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New Perspectives in Development of Sub-Municipal Government

Local self-government is established as an institutional answer to create balance to the central government, and sub-municipal government is established as a part of decentralization process, to improve decentralization processes in local-self-government units. They can be one of the institutional solutions for local decentralization process. In this article are analyzed relations between political decentralization and sub-municipal units, sub-municipal government in different countries, with specially view on Central and Eastern European countries. Last part of this article is dedicated by sub-municipal government in Croatia.

Key words: Decentralization processes, sub-municipal government

1. Introduction

Sub-municipal government has various positions and official status in local public community in different countries. Those positions depend on organizing of local government system, public authorities of local government units and decentralization process. In that sense, sub-municipal government has different role in managing of local public tasks in local communities. Sub-municipal units are created for managing of society useful public tasks which are usually important for everyday life of some small's local public communities.

Local self-government is established as institutional answer to create balance to the central government, and sub-municipal government is established as a part of decentralization process, which can provide some local tasks important for daily functioning of small public communities. The role of municipal sub-government in process of managing of local affairs can be dual: active participation, in sense of strong engagement of citizen in performance of local public tasks, which would be straightening influence of local public community to creation of programs for development of local society and their implementation on local level. Second role of sub-municipal government is effort in creation of efficiency control mechanism of local government units and central government bodies, where local units can be correction against deviant processes which are not public interest. In practice, Croatians municipal sub-government has an advisory role, and size of its public obligations and tasks depends on understanding how important can be engagement of the citizens in managing of

local public tasks and activities. In some local self-government units, it may have significant role, in the other units this role is not so significant. In this work will be analysed present situation of sub-municipal government and perspective of possible future development of sub-municipal government in European countries, regarding on central and eastern European states. First, it would be research role and position of sub-municipal government in some western European states. Second, it would be explore status, position and importance of sub-municipal government in some central and eastern European countries, and development of those type of units in last 20 years. Third, it would be presented position of sub-municipal government in context of possible decentralization of local self-government system in Croatia. Those three main objections can show how sub-municipal government can influence on process of democratic transition in the states of Central and Eastern Europe.

2. Political decentralisation and sub-municipal units

Every country has specific approach to the question of political decentralizing. In some states many of political practitioners and scientists see political decentralization as a territorial decentralization, where establishing or strengthening of local government units can improve democratic process in political community. They think that decentralizing of local government system can provide efficient local self-government units with very well organized local government administration. Those objections include strengthening of sub-municipal government, which can have directly influence to the citizen's life in some local community. In other states many of the scientists and practitioners think that decentralization isn't solution for strengthening and consolidation of public administration. They insist on tradition which is characteristic for their states, where they have centralized political and administrative system. They think that only strong central government with administrative devolution can provide quality public services, including local government services.¹

In those countries prevails opinion that is important to ensure strong central government, which can provide efficient public services in fulfilling of public needs in society.

The third approach includes combination of elements of those two approaches. This approach is characteristic for the small countries, which they want political decentralization, but because of the size of territory and number of population cannot have large local territorial units. In Croatia, present system of local self government includes two tier systems with municipalities and cities at first level, and counties on second level. Municipalities and cities in Croatia include sub-municipal government, as a type of organization within local government units. Some of the small municipalities don't have established municipal sub-government, because their size and number of residents are too small. But in larger local government units, especially in the cities, those type of units existing as a directly form of communication with local community. Differences between local government units are large – in the same time existing very small and very big local government units. In Croatia temporary are established 20 counties and capital city Zagreb, which have status as a county and city. It is also established 555 local government units, 428 municipalities and 127 cities.

¹ There are many different stands about political decentralization, including completely different approach to the question of regionalization. with avoiding of organizational models which includes regions and regionalism as a main organizational and institutional phenomenon. See Lozina, D.: *Lokalna samouprava*, Pravni fakultet u Splitu, Split, 2004., pp. 141 – 155; Đulabić, V.: *Regionalizam i regionalna politika*, Društveno veleučilište, Zagreb, 2007.

Croatia is a small country, with only 4.25 millions of people and territory of 56.542 km², but in this moment has large territorial fragmentation. The main tasks and duties, which are in jurisdiction of local self-government units, are local communal services and urban planning. Other tasks, such public education in elementary and secondary schools, public health services, social services and other public services are strongly depend of central government administration. They are still managed, leaded and financed by central government. The main paradox lay in fact that some local government units had been established local public institution such local schools, hospitals and medical clinics, but those institutions strongly depend on central government, because they are financed by central government budget. The second reason of present dependency of local government units on central government in Croatia is limited fiscal and financial autonomy, with insufficient originally incomes from taxes and other public services. The tax framework for financing of local self-government is established according to the principles which are implemented for financing of local self-government in Germany. But, Croatian citizens do not have high salaries, and their tax capacities are limited and incomes are lower than in Germany. Because of that, many of Croatian local self-government units are dependent on central government, while they account on financial transfers from central budget. That circumstance limited local public units in managing of local public tasks. Sub-municipal government is important for daily communication with the citizens in local community, but its public jurisdiction is irrelevant as is irrelevant role in managing of local public tasks. Research in this paper is focused on possible role which might have municipal sub-government units in process of political and administrative decentralization, but also in strengthening of democratic processes in countries of Central and Easter Europe.² In that sense, local self-government units might have increasing role, and position of municipal sub-government can be more important than now.

3. Sub-municipal government in Anglo-Saxon countries

There are various reasons why local councils create sub-municipal units in England. Copus indicate several: political belief and value systems, to enhance the effectiveness of public services, to improve policy, to capture the expertise of the citizens, to build community capacity and trust, to empower citizens and communities, to enhance local representative democracy and to ameliorate the ill effects of the large size of English units of local government.³

In England municipal sub-government units are civil parishes, which represented territorial lowest tier of local self-government. Civil parish can range in size from small villages with only few hundred of inhabitants, thru the large towns with population of 60.000 or 70.000 people.⁴ Civil parishes are known as town, village, neighbourhood, parish and community. They are usually organized for managing of some local public sevice⁵ They are held by the

² Part of this researches was presented and publish before, especially in the working papers. Here are some new objections. Some researching are presented in Dubrovnik, on the conference Decentralization Policies: Reshuffling the Scene in working paper *Capacity of sub-municipal government for decentralisation*, Dubrovnik, 07. – 10.05.2015.

