

New Developments in Local Democracy in Croatia

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The paper analyses traditional and new forms of citizen participation at the local level in comparative perspective, but with special focus on the Croatian situation. The traditional forms of citizen participation are referendum, citizens' initiative, deliberative assemblies, sub-municipal governance, and occasional consultative meetings. The main new forms are introduction of the direct election of mayors and recall referendum, strengthening the role of local mayors, and independent actors in local politics. Five modes of fostering local democracy in Croatia are analysed: minori-

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ty representation, classic forms of direct democracy, direct election of mayors and recall procedure, youth councils, and independent local political actors. Special attention is devoted to sub-municipal governments.

Key words: local democracy – Croatia, local politics, sub-municipal governments, referendum, directly elected mayors, independent local political actors, citizens' initiative

1. Introduction

The paper focuses on the traditional and new forms of citizen participation at the local level.¹ Special attention has been devoted to the forms of improving local democracy in Croatia during the post-socialist period. According to our systematisation, the traditional forms of citizen participation are referendum, citizens' initiative, deliberative assemblies, sub-municipal governance, and occasional consultative meetings. The main new instruments for improving the legitimacy of local politics are introduction of direct election of mayors and recall referendum, strengthening the role of local mayors, independent actors in local politics, and some others.

The situation in Croatia is a bit specific, because of the historical and current particularities. Low level of decentralization and rather weak political legitimacy are the main obstacles for the development of strong local governments that are harmonized with the expectations from international and European documents. We have analysed five modes of fostering local democracy: minority representation, classic forms of direct democracy, direct election of mayors and recall procedure, youth councils, and independent local political actors. Our analysis is supported by data collected during several researches, with the newest conducted in the spring of 2014.

We pay particular attention to sub-municipal governments, considering them as an appropriate but, unfortunately, somewhat neglected form of strengthening local governance.

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2. Traditional and New Forms of Citizens' Participation at the Local Level

2.1. Traditional forms of citizen participation

There are several traditional forms of citizen participation in decision-making at the local level. They were not equally characteristic for different European countries, although some of them have been quite widespread. A well-known classic instrument of direct local democracy is the *referendum*, which is more characteristic of some European countries with Switzerland as the best-known example – average citizen has around ten opportunities per year to participate in the local referenda (Ladner, 2011: 205-206).²

Citizens' initiative as a legally regulated initiative supported by the signatures of a part of local constituency that has legal effects in local decision-making is another instrument. Legal prerequisite for citizens' initiative is support by the previously established number of voters: between 2 per cent (Finland) and 20 per cent (certain *Länder* in Germany); the prerequisite can be defined by the number of citizens (for example, 10,000 in certain Austrian *Länder*).³

Deliberative assemblies of all inhabitants used to be more important than today, especially in some countries. Again, there is an interesting but rare contemporary example: in Switzerland, such assemblies and town meetings are still the main forum of local decision-making in the vast majority of municipalities. In almost 90 per cent of more than 2,700 municipalities, citizens' assemblies meet at least once a year and decide on local by-laws and other local affairs, adopt local budget, and elect and recall local functionaries (Ladner, 2005; 2011; Koprić, Manojlović, 2013: 17–18).

In addition, there are the forms of *sub-municipal governance*, such as parishes, neighbourhoods, or city districts, as well as *occasional consultative meetings* of citizens at the level of the whole municipality or – more frequently – at the level of sub-municipal units or parts of the municipality. Sub-municipal units are sometimes relicts of the old territorial organization preserved during territorial consolidation reforms. There are interest-

² However, local referendum is known in other European countries such as the Czech Republic, Italy, Germany, the Netherlands or Slovenia. Koprić, Manojlović, 2013: 18–20

³ Details in: Koprić, Manojlović, 2013: 21–22

ing examples of Portugal, Greece and England. There are slightly more than 300 municipalities in Portugal, but old parishes (*freguesias*), about 3,100 of them (since the 2013 reform; there used to be about 4,260 parishes), still have certain role in governance of local affairs. During the consolidation of territorial organization in 2011, Greece preserved its old municipalities, 1,034 of them, as sub-municipal communities for the representation of interests and consultation of small parts of 325 newly established municipalities. There were 10,479 civil parishes in England in 2010, covering the area with about 35% of inhabitants (there are no civil parishes in all local units). They have served as sub-municipal units since the end of the 19th century. In some cases, sub-municipal governments are part of urban governance structures of large cities, especially of capitals (comp. Bäck et al., 2005). Finally, in some countries sub-municipal units have been established in order to stimulate participation of local communities in public decision-making (more in: Koprić, Manojlović, 2013: 22–24).

In Europe, sub-municipal governments usually have their own bodies and their territory is clearly determined. In contrast, in some US cities, neighbourhoods are more informal. European sub-municipal governments may have different roles in managing local affairs, from consultation to decision-making and performing some of them, in their respective parts of a municipality. With regard to financing sub-municipal governments, they may have their own resources or simply function under the local budgets, depending on legal regulation in a particular country.

