planning was transferred to the intermediate level of government districts, as in North Rhine-Westphalia, or even to the local level, as in Lower Saxony (Bogumil et al., 2004).

The question is whether this decentralisation of decision powers takes account of future challenges for the spatial organisation of society.

## **New challenges**

There are numerous new challenges. Global warming, receding ozone layers, maritime pollution, destruction of tropical rain forests, decreasing variety of species and depletion of fossil fuels and other non-renewable resources are only a few keywords characterising the ecological consequences of our growth-oriented way of life. Since a number of years it is being attempted to find solutions to these problems using the principle of sustainable development.

Of the new challenges the reduction of greenhouse gas emissions to mitigate global warming is the most recent and most demanding. The Kyoto Protocol of the United Nations of 1997 defined targets for the reduction of greenhouse gases. According to the Kyoto Protocol, world-wide greenhouse gas emissions are to be reduced by 5.2 percent until 2012 compared with the level of 1990. For the affluent countries of Europe this implies an average reduction by eight percent, whereas no reduction targets were given for developing countries.

Under the impression of growing certainty of the threats of climate change, the heads of state of the European Union in March 2007 signed a declaration that by 2020 their countries achieve 20 percent less energy consumption, 20 percent renewable energy and 20 percent less greenhouse gas emissions compared to 1990 (and 30 percent if other developed countries cooperate). At the G8 Summit in L'Aquila in July 2009 the political leaders agreed that the rich countries must reduce their greenhouse gas emissions by 80 percent until 2050. Despite these commitments, the United Nations Climate Conference in Copenhagen in December 2009 turned out to be a sad demonstration of the "tragedy of the commons", the over-use of free common resources (Hardin, 1968).

In Germany already in 1990 a commission of the Federal Parliament had demanded that the industrialised countries reduce their greenhouse gas emissions by 80 percent until 2050 in order to allow the developing countries to advance their economies (Deutscher Bundestag, 1990). In August 2008 Chancellor Merkel announced that Germany will reduce its greenhouse gas emissions by 40 percent until 2020. In its strategy for sustainable development of 2002, the Federal Government set the target to reduce the allocation of land for buildings and transport from 130 hectares per day to 30 hectares (Deutsche Bundesregierung, 2002).

If these ambitious targets are to be achieved, also spatial planning will have to make its contribution.

## **Sustainable development**

Sustainable development has a distinct spatial dimension. The utilisation of space by humans for production, reproduction, consumption and leisure determines the consumption of material and energy, the locations of land uses and the pressure on the natural environment. The spatial

distribution of land uses determines the spatial division of labour and hence the degree of spatial interaction and so energy consumption and environmental impacts of transport.

Decisions about the locations of workplaces, housing, retail and leisure facilities and the spatial interactions between them have a significant impact on the achievement of sustainability goals. These decisions are largely made by private actors (firms and households), but to a substantial part also by public actors, from local governments to the European Union.

At the same time all spatial processes have undergone a historically unique enlargement in scale. Because of increasing affluence and technological advances in transport technology, cities have expanded more and more into their hinterlands, with the consequence of ever longer commuting and shopping trips. Labour market regions and catchment areas of central facilities have grown to a multiple of those in pre-industrial times. The disappearance of trade barriers and low transport costs have multiplied the share of goods shipped from far-away countries. With growing interconnectedness of cities and regions, problem space and decision space increasingly fall apart.

Despite of this, in recent times, under the influence of neo-liberal economic theories, more and more decision powers have been transferred to private actors and, in the interest of public participation, from higher to lower levels of government. The traditional model of government setting the framework for private decisions has been replaced by a flexible system of communication and adjustment between public and private actors called governance.

From the point of view of sustainable spatial development, the trend from government to governance must be put into question.

## **Spatial planning as system rationality**

To make this understood, a short review of the history of spatial planning in Germany may be useful (Wegener, 2008).

The development of spatial planning in Germany reflects the history of the Federal Republic. After World War II, cities were rebuilt almost without planning. During the Cold War, the term planning was stigmatised as an expression of authoritarian government control. Only under the impression of the reform policy of the US presidents Kennedy and Johnson this taboo was abandoned. In the 1960s, under a social-liberal government coalition, societal planning became accepted for policy making also in Germany.