³ Copus also mentioned that sub-municipal units are usually created and used for delivery of local public services. See Copus, C.: *Decentralization, Democratization and Delivery: English Sub – municipal Devolution*, in Komninos Hlepas, N. – Kersting, N. – Kuhlmann, S. – Swianiewicz, P. – Teles, F.: *Sub Municipal Governance in Europe. Decentralization Beyond the Municipal Tier*, Palgran Macmillan, 2018., p. 87 - 88.

⁴ Se more in Southal, H.: Rebuilding the Great Britain Historical GIS, Part 2, a Geo-Spatial Ontology of Administrative Units, *Historical Methods, A Journal of Quantitative and Interdisciplinary History*, vol 45, no 3, pp 119 – 134.

⁵ Somerville P. (ur.): *Multyscalarity and Neighbour Governance*, *Public Policy and Administration*, Vol. 6, No 1, 2011., pp. 81. – 105.

council (parish council, town council). Parish and town councils vary heavily in size, activities and representing population.⁶

District is a type of administrative unit which is in many countries one type of local self government. In many states we have different meanings of this type of administrative unit, so it can include small self-government units in cities, or they can be large administrative or self-government units on regional level. Neighbourhood is type of parish which is localised within larger city, town or suburb area. It is characteristic for the face to face social communications and properly for smaller communities. Neighbourhood is usually functioning as a set of social networks in local community. Third type of civil parish is a community (or local community), which is informal type of civil parish and can be with different sizes of population, but it is usually for small communities. Village is a small community larger than a place or hamlet, but smaller than town. In the past villages were usual and dominant forms of community. Towns are type of settlement which is bigger than villages and smaller than cities. Parish as a form of sub-municipal government was a long time part of English local government system. Probably they are develop as organizational units from previously ecclesiastical units.⁷

In major U.S. cities, the municipal sub-government is organized as a network of the city districts or neighbourhood. For example, Los Angeles is divided on 195 neighbourhood or city districts, and New York has a five borough (Bronx, Brooklyn, Manhattan, Queens and Staten Island).⁸ Those boroughs are divided on 59 community districts, established by local law in 1975. In those districts live populations from 35000 to more than 200.000 people. City of Chicago is divided on 77 community areas, which were drawn by researchers from University of Chicago in the late 1920s. Chicago's community areas are defined and certain. Originally, at first time it was created 75 community areas, and in the 1950s was made annexations of O'Hare airport, and last change was creation of 77th unit in 1980s. Today we have stable and constant number of community areas, and these community areas do not correspond with the neighbourhoods in the city, which areas are informal, so one community areas can have more few neighbourhoods.⁹ Parishes represent statutory elected and representative governed bodies. In 2015 the government eased the regulations for citizens, so they can easily to participate in local community governance.¹⁰

In Washington D. C. neighbourhoods are also informal, and do not have borders of areas. Washington also has very diversity areas of neighbourhoods, from urban communities, family friendly suburban communities, to quiet urban areas with many of green space.¹¹

On the world, district has many separate meanings, it can be part of some cities or towns, it can be special type of district¹² or it can has different size and included more towns, municipalities or some bigger areas.

⁶ See Skelcher, C.: *Governing Communities: Parish Pump Politics or Strategic Partnership*, Local Government studies, vol 29, no 4, 2003., pp 1-16.

⁷ Pounds, N.: *A History of the English Parish: The Culture of Religion from Augustine to Victoria*, Cambridge, Cambridge University Press, 2000.

⁸ See <http://www.nyc.gov/html/dcp/html/lucds/cdstart.shtml>.

⁹ See Shapiro, M. A. – Bliss, D.: *Rewards and Consequences: Redistricting on the Chicago City Council*, Local Government Studies, vol 42, no 1, 2016, pp. 139 – 163.

¹⁰ See Copus, C, 2018, pp 84 – 85.

¹¹ See <http://dc.about.com/od/neighborhoodprofiles/u/Neighborhoods.htm#s1>. Today Washington D. C. Have more than 28 urban, suburban and rural neighbourhoods.

¹² For example, it can be special distric, which is created as a elementary or high school dist, waste management district, etc.

4. Sub-municipal government in some Central and Eastern Europa Countries

In Austria district is called *Bezirk*, and it is administrative division normally includes several municipalities, like Laundries in Germany. But in State Vienna, which is also municipality, it exist division with a 23 city districts, which have different function, than in other part of the country. Magistratisches Bezirksamt is city office is local office with municipality administration. But we have also representative body (Bezirksräte) on the district level, which represent citizens on district level. They elect a head of city district, Bezirksvorsteher.¹³ Those representative bodies are established to create contacts for the locals on the political and administrative level. In practice, they have some power, for example, concerning matters of traffic.

In bigger German cities exists Stadtbezirk, as a form of city district. It is characteristic for bigger cities, which have more than 150.000 residents. This type of city districts exists in Berlin, Hamburg and Munich. In the other part of Germany, for example Hessen and Rhineland-Palatinate, they use the term Ortsbezirk. Political organs of Ortbezirk are district council (Ortsberei) and mayor (Ortsvorsteher).¹⁴ In Berlin which is also established as a federal unit (Land Berlin), it exists 12 city districts (Stadtbezirke)¹⁵. In Berlin also use term Kiez, which is local Berlins worth for a part of city, usually Bezirk.¹⁶ These city districts has established by administrative reform in 2001. According to the Constitution of Federal Land of Berlin, city districts have their own tasks, which are leads by principle of self-government. These administrative tasks have a local character that is connected with a district and within local citizens. Each of the city districts in Berlin has a district mayor (Bezirksbürgermeister) as a main administrative officer.¹⁷ This officer is elected with council of city district, as a representative body on district level. District mayor and four district alderman create together executive body (Bezirksamt) on district level in every of 12 city districts of Berlin.¹⁸

In Russia and in some post soviet countries city districts are called raion. In Russia raion is type of administrative unit which is 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 the city districts. This city districts are usually considered to be administrative divisions of the city, but cannot be a separate municipal formation with completely administrative autonomy. In Russia also exist division into administrative districts on a

¹³ See Diem, P.-Göbl, M.-Saibel, E.: *Die Wiener Bezirke. Ihre Geschichte, ihre Persönlichkeit, ihre Wappen*, Perlen Reihe Verlag, Wien, 2002.