Almost all of the mentioned traditional channels of participation are known and legally regulated in the countries of the region (South Eastern Europe, Western Balkans, countries on the former Yugoslav territory).⁴

⁴ The Western Balkans consists of Albania, Bosnia and Herzegovina, Croatia, Kosovo – UN 1244, Former Yugoslav Republic of Macedonia, Montenegro, and Serbia. The SEE space encompasses a narrower circle of southern Slavic nations (Slovenes, Croats, Bosnians, Montenegrins, Serbs, Macedonians, and Bulgarians), as well as Greeks, Albanians, and Romanians. Turkey can be considered as a part of the SEE region because of the territorial and historical circumstances. One subgroup of Albanians (so-called Kosovars) who do not belong to the Slavic group of nations was part of both the first and second Yugoslavia. While most of the countries in the Region embraced the socialist experiment in the second part of the 20th century, the Greeks and the Turks had a different development path. Within the circle of former socialist countries, there is a narrower group of countries on the territory of the former Yugoslavia. Cultural and historical ties are especially visible between the countries on the territory of the former Yugoslavia, but links and interdependences are wider. Certain cultural and governance commonalities can be identified in the whole SEE region. More in: Koprić, 2012; Horváth, Hajdú, 2011

Some of them, such as consultative meetings and sub-municipal government units are firmly rooted in tradition, while others, such as referendum, citizens' initiatives, and public consultation procedures, although regulated in the respective legislations, are not frequently used in local practice. Deliberative assemblies following the Swiss example do not exist and have not been part of democratic tradition in the region at all.

2.2. New forms of citizen participation

Among the new instruments for improving local legitimacy, we can mention a) introduction of direct election of mayors, b) strengthening the leadership role of mayors and other local executives, c) introduction of recall referendum, and d) mushrooming of independent local political actors. Certain new channels of citizens' participation (like public consultations, open space conferences, quotas for minorities, youth councils, etc.) are legally regulated and more frequently used in local governance (more in: Kersting, 2007; Bützer, 2005).

The introduction of the *direct election of mayors* is a common reform measure aimed at strengthening political legitimacy, and producing strong local managers and *political heroes* from among the people who are able to enter political contests, not only at the local, but also at the state level. It is an answer to one of the hottest problems in contemporary governance systems – legitimacy crisis (Haque, 1998). The majority of countries on the territory of the former Yugoslavia have introduced direct elections of mayors. Slovenia led group in 1994, followed by Bosnia and Herzegovina (2004), Kosovo (2007), Macedonia (1996), Montenegro (2003), and Croatia (2009). Serbia and Montenegro introduced direct elections, but then turned back to the 'old' type of mayors elected in the local representative bodies (more details in: Koprić, 2009a).⁵ Direct election of mayors is a popular way of promoting political participation in the whole Europe. Despite many possible negative consequences (more in: Koprić,

⁵ Direct elections in Serbia were regulated by the Law on Local Elections of 2002 and held in September 2004. However, the Serbian Constitution of 2006 reintroduced a parliamentary-like local political and governance system. New constitutional principles are further regulated by the new Serbian Law on Local Self-Government passed at the very end of 2007. New regulations have been in effect since local elections held in May 2008. In Montenegro, direct election of presidents of municipalities had been held for only two mandates, after which a parliamentary-like local system was reintroduced.

2009b: 337–339), there are serious reasons for the introduction of the direct election of mayors: managerial efficiency and political democracy are the main arguments.

Recall referendum is a new institution, firmly connected with the direct election of mayors (Germany, Romania, etc.). It ensures citizens' influence on way mayors lead their municipalities. If citizens are not satisfied they can, under the conditions previously regulated by law, initiate a procedure and vote for the mayor's recall. In some countries, like in Poland, citizens can recall not only mayors but also local representative bodies. It is interesting to note that recall procedures are frequently used: in Poland on 15 cases of referenda there are 85 recall procedures, and their number has been increasing: in the period 2002–2006 there were 92 recall procedures, 12 of them successful (Swianiewicz, 2011: 493; Piasceski, 2011; Koprić, Manojlović, 2013: 20–21).

Independent local political actors can be local lists and individual candidates fighting for seats in local representative bodies or for mayoral positions. They are nominated by a group of voters not by a political party, be it national, regional, or local party. Their popularity differs between the countries. Poland is again the best example of the country with an almost non-partisan local political system. As many as 72 per cent of local councilors elected in 2006 were independent; they got 59 per cent of votes. The share of independents is high in Germany (they get about 35 per cent of votes in local elections in average), significant in the Netherlands (24 per cent of votes in 2006), Slovenia, Croatia and Estonia (about 20 per cent of votes), Austria (15 per cent, average in the 1985–2009 period), and low in Spain (6–8 per cent), Sweden (5–6 per cent), etc. (Koprić, 2011: 90).

The story about independents as a type of innovation in local political systems has to be taken *cum grano salis*. There are data that show how support for independents is constantly decreasing parallel with maturity and stability of political systems. The example of Estonia is illustrative. Support to independent local actors was 65 per cent in 1993, 59 per cent in 1996, 50 per cent in 1999, 19 per cent in 2002 and 20 per cent in 2005 (Petai et al., 2008: 90). However, the results are not conclusive and it is not clear which factors are responsible for changes in support to independents. In the Netherlands, for example, support to independents was 19 per cent in 1974. After that, it had been constantly decreasing to 12 per cent in 1986, when it started to increase, to 13 per cent in 1990 and to 26 per cent in 2002.