At the same time the critique of the poor quality of cities rebuilt without planning increased (Mitscherlich, 1965). It became obvious that to create high-quality residential and workplace environments more comprehensive knowledge was needed than was taught at architectural and civil engineering schools. Following British and US examples, interdisciplinary planning schools were established at the universities of Berlin, Dortmund and Kaiserslautern. Under the influence of the then current paradigms of political economy and systems theory, comprehensive visions of the ideal spatial organisation of society were developed. Particularly influential was the transfer of systems theory to social theory by the sociologist Niklas Luhmann. According to Luhmann, society is an open cybernetic system which survives against its environment by the selection of appropriate action. The reduction of complexity by stabilising the difference between itself and its environment is the *raison-d'être* of a social system by which it distinguishes itself from biological systems (Luhmann, 1966). Planning, and also spatial planning, as a means to reduce complexity, is therefore a kind of system rationality by which a social system maintains its existence.

But the "planning euphoria" of the 1960s was shattered by the economic crises of the 1970s and 1980s. In the 1990s the neo-liberal economic doctrine originating in the United States and Great Britain spread also to Germany and led to a gradual withdrawal of the state from spatial planning: from grand designs to small, manageable and correctable incremental improvements, and from hierarchical top-down planning to voluntary co-operation between public and private actors termed multi-level governance.

It was again Luhmann who called attention to the possibility that the democratic decision procedures practised today might not be able to adequately respond to the new ecological challenges (Luhmann, 1986, 14):

"Thus the exposure to ecological self-endangerment remains within the context of the possibilities of evolution. [...] The possibility also exists that systems act on their environment in such a way that they cannot exist in this environment later on."

There are many historical examples that originally prosperous human societies disappeared because they over-exploited their ecological resources (Diamond, 2005). Does the slowness of ecological processes exceed the problem processing capacity of democratic societies so that survival of the human species on earth is not guaranteed? The procedures of modern democracies were developed in the eighteenth century when protection against dangers within one election period was sufficient. But is the response scheme of democratic societies also sufficient for planning for future generations? If not, what are the consequences for spatial planning?

## **Voluntary co-operation**

If Luhmann is right that future ecological challenges might exceed the problem processing capacity of today's democratic structures, these need to be reinforced rather than further weakened. One precondition for this is the greatest possible correspondence of problem and decision space. Due to the evolution of transport systems, however, the problem space of sustainable spatial development has long exceeded the jurisdiction of local communities.

The influence of strong private stakeholders on local government decisions and a tax system rewarding competition between municipalities rather than co-operation has led to urban sprawl and more unsustainable transport, in particular if under the motto "less government, more market" regional planning above the local level has been disempowered or entirely abandoned.

Benjamin Davy, referring to Thomas Hobbes (1651), argues that the natural state of the world is "war of everyone against everyone" (Davy, 2004). To overcome this, there are three ways: (i) to conclude a social contract in which power is voluntarily transferred to one or more individuals for rational and fair decisions about the distribution of goods, (ii) to leave decisions to the "invisible hand" of the market or (iii) to solve conflicts between actors by voluntary co-operation. Davy illustrates the principle of voluntary co-operation by the "prisoner's dilemma" between two municipalities deciding about new commercial or industrial areas: If municipality A plans a large area and municipality B a small one, A wins at the expense of B. If both municipalities plan large areas, both lose. If both co-operate and plan small areas, both win, but less.

Benz et al. (1992) discuss the problems of voluntary co-operation systems as follows: Pareto solutions in which all win are not problematic but rare. More frequent are Kaldor solutions by which inequality is accepted if the welfare gains are large enough to compensate the losers, for instance by payments or arrangements over time. The transaction costs of co-operation

systems in terms of time and costs of negotiations are high. Without confirmation by an elected body, negotiated solutions lack democratic legitimation. In multilateral co-operation systems the transactions costs multiply: With the number of co-operation partners, also the number of options to compare and the risk of cumulative vetoes grow, and compensations and arrangements over time become more difficult. If private co-operation partners are involved, the legitimation problem frequently becomes impossible to solve. They conclude that co-operation is a necessary element of social life, but that multilateral co-operation systems are less efficient than multi-level majority systems. Also co-operation systems are not more democratic than majority systems and imply serious legitimation problems, in particular when private actors are involved.

The conclusion for spatial planning is that for the achievement of long-term goals affecting the whole society and not only individual municipalities, voluntary co-operation between competing municipalities is not sufficient but democratic decisions at the next higher spatial level above the local level are required – more government, less governance.

## **Example Ruhr Area**

These relationships will be demonstrated using the spatial development in the Ruhr agglomeration in Germany as an example (Wegener, 2009).