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

¹⁴ See Borchmann, M.-Breithapt, D.-Kaiser, G.: *Kommunalrecht in Hessen*, Deutscher Gemeindeverlag GmbH and Verlag V. Kohlhammer GmbH, Stuttgart, 2006., pp 157.-158.

¹⁵ Mitte, Friedrichshain-Kreuzberg, Pankow, Charlottenburg-Wilmersdorf, Spandau, Steiglitz-Zehlendorf, Tempelhof-Schöneberg, Neukölln, Treptow-Köpenick, Marzahn-Hellersdorf, Lichtenberg and Reinickendorf. See:

<http://gesetze.berlin.de/Default.aspx?vpath=bibdata/ges/blnbzvwg/cont/blnbzvwg.p1.htm&pos=0&hlwords=berlin%20bezirke%20berlin%20bezirke+%20berlin+%20bezirk+#xhlhit>.

¹⁶ Kiez is a old worth, which is use also in Hamburg and Hannover. In Hamburg it is use for for two parts of the Hamburg: St Pauli and Reeperbahn. In Hannover only part of city which is called Kiez is Stantor. Which is interesting, many of the city districts from the beginning of 1990.-es have informal name as a Kiez. The word Kiez was originaly Slavic word (Kietz) but its meaning is not clearly. See Shlimpert, G.: *Schlawische namen in Brandeburg in Schich, W.(ed.): Beitrage zu Enstethung und Entwicklung der Stadt Brandenburg in Mittelealter*, de Guyter, 1993.

¹⁷ See *Kommunalpolitik verstehen im Lande Berlin. Für eines junges Politikveständnis*, Friedrich Ebert Stiftung, Berlin, 2010., pp. 12. – 18.

¹⁸ See

<http://gesetze.berlin.de/default.aspx?vpath=bibdata%2Fges%2FBlnBzVwG%2Fcont%2FBlnBzVwG.inh.htm>., downloaded at 05. 05. 2014.

federal level. Formerly, they were established in the 1920s to reduce the number of territorial divisions inherited from the Russian Empire. On the other side we have different divisions of Moscow, than in other parts of Russia. Moscow is divided into twelve administrative okrugs, which are subdivided into districts (raions). Administrative okrugs are subdivision of state administration districts have a status of local self-government units. The federal city of Saint Petersburg is divided into 18 city districts called raions, which are subdivided into municipal okrugs, municipal towns, and municipal settlements.¹⁹

In Czech Republic, capital city Prague is divided into 57 self-governing municipal districts (Czech *mestske časti*). The districts are responsible for the parks, volunteer firefighters, some cultural and sport activities, some social programs, some health activities and care for seniors. Other type of sub-municipal units are city boroughs (*mestske obvody*). Both are described as a “little town-halls”.²⁰ From 2001 for the government purposes are established 22 numbered administrative districts (Czech *spravní obvody*), for national government purpose. One municipal district in each administrative district has responsibility for providing some public services for whole administrative district. For example, some of those services are issuing identity cards and passports. Municipal district which managing those tasks shares a name with the administrative district it serves. The entire city and municipal district have elected councils and mayors. The mayor of Capital City is known as a *primátor*.²¹

In Poland

4.1. Sub-municipal government in South-eastern European Countries

Sub-municipal government in south-eastern countries have long tradition from the times where those countries were part of ex Yugoslavia. In Yugoslavia that type of sub-municipal units was called “local community”. Those units had jurisdiction on some local public services related with local public needs of the people who lived in some place or village. In that political and administrative system sub-municipal government had significant role. Sub-municipal units had legal personality, independent budget and some public authorities even extended for that type of local units, such as consumer protection. Sub-municipal government had crucial role in organization and development of communal infrastructure such as water supply network, sewerage system, local public roads, electrification, development of telecommunication network, initiative for establishing of kindergartens and elementary schools, managing of local political, cultural and other manifestations and activities.

In ex Yugoslavia local communities were descendants of national liberation committees, which are reorganized in local committees, and then, according to the Constitution of Yugoslavia from 1963, were recognized as a local community. New Constitution of Yugoslavia from 1974, recognized local communities as a required form of sub-municipal government.²² According to the Pusić, at first moment sub-municipal government in ex Yugoslavia was established as a tool for building of stronger integration of local communities, without own budget and public administration. In further development, it was necessary to rebuild and extend their public authorities, including their own budget.²³

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

²⁰ See Lysek, J.: The „Little Town-Halls“ in the Czech Republic: An Unexploited Potential of Functional Decentralization, in Hlepas, N. K. – Kersting, N. – Kuhlmann, S. – Swaniec, P. – Teles, F.: *Sub – Municipal Governance in Europe. Decentralization Beyond the Municipal Tier*, Palgrave MacMillan, 2018, p 46.

²¹ See <http://www.prague.fm/48162/administration-structure-city-prague/>.

²² See Jusić, M.: *Mjesne zajednice u Bosni i Hercegovini. Izazovi i perspektive institucionalnog razvoja*, Analitika, Sarajevo, 2015., p 19.

²³ Pusic, E.: *Intentions and Realities: Local Government in Yugoslavia*, Public Administration, Vol 53, No 2, 1975., pp. 133. – 152.