3. Ways and Instruments for Strengthening Local Legitimacy in Croatia

Following a long discussion about the low-level legitimacy of local governments, several new institutions have been developed and utilized, aimed at healing blighted local democracy. Only those connected exclusively to the local governance will be mentioned here. Instruments for raising transparency, such as the right to open access to information, budgetary transparency instruments, application of modern information and communication technology in local policy-making, policy implementation and overall functioning of local bodies are not taken into account. They have cross-sectoral impacts, i.e. impacts on the whole public sector, not only on the local governance.

The main new instruments aimed at boosting local democracy in Croatia in the last few decades have been a) a new system of minority representation at the local level, b) classic ways of strengthening direct democracy (referendum, citizens' initiative, citizens' consultative meetings), c) introduction of the direct election of mayors, including a possibility of their recall by citizens, d) youth councils, and e) independent local political actors.

A new *system of minority representation at the local level* consists of representatives of national minorities in the local representative bodies, special minority councils and minority representatives. They all have consultative and general supervisory competences in relation to local councils and mayors. The Constitutional Law on the Rights of National Minorities of 2002 provides for the presence of national minorities' representatives in each local and regional unit where certain national minority has a minimum 5 per cent share of inhabitants. If the share is between 5 and 15 per cent, the Law requires at least one national minority representative. If the share is above 15 per cent, there has to be just the proportional share of national minority representatives in the local representative body.⁶ If a minority is underrepresented after elections, the number of local representative body members rises for the necessary number and new members enter the representative body from the competing local lists, according to the election success. If that solution cannot resolve the problem of

⁶ The Serb minority is the biggest national minority in Croatia, but there are Italian, Hungarian, and Czech minorities, as well as Romanies, Bosnian, Albanian, and Slovenian minorities in certain areas.

representation, additional elections will be held. Every local and regional unit is allowed to autonomously increase the number of national minority representatives above the mentioned share, but only if it is not the unit in which a national minority has the majority share of population. National minority representation has to be ensured in local executive and administrative bodies as well.

The same Law has provided for the whole network of separate, special national minority councils and representatives. A national minority council can be established by those minorities whose share in local population exceeds 1.5 per cent, or which have at least 200 national minority members in a local unit, or 500 members in a regional unit. National minority councils consist of 10 members in the communes, 15 members in the towns and 25 members in the counties. In the local and regional units that do not have the mentioned preconditions for the establishment of national minority councils, any national minority with at least 100 members can elect its own individual representative. The mandate of the councils and representatives lasts four years. The main role of both national minority councils and representatives is to participate in local governance. They can participate through proposals, information sharing, consultations, supervision, etc. The legal status of these councils is the status of non-profit legal entities. The main sources of finances for national minority councils and representatives are local, regional, and state budgets. Additionally, at least two national minority councils can establish a coordination of national minority councils and make their position much stronger through such networking.

In such a way, so-called passive representation is ensured in its entirety, but there is still the question of active⁷ and effective representation of minorities' interest. There were, for example, elections for 308 special minority councils and 228 minority representatives in 2007. However, the turnout was very low, between 8 and 18 per cent. Besides the low turnout, the problems in practice are: minorities do not utilize electoral possibilities and vote in the general part of local elections, there are significant problems with the financing of this system, there is a lack of information and education about national minorities' rights, and others (more in: Tatalović et al., 2011: 72–73). The fourth elections for national minority councils (314 of them with 4,950 members) and representatives (235)

⁷ About the difference between active and passive representation of minorities see: Meier, O'Toole, 2006: 71.

were held in 2015. The turnout remains rather low (13.5 per cent), and other problems persist. Because of that, certain authors dispute the very need for such a complex and expensive, yet inefficient system of national minority representation at the local level (Petričušić, 2015).

Classic ways of strengthening direct democracy (referendum, citizens' initiative, and citizens' consultative meetings) are all regulated by the Croatian Law on Local and Regional Self-Government of 2001. Referendum is facultative, meaning that practically all of the issues that fall within local scope can be decided by the voters. Their decision is obligatory, except in the case when referendum is about territorial corrections and changes – in that case, decision is only consultative. Referendum is an extremely rarely used way of decision-making at the local level. In 382 researched local units, we were able to find only 15 referenda with obligatory decisions, which were – in the vast majority of cases – negative. For a positive decision, the turnout has to be more than 50 per cent, and more than 50 per cent of participating voters have to be in favour of the proposed decision. The actual number of referenda can be slightly higher, because reliable (or official) registers on referenda do not exist.

Citizens' initiative is rarely used, too. This year's research has shown that, in the period after 1993, there have been only 11 initiatives in 11 out of 349 local units (3.2 per cent) that answered our questionnaire. If more than 10 per cent of voters sign a petition, local representative body has to decide on it within three-month deadline. There is no obligation for the local council to accept the initiative.

Consultative meetings may be organized, according to the Croatian legislation, only at the level of sub-municipal unit or for a part of such a unit. In Croatian local governance, such meetings are indeed an occasional form of participation. Within the mentioned research, it has been reported that 284 consultative meetings were held in only 80 local units (out of 349). That stands for 23 per cent of units. It seems that in the majority of 77 per cent of the remaining local units consultative meetings are not used at all.