From the beginning of industrialisation, spatial development in the Ruhr Area has been determined by the interests of large industrial corporations and the competition between the Ruhr cities. The result of 150 years of urbanisation under these conditions is today's settlement structure with its disorganised, almost random pattern of vacant industrial sites, transport corridors and housing areas and the continuing urban sprawl and reduction of open space. What is missing are a common spatial vision for a sustainable spatial development of the Ruhr area and the decision structures necessary for its implementation.

The Ruhr area once was a pioneer in regional long-term spatial planning. The "General Settlement Plan" (General-Siedlungsplan) of 1912 for the western part of the Ruhr by the chief planning officer of Essen, Robert Schmidt, was an early example of comprehensive, long-term regional planning that won international reputation (Schmidt, 1912). Its tradition was continued in the 1960s for the whole Ruhr area by the Association of the Ruhr Coal Mining Area Cities (Siedlungsverband Ruhrkohlenbezirk). The regional development plan of 1966 was the first legal regional plan in the Federal Republic and at the same time the last one for the Ruhr (Petzinger, 2008).

The Siedlungsverband Ruhrkohlenbezirk was founded already in 1920 and, since 1979 as Kommunalverband Ruhrgebiet, is the oldest association of cities in Germany. Since 2004 the Regionalverband Ruhr is its successor. The regional parliament consists of representatives of eleven cities and four rural counties (Kreise) with 42 local governments. Membership is voluntary. In 2008 attempts of the county of Wesel and the city of Hagen to leave the Regionalverband failed only because they did not meet the required two-thirds majority. The cities of Dortmund and Hamm have repeatedly announced their intention to leave the association.

Until very recently there was no regional planning authority for the whole Ruhr area. Since the consolidation of local governments in 1975, regional planning in North Rhine-Westphalia has been in the responsibility of the five government districts (Regierungsbezirke) of the state. The Ruhr area is part of three: Düsseldorf, Münster and Arnsberg (see Figure 1). Each of them has set up its own regional development plan (Gebietsentwicklungsplan).

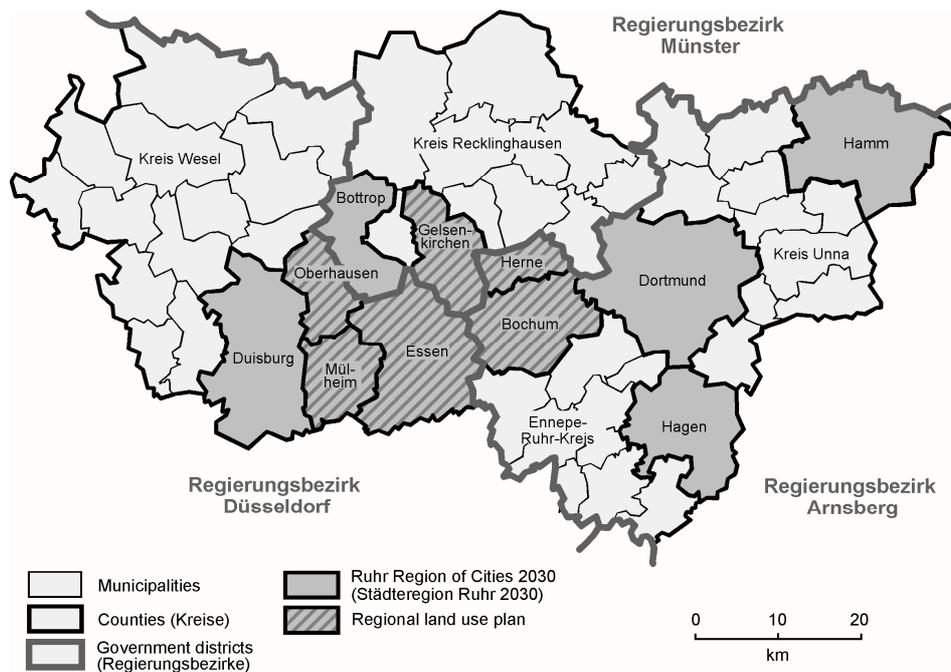


Figure 1. Fragmentation of regional planning in the Ruhr

However, since the revision of the State Planning Law (Landesplanungsgesetz) of 2005, the regional plans are no longer binding for local governments. Three or more municipalities may issue a common regional land use plan combining the functions of both a regional plan and a local land use plan.

For a long time all efforts to establish a common regional plan for the Ruhr area have failed because of the resistance of local governments. Instead there has been a multitude of bilateral and multilateral co-operation initiatives between changing coalitions of local governments.