Sub-municipal government in ex Yugoslavia had legal personality, financial independency, financial transfers from central or local government or from additional local taxes, their own employees, offices and property. Organizational structure was organized as a assembly of local community as a representative body and advisory council as a executive body. Half of representatives in assembly were directly elected from the citizens, other half are nominated from the workers in public utilities or the representatives of different non-government associations. Forms of participation in sub-municipal government are referendums and public meetings. Sub-municipal government was participating in working of council of sub-government units, which was established for every municipality, as a part of municipal assembly.²⁴

Sub-Municipal government in ex-Yugoslavia had significant role, which was based on occasion that those types of units managed many of infrastructure projects in local community. At first, interest for engagement in sub-municipal government units was pertinent. But later interest for this type of participation in life of local community decreases. One of the reasons was inability of those type of participation to affect on development of wider local communities. With dissolution of Yugoslavia sub-municipal government still exists in new South Eastern countries, but with different role and organization, which depends from state. In some states their property is transferred on local municipalities, they haven't legal personality and many of their public authorities are reduced.²⁵

4.1.1. Serbia

In Serbia sub-municipal government, as a type of local government system, still exists. They have a few types of sub-municipal government: quarters, rejoins and neighbourhoods. Sub-municipal government units in Serbia have legal personality.

Purposes of their establishing are fulfilling of common daily interests and public needs in local community. Election for this type of local governance is regulated with the statute of community, which establish sub-municipal government on their own territory. Their authorities are also defined with local regulations. The law predicted that some of local public tasks can be also entrusted to sub-municipal government units.

Organization of sub-municipal units is divided on supervisory board and advisory council. Supervisory board is control body and advisory council is executive body. Amounts for financing of activities of sub-government units are provided in local public budget, donations and voluntary taxes. Also, sub-municipal government units can generate incomes from their own activities. The forms of participation of the citizens are referendums, public meetings and initiatives of citizens.²⁶

Impact and role of that type of local governance depends on municipalities which establish and regulate them. But their role is to promote and encourage participation of the citizens in local policy.

Towns can also establish town municipalities, which can perform some local public tasks.²⁷

²⁴ See Jusic, M., 2015., p. 20.

²⁵ See Jusić, M., 2015, 21.

²⁶ See Bećirović, S. – Plojović, Š. – Ujkanović, E.: *Finansiranje mjesnih zajednica u Srbiji, Ekonomski izazovi*, Vol 1, No 2, 2012, pp. 35 – 48.

²⁷ See Milosavljević, B. – Jerinić, J. (ed.): *Status of Serbian Towns in the Light of recent Efforts Towards a National Decentralization Strategy*, Croatian and Comparative Public Administration, Vol. 16, No 1, 2016., pp 77 – 106. See also Vučetić, D.: *Decentralisation of City Administration and Competences of Decentralised City Units*, Croatian and Comparative Public Administration, Vol. 16, No 1, 2016., pp 707 – 136.

4.1.2. Montenegro

Sub-municipal government in Montenegro are established by the will of the citizens who live in local community and wants that type of units, to improve cooperation with other levels of local and central public authorities. They are constituted when assembly of citizens in local community make decisions of establishing of sub-municipal government units. There is a also possibility that municipalities can also establish sub-municipal government units. This type of units has legal personality. Purpose of this type of local units is in fulfilling of local public interests and needs. Elections process in sub-municipal government units is regulated by the rules approved by local government units. Elections are held on assembly of citizens, and can be public or secret. Field of impact of sub-municipal government is local communal tasks, housing, consumer protection, culture, sport and other activities which are connected with daily life in local community. A sub-municipal government unit has supervisory board and advisory council. Supervisory board is control body and advisory council is executive body.²⁸ Financing of sub-municipal government regulate local government units with their acts, and the ways of amounts are different. Some amounts are coming from local budget, other include voluntary taxes, donations, and other forms of incomes. They can have property. The ways of participating of the citizens are referendums, public meetings and other forms of initiatives of citizens.²⁹

4.1.3. Macedonia

In Macedonia sub-municipal government units are urban communities in the cities or local communities in rural areas. There are predicted by the love, but they are not mandatory tip of local government organization. They represent interest of the citizens in local community. Their establishing and election regulates rules of local government units. Their role is in improving communication between the citizens in local community and local and central government institutions. Usually sub-municipal government units submit proposals and started initiatives about local public needs and activities. This type of units can also be delegated from local government units to manage some of the local public tasks. Sub-municipal government unit has advisory council and president of advisory council. Financing of this type of unit is regulated by different state laws. The ways of participation of citizens in functioning of sub-municipal government are public meetings and initiatives of citizens.³⁰

4.1.4. Kosovo

According to the law, as forms of sub-government units there are existing villages, places and city districts. Their purpose is not regulated and it is indefinite. Ways of elections are prescribed by the rules of local government units. Their function is not precisely regulated, but main purpose is improving of cooperation between the citizens in local community and local government units. Specific authorities and tasks are usually regulated by the acts of local government units. Organizational structure also depends on regulation of local government

²⁸ See *Dobro upravljanje u lokalnim samoupravama u Crnoj Gori*, Centar za razvoj nevladinih organizacija i OSCE,

https://www.crngo.me/sites/crngo/files/article_files/dobro_upravljanje_u_lokalnim_samoupravama_2_0.pdf

²⁹ See zakon o lokalnoj samoupravi, Službeni list Crne Gore, No 2/ 2018, 34/2019.

³⁰ See Jusić, M., 2015, pp. 22 – 23.

units. The ways of financing and participation of the citizens are also prescribed by the rules of the local government units.³¹

4.1.5. Slovenia

Sub-municipal government units in Slovenia are divided on locals, villages and cities communities. Municipality council decides on establishing this type of local governance, after public consultations with the citizens. Initiatives for constitution of sub-municipal government units can come from the citizens or from municipality council, and there are optional. Legal personality depends on municipality. Municipality act prescribed public tasks of sub-municipal government units and their financing. Elections in sub-municipal government are regulated by municipal statutes. Usually tasks of sub-municipal government in Slovenia are local public services, local infrastructure tasks, managing of local communal property and promotion of cultural and social activity. Financing of sub-municipal government is predicted in municipality budget, if it doesn't have legal personality. Otherwise, it is predicted financing from the municipality budget, donations, own revenues and property incomes.