Direct election of mayors was introduced and the first such elections were held in Croatia on 17 May 2009. The second were held in May 2013. Croatia was among the most cautious countries on the territory of the former Yugoslavia with regard to direct election of mayors (Koprić, 2009a). The discussion about direct election was long and started at the beginning of the 2000s. The Law on Direct Elections was passed in the autumn of 2007. The new Law on Local Elections, which regulates both mayoral

and election for councils was adopted at the end of 2012. In the previous period (1993–2009), each local unit had two executive bodies: the mayor (*općinski načelnik; gradonačelnik*) and the executive board (*poglavarstvo*),⁸ along with the council (*vijeće*) as a representative body. Each county also had two similar executive bodies, the county governor (*župan*) and the executive board (*poglavarstvo*). The relationship between the representative and executive bodies was more parliamentary-like.

After the 2009 local elections, mayors with four-year mandate took over the vast majority of competences previously designated to the executive boards and certain new ones, but are obliged by law to submit reports to the councils twice a year. Two vice-mayors are also directly elected, sharing election results with the candidate mayor.⁹ Candidates for mayors must obtain more than 50 per cent of votes, either in the first or second election round. Only two candidates with best results in the first round may compete in the second round. In the period 2009–2013, there was a significant possibility for mayors to overrule councils and dominate local governance. That was one of the main reasons for legislative changes at the end of 2012. A better balance between mayors and councils has been established in the current electoral period (2013–2017).

In the period 2009–2013, *recall procedure* was mainly in the hands of the councils, although citizens could initiate it as well. However, there were so many legal impediments that it was completely ineffective. Citizens are in a much better position to instigate a recall procedure in the current electoral period (2013–2017). If there is a request of 20 per cent of voters, recall procedure shall be approved by the council. Recall procedure is not possible in the first 12 months of the mayor's mandate and in 2017, at the end of mandate. Moreover, the period between two recall procedures has to be at least 12 months. Because of that, there are only three possible terms for instigating a recall. Recall procedure is legally valid if at least a third of the total number of voters in the municipality has voted for recall and if, at the same time, the majority of voters that have

⁸ The executive board had usual competences to prepare, propose, and implement local by-laws and public policies, to manage and supervise local administrative bodies, to take care of the revenues, spending, budget, and local assets, to appoint local administrative heads on the basis of public competition. The mayor had an autonomous role in supervising the legality of by-laws in the first instance.

⁹ It is a kind of list with three names, the name of the candidate for mayor and two names of his or her deputies. In the municipalities and towns with less than 10,000 inhabitants, there is only one vice-mayor.

actually participated in the recall procedure have voted for recall of the mayor. There has not been any recall procedure in the current mandate (started in 2013).

The Law on *Youth Councils* of 2007 and the new Law of 2014 regulate local consultative mechanism for young people. Local representative bodies are expected to establish youth councils as a kind of consultative bodies to local councils, whose actual purpose is to attract young people to participate in local public life.¹⁰ Individuals between 15 and 30 years of age are considered to be young people. The number of youth council members could vary between 5 and 15 (until 2014), and between 5 and 21 (according to the new Law of 2014); it depends on the size of local population and should be odd-numbered. The mandate of youth representatives lasted for two years, but the new Law has stipulated three-year mandate (from 2014 onwards). Finances and premises for youth councils should be ensured by local and regional units. In 2010, the competent ministry collected data, but only 414 local units (72 per cent) answered the questionnaire. In the period 2007–2010, youth councils were established in 83 per cent of counties, 74 per cent of towns and only 28 per cent of municipalities. On the basis of such data, it was assessed that there were about 200 youth councils with about 2,000 members in all local units in Croatia (more in: Koprić, 2011a).

The data show that *independent* lists attract about 20 per cent of voters' support but win only about 10 per cent of seats in local councils. In the 2009 elections, independent candidates for mayors won in 8.3 per cent of self-government units. Independent lists (for councils) and candidates (for mayors) are less successful in towns than in communes and the least successful at the county level. Nevertheless, some of them managed to win in large towns. The biggest success was that of the city mayor of Zagreb, who won the 2013 election. His list got a significant share of seats in the City Assembly, too. During the previous mandate (2009–2013), independent mayors won elections in Split (the second largest city), Varaždin and some other important local units. There are certain regional differences with regard to support to independents: the whole coastal area offers better chances for independents, as well as Zagreb and some parts

¹⁰ A recent research in Croatia has shown that only 56 per cent of the young (secondary school) generation sees democratic political system as a desirable solution (Vujčić, 2006). It seems somewhat disturbing and requires designing an appropriate democratic education for young generations. Including young people into local politics could be a practical aspect of such education.

of Slavonia (eastern part of Croatia). There is no legal obligation that the same independent mayoral candidate has to offer his/her list for local council, like in Greece (Hlepas, 2011: 81).

However, data show that independent lists led by the candidates for mayors and governors were more successful than other independent lists. Firstly, in the 2009 elections there was a difference in success ratio between the two: as many as 78.3 per cent of independent lists led by independent candidates were successful, while the share of successful lists among others was 64.7 per cent. Furthermore, successful lists with independent candidates as leaders were able to get 2.7 seats on average in relation to 2.4 seats on average for other lists.

Similarly, 203 out of 218 independent candidates that were not simultaneously leaders of independent lists were completely unsuccessful and ended unrepresented in the 2009 elections, even in local councils (93 per cent). At the same time, 186 independent candidates (out of 217) that were simultaneously led independent lists lost elections for mayoral positions (86 percent of them). Among 48 winners of mayoral election, 33 (69 per cent) simultaneously led independent lists competing for seats in the local councils.