In a research project together with the Faculty of Spatial Planning of the University of Dortmund in 2003 the eight largest cities in the Ruhr area, Bochum, Dortmund, Duisburg, Essen, Gelsenkirchen, Herne, Mülheim and Oberhausen, formed the Ruhr Region of Cities 2030 (Städteregion Ruhr 2030) to deliberate together about the future of the region. In 2007 the cities of Bottrop, Hamm and Hagen joined. The objective of the co-operation was to overcome the narrow parochialism of the individual cities without losing their own interests out of sight.

Of the eleven cities six, Bochum, Essen, Gelsenkirchen, Herne, Mülheim and Oberhausen, in 2005 established a planning association to develop a regional land use plan. The draft plan published in 2007 was criticised by an expertise commissioned by the state government (Greiving et al., 2008). The experts argued that the plan assumes functions of regional planning in a part of the region and so limits the freedom of future plans for the whole Ruhr area, but that at the same time its spatial resolution of five hectares is too coarse for local land use planning to have binding effect for the municipalities.

In addition there is a great variety of informal co-operations. One example is the draft of a "Masterplan Ruhr" presented in 2006 by eight cities, Duisburg, Oberhausen, Mülheim, Essen, Gelsenkirchen, Herne, Bochum und Dortmund, with chapters on housing, urban design and waterfront development. According to participants, these informal co-operations increasingly lead to formal results, but at the risk of getting lost in too many negotiation activities (Tönnies, 2008).

A good example for the problems of voluntary co-operation is the regional retail concept for the eastern Ruhr area. The concept was commissioned in 2000 by 21 municipalities (Econ-Consult, 2000). Its general recommendations were to strengthen existing retail centres and to restrict retail development at non-integrated greenfield locations. In addition, recommendations were made for specific types of retail: Local food shops should be preserved as much as possible. Shops for clothing, shoes, toys, electronics, books, etc., should be allowed only in city or neighbourhood centres. Do-it-yourself and garden centres should only serve the local demand of a particular municipality. Only furniture shops were allowed to serve the demand of the whole region. According to the participating cities, the regional retail concept has helped to protect existing shopping areas and to prevent new non-integrated greenfield developments (Stitz, 2007). In 2007 the concept was updated to take account of new developments (BBE Unternehmensberatung, 2007). Despite of this, in May 2008 a do-it-yourself superstore with 20,000 square metres of retail space was opened at a motorway exit between Dortmund and Witten without public transport access, grossly violating all principles of sustainable spatial planning, such as conservation of open space and reduction of car traffic.

In 2009 regional planning in North Rhine-Westphalia was again reorganised. To strengthen the international competitive position of the "Ruhr Metropolis", the responsibility for regional planning in the Ruhr area was transferred to the Regionalverband Ruhr (Lageman et al., 2008). The Regionalverband had already in recent years identified objectives of regional planning to be taken into account in local land use plans. Since 2005 a "Masterplan Spatial and Settlement Structure" for the Ruhr area is under development (not identical with the "Masterplan Ruhr" mentioned above). So far, however, the plan covers only the northern, mainly rural parts of the Ruhr area. It remains to be seen how conflicts with the regional land use plan of the six cities mentioned above and the other planning documents generated by the core cities of the Ruhr will be resolved.

## Conclusions

In Germany Federal and Länder governments have increasingly withdrawn from national and regional planning and delegated responsibility for spatial development to local governments or private actors with the aim to reduce bureaucracy and strengthen citizen participation.

From the point of view of sustainable spatial planning, this trend from government to governance must be put into question. In a situation in which long-term ecological challenges, such as climate change and energy scarcity, are likely to exceed the short-term problem solving capacity of democratic decision structures, these need to be strengthened rather than further weakened – more government, less governance.

As long as all structures relevant for the relations between municipalities, in particular the influence of private stakeholders and the system of municipal taxes, reinforce competition rather than co-operation between municipalities, all efforts to achieve the objectives of sustainable spatial development, such as conservation of open space and reduction of car traffic, by voluntary co-operation between municipalities will fail. The most effective policies to achieve sustainable spatial development, policies that make mobility more expensive, can be implemented anyway only at the national or European level.

The conclusion is that sustainable spatial development requires the reinforcement of democratic decision making at the lowest possible level of government at which not particular interests but the common welfare are pursued. For an increasing part of spatial planning decisions this will be a higher level of government than the local level.

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