The ways of participating of the citizens are referendums, public meetings, public initiatives and other forms of participation of citizens.³²

4.1.6. Bosnia and Herzegovina

According to the Act of Principles of Local Self-Government In Federation of BiH, sub-municipal government is establishing in a form of local community or city district, and can be established in local government units. Act of Local Self-Government in Republic of Srpska doesn't recognize sub-municipal government, but it defined local communities as a type of units with directly participation of citizens in daily life of local government units. In District Brčko is implemented special Act of local community units in District Brčko.³³

Sub-municipal government is mostly established in local government units in Federation of BiH, but not so oft in Republic of Srpska.

Recently researches of sub-municipal government in Bosnia and Herzegovina identifies main aspects for organization and establishing of sub-municipal government, such as territorial organization, communication, internal organization, financing, legal personality and position, professionalization, election of the bodies within sub-municipal units and control (internal and external) of sub-municipal government.³⁴

4.1.7. Greece

In Greece also exists sub-municipal government in forms of local communities and sub-municipal districts Law does not give executive powers to local communities, and local communities doesn't have local tasks from which they responsible. Their councils can formulate proposals for the local government units, and they have advisory role. This advisory role is focused on their opinions relating by the management of municipal real estate, the

³¹ See Baskin, M.: Local governance in Kosovo: a link to democratic development?, in Knudsen, T. B. – Laustsen, C. B. (ed.): Kosovo between War and Peace, Routledge, 2006., pp 76 – 94. See also Haynal, G. – Peteri, G.: Local reform in Kosovo. Final report, 2010.

³² See Haček, M. – Grabner, A.: *Local Sub-Decentralization and Sub-Municipal Divisions in Slovenia*, Croatian and Comparative Public Administration, Vol 13, No 1, pp. 213. – 230.

³³ Inset, Jusić, M., 2015, p. 36.

³⁴ See „Nova vizija mjesnih zajednica“, in project „Jačanje uloge mjesnih zajednica u Bosni i Hercegovini“ Švicarska agencija za razvoj i saradnju SDC, Švedska i UNDP, 2018., p110

pasture lands and forestry, parking places, public markets, urban planning and urban regeneration of the district and for the provision of social assistance to person in need.³⁵

5. Sub-Municipal government in Croatia

Municipal sub-government in Croatia is established as a part of local self-government units, according to the statute of the local self-government units and other legal acts. This type of local organisation is a focused on citizens in local community, who lives in some local districts, parishes or villages. The main target is managing some local public tasks to fulfil local public needs, which are concerned on life in local level. For functioning of this type of organization special mining can had the principle of solidarity, which is incorporated in European charter of local self-government. According this Charter, public affairs will do public authorities which are closer to citizens, and, in the same time have institutional capacity for managing those jobs. This local public needs were created as a need of local community, so they established on local level. The role of municipal sub-government in process of managing of local affairs can be dual: active participation, in sense of strong engagement of citizen in performance of public tasks, which would straightening influence of public on creation of programs of society development and their implementation on local level; creation of control mechanism, where local units can be correction of the deviant process which are against public interest.

In practice, municipal sub-government has mainly advisory role, and volume of powers depends of the leaders in local self-government who can some or many of local public tasks delegate on municipal sub-government level. The role and the position of local sub-government is a reflection of the needs of local self-government units in which framework is acting, and specially the need for active participation of citizens in performance of local tasks. In small local self government units exist directly approach citizens in communication with the bodies of local self-government. In such communities, the neighbourhood self government is not so significant. In the other local government units in Croatia, which are territorial larger and has bigger population it can exist a distance between local administration and citizens. In that case, municipal sub-government can have increasing role, because it can promote some local public interest and needs. Croatia has a large number of local public units. Many of them are very small, but some of them are large. In that sense, we can see various practices in treatment of municipal sub-government. Some of the local self-government units do not have established local sub-government units, other has just formally established, but in practice they did not have any role in local public life. Some of them taking those types of local government very serious, and transfer some of the local public tasks on them. It is usually tasks which are connect with some of the specific public needs of the people who live in smaller local communities.

5.1. Sub-municipal government in ex Socialist Republic of Croatia

Today's Institute of local committee, in organization sense, preceded institute of local community. In legal sense, it cannot be put an equal sign between that two institutes, because local communities are differed than local committee in legal responsibilities and funding. It should be noted the important fact that the legal successor of local communities by their abolition weren't be local committee, but municipalities and cities. Local communities were

³⁵ See Hlepas, N.: Between Identity Politics and the Politics of the Scale: Sub-municipal Governance in Greece, in Jhlepas, N. – Kersting, N. – Kuhlmann, S. – Swaniewicz, P. – Teles, F. (ed.): Sub-municipal Governance in Europe. Decentralization Beyond the Municipal Tier, Palgrave-Macmillan, 2019, pp. 137. – 138.