It seems that competition on both election tracks, for executive positions and for seats in representative bodies, makes independent actors more active, dynamic, visible, and attractive. There is a positive correlation of simultaneous engagement in direct election of mayors and elections of local councillors.

Apart from these new instruments, we feel that a traditional *institution such as sub-municipal self-government*, although legally possible and firmly rooted in tradition, has not been fully utilized for improving local democratic governance in Croatia so far. That was our hypothesis in the preliminary research we conducted in 13 out of 20 Croatian counties in the spring of 2014. The research was explorative, which means that we intended to find out the basic information about the use of participatory channels provided for by the Croatian legislation. We have collected the answers from 349 out of 382 municipalities and towns in 13 counties. Basic data about sub-municipal self-government in the City of Zagreb has been taken into account, too.

Only seven counties were not covered in the first research phase. Only the basic information from the questionnaire is presented here, while additional information will be analysed in further publications. It has to be mentioned that this research is supported by the Institute of Public Ad-

ministration (Zagreb). It will be continued by covering a broader circle of issues connected with the organization and functioning of sub-municipal governments in Croatia, by researching the remaining municipalities and towns in Croatia, and by in-depth analysis of governance in large towns, particularly in Zagreb.

4. Sub-Municipal Governments

Sub-municipal governments are a *widespread* form of citizen participation and influence on local issues. They are well-known especially in *large cities*. The examples vary from *Stadtbezirk* in German municipalities to city districts and neighbourhoods in US big cities. However, such forms of citizen participation exist, under different names, in Austria, the Czech Republic, the Netherlands, Russia, Turkey, the US, etc. The example of American big cities such as Washington, Chicago, New York, Los Angeles and others, as well as examples of European cities such as Berlin, Paris, London, Moscow, Sankt Petersburg, and others are interesting and instructive (see Appendix 1).

In Europe, sub-municipal governments usually have their own *bodies* and their territory is clearly determined. In contrast, in some US cities, neighbourhoods are more informal. European sub-municipal governments may have different *roles in managing local affairs*, from consultation to decision-making and performing some of them, in their respective parts of the municipality. With regard to financing sub-municipal governments, it can be noted that they may have their own resources or function under the local budgets. It depends on the legal regulation in a particular country.

This can be an important observation: it seems that sub-municipal government is a flexible tool for fostering democracy whose use *is contingent and supplementary*. Firstly, it may be used in different forms, with different competences and roles in different areas, be they urban versus rural, or small versus big. Comparative experiences show that their roles can be significantly wider in large cities than in small rural municipalities. If they exist in rural areas organized in numerous tiny municipalities, their role can be only consultative, although the Croatian experience shows that can be questioned, too. Namely, in small units, the relation between the mayor and councillors on the one hand, and citizens on the other is closer, more familiar and less formal. There is no need for sub-municipal

government as a mediator – they can be considered an unnecessary agent between citizens and their local bodies. In contrast, such forms are quite valuable in big Croatian cities.

There is a long *tradition* of sub-municipal governments in Croatia and neighbouring countries. During the dynamic pre-socialist development of territorial organization of Croatia, in the period after the 1880s when the modern self-government was established, there existed small local communities under different names and with different roles. So-called territorial community (*mjesna zajednica*) from the socialist Yugoslavia is a particularly interesting example, because it had a significant role in decision-making, influence over managing local affairs at the level of municipalities, and its own resources and financial capacity that allowed even infrastructural works, important social interventions, etc. The use of citizens' meetings in these communities was rather frequent, but, unfortunately, they were not part of a democratic political system. However, they indicated a strong local orientation of the system in the former socialist Yugoslavia. They were cancelled in the reform of 1993. After that, a new system of sub-municipal governments was designed, but its functioning is still not very effective. Certain measures can be implemented within the announced territorial and decentralisation reform that may ensure them a more significant role in fostering local democracy in Croatia.

In the period before the 1993 reform, there were 3,950 territorial communities, inherited from the socialist period, with average of 1,150 inhabitants. They had legal personality, their own property and financial sources, as well as separate bodies and tasks. After 1993, new forms of sub-municipal governments were established. There is no legal obligation for municipalities and towns to establish them, but – according to our data – they do exist in the majority of local units. There are 2,452 of them in 349 local units which answered our questionnaire in the spring of 2014 (seven per local unit). The City of Zagreb has two-tier sub-municipal organization with 17 city quarters and 218 territorial communities (235 sub-municipal governments in sum).

Based on these data, it can be assessed that there are about 4,300 such sub-municipal governments in Croatia. A significant number of local units that answered our questionnaire (117 or 33.5 per cent), have not established sub-municipal governments. The most plausible hypothesis is that small local units do not need them. It has to be noted that 393 out of 556 local units in Croatia (71 per cent) have up to 5,000 inhabitants, and that, within this group, there is a group of units with less than 3,000

inhabitants – 282 of them (51 per cent of the total number of local units in Croatia).