established by Local Communities Act³⁶. The Act had 81 articles, and was divided on 7 chapters: Basic regulations, Principles of procedure of establish a local community, Social and economic relations, The realization of common interests and meet the needs of working people and citizens in the local community, satisfying the needs of working people and citizens in the local community, Realization of self-managing of working people and citizens in the local community, Council of consumers and users of services in the local community, Transitional and final provisions. By this Act, the local community has been defined as a basic self-governing unit, which is organized itself by working people and citizens in the village, or in some part of the city, or in more parts of the city or in more villages, for realization their certain interests and needs, and to participate in the performance of social affairs and decision-making on issues of their interest in the municipality and wider socio-political community. In the local community of citizens has decided about realization of common interests and solidarity in satisfying the common needs of all matters of direct interest to the everyday life and work of people in community and their families. The basic criterion by which local communities are founded is the compactness of territory and community connections on that space. According to the Local Communities Act, local communities are formed for the area that represents a spatial entity where citizens are connected to everyday life and work, and can directly negotiate, communicate and make decisions in realizing of their common interests and meeting their needs. Needs those citizens realize the local community was divided into two categories: common needs and whole society needs. The whole society needs, which are fulfilled in the local community, are shared on: work of local communities and their working bodies, Work delegation for meeting the socio-political and Communities of Interest, maintenance and construction of social facilities necessary for the operation of the local community, national defense and civil protection, work of Peace Council, work of consumer advice council, tasks performed by local communities on the basis of local laws and regulations, within its jurisdiction and competence of its authority transferred by the organs of the local community, and the last administrative, professional, and related ancillary jobs. Forms of citizen participation in the affairs of the local community were a referendum, citizen forums, and with regard to the crucial political bodies was adopted assembly system. Within referendum, citizens decides by establishing and changes in the area and the statute of the local community and local voluntary. It is leaved to the citizens to declare themselves on other issues that are decided by voting, if so decided by the majority of citizens in the assembly of the local community. According to the delegate system the main body of the local community, which managed by the work of the local community, was assembly of local community. The assembly had a president, and she was elected the collective executive body which is entrusted the executive functions in the statute of local community. The smaller local had participation of all citizens in the local community to perform the tasks of assembly of local community. Law on local communities is regulated also consumers and users council of services in the local community. The powers of the consumer council was included as giving opinions and suggestions on the conclusion of agreements and social arrangements relating to the protection of the interests of consumers and users of services at the community level or the consideration of the report of market inspections, other inspections which was carried out supervision over the operations of companies which production of goods and services was made for the direct consumption of citizens in the local community. Relation between municipalities and communities was different, because local community has many original authorities which were concerned on local matters. On the other side, municipality, because they were units had very extended

³⁶ Narodne novine No 19/1983.

jurisdiction in managing of public tasks, because they were intended as a main organizational and administrative units within socialist system established in ex Yugoslavia.

5.2. Empirical research of sub-municipal government on territory of a Municipality of Split in ex SR Croatia

Empirical research made in 1985. Year by research team from Faculty of Law, University of Split is analysed real situation of local community in that moment.³⁷ The sample for research was created from local communities, which are divided on 21 city sub-municipal units, 3 island sub-municipal units and 29 villages' sub municipal units. In first group of sub-municipal units were researched new city local communities, which are established as a result of urban development, for example Ravne njive and Brda. Second group was old city sub-municipal units like sub-municipal units Varoš and Lovret. Suburban sub-municipal units were Stobreč, Solin and Kaštel-Sučurac. Rural part of Split was presented in sub-municipal units Muć Donji, Lećeveica, Dugopolje, Brštanovo i Primorski Dolac. They are chosen because of its territorial diversity and geographical relations on the others local community. From islands sub-municipal units had chosen local community Grohote. Research has shown that men are generally activists in smaller local communities, especially in suburban and rural areas.³⁸ In urban sub-municipal units, women were more present in their public activities.³⁹ Persons who participated in the work of local communities had dominantly secondary school education and usually worked as a public or civil servants. There were also lots of those who had not completely finished even elementary school.⁴⁰ In suburban local communities concentrated favorable structure of active participants of local communities, by educational attainment.⁴¹

The study further showed that structure of sub-municipal government in Split very heterogeneous. There were sub-municipal government units with a very high degree of urbanization. On the other side, there were sub-municipal units in which prevailed rural way of life.⁴² Research has shown low level of cooperation between urban and rural sub-municipal units. General conclusion, according this report, was that it does not existed good cooperation between those types of units, with a constantly lack of will for improving this relation. The main cooperation was between local administration in local self-government unit and sub-municipal units. Those type of cooperation based on managing of local public tasks related on

³⁷ Cvitan, O. (ur.): *Samoupravno – teritorijalna transformacija Općine Split*, Sveučilište u Splitu, Pravni fakultet Split, Split, 1985.

³⁸ In some rural local communities there were no women who participated in work of local community. For example, such is the situation in local communities Brštanovo, Primorski Dolac and Lećeveica. See also Klarić, M.: *Nova uloga mjesne samouprave*, in Barbić, J. (ed.): *Nova hrvatska lokalna i regionalna samouprava*, Hrvatska akademija znanosti i umjetnosti, Znanstveno vijeće za državnu upravu, pravosuđe i vladavinu prava, Zagreb, 2010., pp 287 – 306.

³⁹ The analysis of collected data gets us a whole range of reasons for poor representation of women in local communities. Authors said that the position and role of women in rural areas are different from those in urban areas. They point to the fact that their little or no activity is strongly influenced by the level of education, general education skills and degrees and the fact there are a women does or does not worked in the social sector. In urban local communities, was active group of a women younger age, and this activity decreases within age increase. Men was more active in middle age.

⁴⁰ At the level of the whole municipality 9% of activists in local communities had not finished school, in rural local communities this number was around 17%, and nearly 50% of them had not finished high school.

⁴¹ It can see that two-thirds of persons who participated in the local community of have finished high school, college or university.

⁴² Interestingly, the results of the study showed that population in rural local communities was partly oriented to agricultural activity and it was vitally connected with urban and suburban local communities in which it worked in companies and factories.

ordinary life in local community, where local administrative bodies help sub-municipal units in organizations of those types of activities.

There are three interesting questions that were analyzed: attitude towards voluntary tax, division of responsibilities between municipalities and local communities, and the question of mutual solidarity within local communities.

The largest number of persons who participated in the managing of the sub-municipal units felt that the voluntary tax is needed, as a way to solve problems encountered in the work of local communities. The intention to introduce and accept voluntary tax has been supported more from the people in suburban and rural sub-municipal units, but in urban sub-municipal units the city's support to local communities had been less present.⁴³

As one of their authorities, Local Community Act declare possibility that municipal assemblies may transfer part of its tasks on the sub-municipal units.