Each sub-municipal government has its own council. The researched units have reported that there are 11,141 councillors in 2,452 sub-municipal governments. Thus, we can assess that there are about 21,000 members of sub-municipal councils in Croatia.¹¹

Contemporary sub-municipal governments play several important roles, not only in Croatia. They:

- Serve as the consultation and communication mechanism within local units;
- Preserve identities of small communities or support the creation of new territorial identities within large cities;
- Serve as an element in urban governance (planning, prioritizing, decision-making, initiating, etc.);
- Supplement the city government in managing public tasks;
- Ensure solidarity and self-help.

The main task of sub-municipal governments is to serve as the *consultation and communication mechanism* within local units, allowing alternative representation of small communities' interest, parallel with local councils (compare also: Kristinsson, 2005).

One of the important roles of sub-municipal units is to *preserve identities* of small communities within big cities. That role is especially important for those small communities that used to be separate settlements in previous times, before the growing cities spread over them. However, identities are important for new communities, too. Within large and fast growing cities, sub-municipal governments may support the development of new territorial identities.

In larger urban units, sub-municipal governments play additional roles in *urban governance* and *management of public tasks*. In Zagreb, for example, city quarters and territorial communities are supported by the City Office for Sub-Municipal Government and are the focal points for various actors through which they can exert influence on local affairs. In that capacity, sub-municipal governments can formulate initiatives concerning all local issues, spatial plans, public services, investments into local infrastructure,

¹¹ In the City of Zagreb, there are 283 councillors in the city quarters and 1,419 councillors in the territorial communities.

etc. Along with that, sub-municipal governments take over the responsibility for the so-called small communal actions, such as reconstruction and improvement of playgrounds, parks, small streets, sports facilities, small parts of infrastructure for energy and water supply, etc. City quarters and territorial communities have their elected councils that decide on priorities and plan small communal actions. For that purpose, all sub-municipal governments have three to five per cent share in the city budget. Sub-municipal governments have a similar role in other large urban units (Split, Rijeka, Osijek, Zadar, Pula, etc.).

Special attention can be devoted to the role of sub-municipal governments in *solidarity and self-help* within small communities. Self-help can be equally important in large urban and in small rural units. In the circumstances of retreating social state, self-help as a spontaneous form can replace, to a degree, institutional forms of solidarity.¹² Institutional forms have been under attack, particularly during the past few decades, under the guise of designing a new policy with regard to the services of general interest. The European Union, as the promoter of this particular policy, pushes towards liberalization, privatization, and commercialization in public services. One of the mechanisms for making a new social balance is the EU's focus on subsidiarity, which means greater role of the lowest forms of territorial organization. Small local units have ensured solidarity and self-help since pre-modern times and this role seems to be increasingly important again. We can speculate that it is particularly characteristic of less urbanized countries, like Croatia, where the level of urbanization is about 54 per cent.

All these five roles of sub-municipal governments have to be taken into account especially while planning, designing, and implementing territorial reorganizations and consolidation reforms, like in Croatia. At least two factors play an important role in thinking about a changed, more significant role of sub-municipal governments in the possible new territorial organization. Small local communities had a prominent role during the development of modern local self-government after the large administrative and institutional reforms of the 1880s. The role of sub-municipal government has diminished in the past several decades in smaller local units, probably because of their size. In the same period, they have played certain role in urban and larger units. In Croatia, like in the neighbouring

¹² Other situations in which self-help in small local communities becomes important include war, terrorist attack, natural disasters, and the like.

countries, there is a tradition of relying on small sub-municipal governments. For that, they are recognized by the people as the ever-existing element of the institutional *milieu*. In one of the possible scenarios of the territorial reform, sub-municipal governments may be used as an important element of the new structure (for possible scenarios see: Koprić, 2014). However, their role can be upgraded and these traditional firmly rooted institutions can be better used even if the current organization were not changed.

5. Conclusion

From data collected in the 2014 research, we can conclude that citizens' initiative, referendum, and consultative meetings are not frequently used participatory mechanisms in Croatia. Sub-municipal governments have not been established in one third of local units, indicating their smallness and – probably – the low level of decentralization in Croatia. Having in mind that total local government's share in public budgets is between 12 and 15 per cent, it can be concluded that the level of decentralization is not very high. In such a centralized system, citizens are more interested in the central than in the local government, because the central government provides the majority of public and administrative services. There are other indicators of citizens' low interest in local politics, such as the low turnout at local elections, a low share of public servants employed by the local government in comparison with the central government, etc. However, if the announcements and political promises of decentralisation and territorial consolidation were realized, the role of local politics, citizen participation and sub-municipal governments would be greater.

Although somewhat neglected in scholarly literature, sub-municipal government is a flexible tool for fostering local democracy whose use is contingent and supplementary. First of all, it may be used in different forms, with different competences and roles in different areas, be they urban versus rural, or small versus big. Comparative experiences show that their roles can be significantly wider in large cities than in small rural municipalities. If they exist in rural areas organized in numerous tiny municipalities, their role can be only consultative, although the Croatian experience shows that can be questioned, too. Namely, in small units, relation between the mayor and councillors on the one hand, and citizens on the other is closer, more familiar and more informal. There is no need

for sub-municipal government as a mediator – they can be considered an unnecessary agent between citizens and their local bodies. In contrast, such forms are quite valuable in big cities.

There is a long *tradition* of sub-municipal governments in Croatia and neighbouring countries. So-called territorial community (*mjesna zajednica*) from the socialist Yugoslavia is a particularly interesting example, because it had a significant role in decision-making, influence over managing local affairs at the level of municipalities, its own resources and financial capacity that allowed even infrastructural works, important social interventions, etc. The use of citizens' meetings in these communities was rather frequent, but, unfortunately, they were not part of a democratic political system. However, they indicated a strong local orientation of the system in the former Yugoslavia. In Croatia, territorial communities were cancelled in the reform of 1993. After that, a new system of sub-municipal governments was designed, but its functioning is still not very effective. Certain measures can be implemented within the announced territorial and decentralisation reform that may ensure them a more significant role in fostering local democracy in Croatia.

There are several directions for further research of institutions, ways, and mechanisms for improving local democracy in Croatia and in the neighbouring countries. The main among them are:

- Identifying and researching the most important forms of improving local democracy in the region, taking into account empirical data, not only legal regulation;
- Researching several interesting cases, like the so-called plena (plenum) in Bosnia and Herzegovina;¹³
- The rest of Croatian municipalities and towns will be taken into account;
- Urban governance and the role of sub-municipal governments and citizen participation in large towns and cities will be additionally analysed.

By conducting such a research, we will be better able to explain current situation and to offer new solutions to decision-makers, thus helping them design evidence-based decentralization policy.

¹³ Plena sparked in all parts of Bosnia and Herzegovina after the violent burst of the citizens' dissatisfaction in February 2014. Four cantonal governments resigned during the protests. Soon, citizens started with self-organization in the form of plena as the channel of direct democracy (Kazaz et al., 2014).

Appendix 1: Brief Comparative Overview of Sub-Municipal Governments in Some Countries

In major U.S. cities, sub-municipal level is organized as the network of city districts or neighbourhoods. Los Angeles is divided in 195 neighbourhoods or city districts, and New York has five boroughs (Bronx, Brooklyn, Manhattan, Queens, and Staten Island).¹⁴ Those boroughs are divided into 59 community districts, established in 1975. Those districts have populations from 35,000 to more than 200,000 people. The City of Chicago is organized in 77 community areas, which were proposed by the researchers from the University of Chicago in the late 1920s. Originally, 75 community areas were created. In the 1950s, annexations of O'Hare airport was made, and the last change was the creation of 77th unit in the 1980s. Today, Chicago has a stable and constant number of community areas. These areas do not correspond with the neighbourhoods in the city, whose areas are informal, so one community area can have several neighbourhoods. In Washington D.C. neighbourhoods are also informal, and do not have clear territorial borders. Washington consists of different areas, from urban communities and family friendly suburban communities to quiet urban areas with plenty of green space.¹⁵

In Austria, a district, *Bezirk*, normally includes several municipalities. However, in State Vienna, which is also a municipality, there are 23 city districts, which have different functions than in other parts of the country. Magistratisches Bezirksamt is a local office with local civil servants. Local representative body (*Bezirksräte*) represent citizens at district level. They elect head of the city district, *Bezirksvorsteher* (Diem et al., 2002).¹⁶ These representative bodies need to create contacts for the locals on the political and administrative level. In practice, they have certain competences, for example, concerning traffic.

In bigger German cities, there is *Stadtbezirk* as a form of city district. It is characteristic of bigger cities, which have more than 150,000 residents, such as Berlin, Hamburg, or Munich. In other parts of Germany, for example in Hessen and in Rhineland-Palatinate, there is *Ortsbezirk*. Political bodies of *Ortbezirk* are the council (*Ortsbereite*) and the mayor

¹⁴ <http://www.nyc.gov/html/dcp/html/lucds/cdstart.shtml>

¹⁵ <http://dc.about.com/od/neighborhoodprofiles/u/Neighborhoods.htm#s1>. Today Washington D. C. consists of almost 30 urban, suburban, and rural neighborhoods

¹⁶ See also <http://www.wien.gv.at/bezirke/>

(Ortsvorsteher) (Borchmann et al., 2006: 157–158). In Berlin, which is also established as a federal unit (Land Berlin), there are 12 city districts (Stadtbezirke).¹⁷ These city districts were established during the 2001 reform. According to the Constitution of Federal Land of Berlin, city districts have their own tasks and autonomy. Each of the city districts in Berlin has a district mayor (Bezirksbürgermeister) as chief administrative officer (Kommunalpolitik, 2010: 12–18). This officer is elected within council. The district mayor and four district alderman together create the executive body (Bezirksamt) in each of Berlin's 12 city districts.¹⁸

In Russia and in some post-Soviet countries, city districts are called *raion*. In Russia, *raion* is type of administrative unit used for division on sub national entity and division of city. Many major cities in Russia (except federal cities Moscow and Sankt Petersburg) are divided into city districts. The city district is usually an administrative division of the city that cannot be a separate municipal formation with complete administrative autonomy. In Russia, there is also a division into administrative districts at the federal level. Formerly, they were established in the 1920s to reduce the number of territorial divisions inherited from the Russian Empire. Furthermore, Moscow is divided in a different manner than other parts of Russia. Moscow is divided into twelve administrative boroughs (*okrug*), which are subdivided into districts (*raions*). Administrative boroughs (*okrug*) are subdivision of state administration districts and have the status of local self-government units. The federal city of Saint Petersburg is organised into 18 city districts called *raions*, which are subdivided into municipal boroughs (*okrug*), municipal towns, and municipal settlements.¹⁹