Respondents in urban and suburban local communities were considered to municipal assemblies could convey far more jobs in the local community, while those in rural communities, while residents in rural communities were not tended it.⁴⁴

As for solidarity, as well as integrative and cohesive factor in the community, in local communities was prevalent view that there was medium length solidarity.⁴⁵

5.3. Present sub-municipal government in Republic of Croatia

In Croatia form of municipal sub-government is determinate by Local and Regional Self-government Act⁴⁶. It exist two types of municipal sub-government units: municipal sub government committee and municipal sub-government district. Municipal sub-government committee units are created for municipal and city units, municipal sub-government district units are created for city units. Municipal sub-government committee can be established for one settlement, more settlements, or part of some settlements. Initiative for establish of municipal sub government committee can get citizens and their organizations and associations, or other bodies defined by statute of local self-government unit. Statute of local self-government unit will be describe procedure of giving a initiative and applying of proposal for establishing municipal sub government committee, authorities of the committee, determining program of work, basics rules of the local committee, way of financing of its activities, performing administrative and other jobs related to their needs and other issues important for their activity. Statute or other act of local self-government unit regulates issues related to election and perform their duties members of the committee. Local committee may entrust some local government tasks to manage, which are under the jurisdiction of local self-government unit. The bodies of the committee are chairman of municipal sub government committee and the council of the committee. Council of committee is elected by the citizens within the area of the local committee, who have voting rights. For a member of the council of committee can be elect citizen who resides on territory of the local committee and have voting rights. Members of the local committee are elected in direct elections by secret voting and in

⁴³ In the city local communities 48, 62 believed that voluntary tax was necessary, 43.65% percent of activists believed that voluntary tax was sometimes necessary, while only 4.42% of respondents was against voluntary tax, in suburban local communities for voluntary tax was 64%, partially to 26.67%, and 8% of respondents considered it unnecessary, in rural local communities for voluntary tax has been 61.11% of votes, 34.44% was partially for this, while 2.22% was against.

⁴⁴ In urban local communities 50% was for the transfer of local tasks on a local community and 69% in suburban local communities. In rural local communities, only 38.89% was in favor of this idea.

⁴⁵ In urban local communities 62.98% of the respondents represented this view, in suburban local communities 58.76% and 52.22% in rural local community, while the total average at 59.25% for the whole area of the city.

⁴⁶ See Narodne novine nr. 33/2001, 60/2001, 129/2005, 109/2007, 125/2008, 36/2009, 150/2011, 144/2012, 19/2013.

proportional electoral system. The mandate of the council last four years. Local self-government units, which had established municipal sub government committee organization with their regulations, must organize elections for members of the bodies in that committees. Elections for members of council of local committee announce the representative body of local self-government unit, according to the law. Council of local committee adopted the program of work of the local committee, the regulations of the local committee and rules of procedure, financial plan and annual report of work. Council of local committee amongst of its members elects the president of the council for a mandate of four years. The president of the local committee represents local committee and responding for his work to council of the local committee. For the tasks which are in authority of the local self-government unit, respond mayor of local self-government unit. Council of local committee may organize citizen's meeting, to discuss about the needs and interests of citizens, make proposals to solve questions of local importance. Local citizens' meeting is chaired by the president of the council of the local committee or a member of the council appointed by the council of the local committee. Legality of the local committee control the mayor, who can dissolve the local committee, if it repeatedly violates the statute, rules of local committee, or local board does not perform a given task. In the cities it may be establish municipal sub-government districts as special forms of municipal sub-government. They can be established in the areas which presenting the urban, economic and social entirety, which has connection with the common interest of the citizens. The powers and authorities of city districts and municipal districts shall be regulated by statute. According to the Croatians law, municipal sub-government units have legal personality, which means that they can dispose with legal rights and obligations, and possesses property.

5.4. Empirical research of sub-municipal government in Republic of Croatia

Research of sub-municipal government, which is proceeded on four Dalmatian counties (Split-dalmatic county, Zadar county, Sibenik county and Dubrovnik-Neretva county) had shown that Dalmatian region has very similar orientation and opinion of local self-government and municipal sub-government in Republic of Croatia.⁴⁷ Almost 50 % of all opinions known are very well functioning and organization of sub-municipal government units, in 44 % municipality and cities units are established local committees, as a form of sub-municipal government. Pleasurty with working of local committees or city districts' expresses many of citizens which had asked about many questions related on local self-government units. Importance of sub-municipal units can be recognizes from the 60 % presents of public audiences. High majority of citizens can recognize importance of sub-municipal government (almost 48 % in Dalmatia). Almost of 52 % of the citizens think that is necessary to improve development of sub-municipal government. The next tool which is important for democratization of local government units and sub-municipal government are referendums, as a model which helps citizens to express their opinions about some questions important for the Country. In that sense, many of citizens thinks that is needed to improve communication with the citizen's by organization of local meetings, where can be better informed about local public maters and needs. Over 60 % of citizens thinks that is need often to organize convene of local meetings. Citizens think that is important for developing of local demarcation, and for the influence of the local inhabitants on local and sub-municipal government. Almost of 44 % of citizens, which are participate in this research, are noticed

⁴⁷ This research is a part of the project of the Institute for Public Administration, and is leded by Professor Ivan Koprić and his team in 2014. Some of those results are published in working paper presented on NISPA conference in Dubrovnik. See Klarić, M.: "Capacity of sub-municipal government for decentralisation", Decentralization Policies: Reshuffling the Scene, 07 – 09 May 2015.

that in their local community is established and functioning sub-municipal government, which provide public services on that level. But just 48 % of the interviewed citizens can possibly answer on a question who is the leader of sub-municipal unit where he lived. On the question are you satisfied with the services which are provided in the sub-municipal level, citizens mostly answered that they did not satisfy. Only 38 % of all citizens are satisfied with the local public services on sub-municipal level. Also there is a low level of satisfaction with the local public services on sub-municipal level. Only 6 % of all participants in research are totally satisfied with the level of local services, and 24 % of all participants are mostly satisfied. Almost half of all participants (48 %) think that a role of sub-municipal government is very important in local community and next 32 % of participants think that is important. Almost 52% of all participants think that the role of sub-municipal government must be more significant and increase in local community. Next 22 % of all participants think that role of sub-municipal government can be increased in local community.