In the Czech Republic, the capital city of Prague is divided into 57 self-governing municipal districts (Czech *mestske časti*). The districts are responsible for the parks, volunteer firefighters, some cultural and sports activities, some social programs, some health activities and eldercare. In 2001, 22 administrative districts (Czech *spravní obvody*) were established

¹⁷ Mitte, Friedrichshain-Kreuzberg, Pankow, Charlottenburg-Wilmersdorf, Spandau, Steiglitz-Zehlendorf, Tempelhof-Schöneberg, Neukölln, Treptow-Köpenick, Marzahn-Hellersdorf, Lichtenberg and Reinickendorf. <http://gesetze.berlin.de/Default.aspx?vpath=bibdata/ges/blnbzvwg/cont/blnbzvwg.p1.htm&pos=0&hlwords=berlin%C3%90bezirke%C3%90+berlin%2cbezirke+%C3%90+berlin+%C3%90+bezirk+#xhlhit>.

¹⁸ <http://gesetze.berlin.de/default.aspx?vpath=bibdata%2Fges%2FBlnBzVwG%2Fcont%2FBlnBzVwG.inh.htm>, downloaded 5.5.2014.

¹⁹ <http://en.wikipedia.org/wiki/Raion>.

for national government's purpose. One municipal district in each administrative district is responsible for providing certain public services for the whole administrative district, for example, for issuing identity cards and passports. The municipal district performing those tasks shares the name with the administrative district it serves. The entire city and municipal districts have elected councils and mayors. The mayor of the capital city is a known as the *primator*.²⁰

In Serbia, the *territorial community* is a form of local self-government established in certain areas, or for some neighborhoods, streets, or parts of a street. It is a territorial and functional unit. Its purpose is to satisfy the needs and interests of direct importance to citizens. Local communities have a legal personality and bank account. They are established and repealed by a decision of the municipal assembly. The tasks carried out by local communities include childcare, eldercare and care for the persons with special needs, protection and improvement of the environment, development and maintenance of green areas and resorts, consumer protection, municipal infrastructure, maintenance of cultural and sport events, as well as activities related to recreation of the elderly, housing, fire protection, etc. Local community is governed by the local community council as the representative body of the local residents.

In Turkey, *mahalle* are a form of neighbourhood self-government. They are established for certain parts of the local government, they have official status, without administrative powers. *Mahalle* have the council as the representative body. The council head is called the *mukhtar*, and there are four council members. They are elected from among the citizens of the area they represent. The council acts as the administrator of the leaders of local governments, and solves problems and needs related to the local community they represent. The *Mukhtar* has a position in the City Council and is the organizer and coordinator of all activities and tasks of local government administration (Klarić, 2011: 878).

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²⁰ <http://www.prague.fm/48162/administration-structure-city-prague/>

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NEW DEVELOPMENTS IN LOCAL DEMOCRACY IN CROATIA

Summary

The paper analyses traditional and new forms of citizen participation at the local level. The traditional forms of citizen participation are referendum, citizens' initiative, deliberative assemblies, sub-municipal governance, and occasional consultative meetings. The main new forms are introduction of the direct election of mayors and recall referendum, strengthening the role of local mayors, and independent actors in local politics. Special attention is devoted to comparative situation with sub-municipal governments. Five modes of fostering local democracy in Croatia are analysed: minority representation, classic forms of direct democracy, direct election of mayors and recall procedure, youth councils, and independent local political actors. Data from 2014 research show that citizens' initiative, referendum, and consultative meetings are not frequently used participatory mechanisms in Croatia. Sub-municipal governments have not been established in one third of local units, indicating their smallness and – probably – the low level of decentralization in Croatia.

Key words: local democracy – Croatia, local politics, sub-municipal governments, referendum, directly elected mayors, independent local political actors, citizens' initiative

NOVIJI RAZVOJ LOKALNE DEMOKRACIJE U HRVATSKOJ

Sažetak

Analiziraju se tradicionalne i nove forme sudjelovanja građana na lokalnoj razini. Tradicionalne forme participacije su referendum, građanska inicijativa, skupština svih građana, oblici submunicipalne samouprave i konzultativni zborovi građana. Važnije nove forme su neposredno biranje načelnika, njihov opoziv, jačanje lokalnog vodstva i nezavisni lokalni politički akteri. U radu se posebno analizira mjesna samouprava u komparativnoj perspektivi. Analizira se pet načina jačanja lokalne demokracije u Hrvatskoj: predstavništvo nacionalnih manjina, klasične forme direktne demokracije, neposredni izbor i opoziv načelnika, savjeti mladih i nezavisni lokalni politički akteri. Podaci iz istraživanja provedenog 2014. pokazuju da se u Hrvatskoj građanska inicijativa, lokalni referendum i mjesni zbor ne koriste često. Oblici mjesne samouprave nisu osnovani u jednoj trećini jedinica lokalne samouprave, vjerojatno zbog toga što su same te jedinice male, a razina decentralizacije niska.

Ključne riječi: lokalna demokracija – Hrvatska, lokalna politika, sub-municipalna samouprava, referendum, neposredni izbor načelnika, nezavisni lokalni politički akteri, građanska inicijativa