6. The perspectives of sub-municipal government in Croatia

There are some articles and working papers about perspectives in future development of sub-municipal government in Croatia. There is no clear stand about that question. The many of the relevant political and scientist actors think that Croatia needs political and administrative decentralizations. But the points of view are different. In the public space mostly prevails opinion that sub-municipal government takes place in present local self-government system in Croatia. Some of the authors think that present model of local self-government, and of course sub-municipal government can be good base for reform of local self-government in Croatia.⁴⁸ Other authors have different point of view, and think that is necessary to create new territorial organization of local self-government.⁴⁹ Those include different organization of local self-government on regional and local level.⁵⁰ In that sense, new territorial organization of local self-government can re-actualize role of municipal sub-government. New role of sub-municipal government can be increased in managing of many of public tasks which are concerning of local matters.⁵¹ Those means that some authorities, which are in power of present local self-government units, can be transferred on sub-municipal units. And that represent totally new role of sub-municipal government in managing of local public tasks, where sub-municipal government can become important player for satisfying of public needs on local level. All of those things are important for understanding complexity of reform in Croatian local self-government system. That is also shown that the role of sub-municipal government in Croatia can be much significant, if reform of local self-government leads to creation of bigger local and regional self-government units. In that sense, many of public tasks, which are now responsibility of central state, will become responsibility of local self-government, and in that case some of the public tasks, which are closely connected with local community and provides better quality of life, will be transferred to the sub-municipal government, which are,

⁴⁸ Bakota, B.: *Local and Regional Government Reform in Croatia: Subsidiarity and Innovation in an Era of Austerity*, in Nunes, Silva, C.- Buček, J.: *Fiscal Austerity and Innovation of Local Governance in Europe*, 2014., pp. 113- 128. See also Bakota, B.-Grbanović, T.: *Reforma lokalne i regionalne samouprave s posebnim osvrtom na funkcije županije*, Pravni vjesnik, Vol 27, Issue 2, pp 179 – 199.

⁴⁹ See Koprić, I.: *Teritorijalna organizacija Hrvatske: prema novom uređenju*, in Barbić, J.(ur): *Nova upravno-teritorijalna organizacija Hrvatske*, HAZU, Zagreb, 2015., pp. 21. – 45.

⁵⁰ Vujić, V.: *Nova uloga i teritorijalna organizacija hrvatske lokalne i regionalne uprave i samouprave*, in Barbić, J.(ur): *Nova upravno-teritorijalna organizacija Hrvatske*, HAZU, Zagreb, 2015., pp. 171. – 178. See also Đulabić, V.: *Regionalni razvoj i županije u Hrvatskoj*, in Barbić, J.(ur): *Nova upravno-teritorijalna organizacija Hrvatske*, HAZU, Zagreb, 2015., pp. 139. – 159.

⁵¹ See Klarić, M.: *Capacity of sub-municipal government for decentralization*, IPSA Conference „Decentralization policies“: Reshuffling the scene, Dubrovnik, 2015.

with their own nature, closely connected with their local community, and can better recognize local public needs. This approach include new role of sub-municipal government in the new local government system, which is naturally connected wit a central government administration, according to the principle of the subsidiary. This approach includes large public administration reform, which is one of the crucial political questions in Croatia.

Conclusion

Sub-municipal government is in present part of local government systems in many of the European states. In the Middle Eastern and Southeastern European countries they have certain role in managing of some local public tasks. Those tasks are connected with daily life of local community. The role of sub-municipal government in managing of local affairs can be dual: active participation in managing of public authorities and control in managing of local public tasks. Active participation includes directly engagement in providing of local public tasks, which are closely connected with a daily life in local community. That leads to participation of citizens in performance of local public tasks, which is simple to arrange because of direct communication between the citizens in local community and the bodies of sub-municipal units. Second role, control in managing of local public tasks is characterized not only for self-government system which are highly decentralized, with strongly sub-government units, but also for centralized countries, where those type of local units exists. In highly centralize countries sub-municipal government can be very useful as a support for managing of some simple public tasks, which they have local character. They can also successfully detect needs and interests in local community and assure two-way communication between citizens and local units. In different countries sub-municipal government has different role. In South-Eastern European countries, this role is determinate by long history of organization of sub-municipal government in one side, and the role in daily life in local community, which is different and it depends from state to state. In Croatia, sub-municipal government has role and some sense in bigger Croatian cities, where it can be useful in participating of local public tasks. But in some small local government units, role of sub-municipal government is usually irrelevant, and executive and administrative bodies of local government units can very successful to ma manage all of local public tasks and authorities. Many of those units don't have organizationally established sub-municipal government, because the act of establishing of sub-municipal government is an act of local self-government units, and they don't have obligation to do that. They also don't use sub-municipal units as a tool to improve better governance or providing local public services. The main reason is that they are too small to have even smallest territorially units for managing of local public tasks, or organizing some democratic processes in local community, such as citizens' assemblies, local referendums and local initiatives which they have intent to improve quality of life citizens in local community. In that sense, sub-municipal government has huge potential and can be very efficient tool in potential decentralization processes in Croatian local government system. But the main question is how to improve that decentralization processes and in which direction these processes will be directed. Only in that case we can define possible role of sub-municipal government in local government system. And then we can to determine how we can use sub-municipal government in local communities to improve local government policies, and how sub-municipal government can contribute to strengthening of democratic processes and improving of dialog between local community and local authorities. In this situation we can expect that sub-municipal government can be efficient toll for managing of local policies and strengthening dialog between citizens and local authorities. Sub-municipal government represent nearest level in communication with citizens in local community. Because of that, this type of governance is a probably the best channel for providing many of local public

services and fulfilling a needs of citizens in local community. Beside of that, it is also efficient tool for canalizing many of different political and other initiatives in local community. But in this moment, neither in Croatia but also in other countries of South-Eastern Europe this type of governance don't have significant and relevant role. The main question is on which conditions we can expect strengthening of sub-municipal government in local self-government system.

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