

# Local Government in Croatia—Continuity and Change

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This paper will analyze organizational aspects of local government in Croatia, with elements of organization of local government units on the first and second level. It is stipulated that local government has a large number of local government units, which are relatively small territorial and with population. Authorities of local government units are also restricted with limited administrative and fiscal capacities. Local activities are temporarily connected with some public services, such as urban planning and local communal services, such as water supply, waste management, local traffic, primary health care, etc. On the other side, there is a need for strengthening the influence of local self-government in local community. Local government needs to become one of the main factors in development of local community and whole society. This situation opens a new dimension in development of local government and initiates a new approach to organization and reform of local government, which includes reconsideration of its role in contemporary political and administrative system. I sense that role of local government must be redefined and updated, with a new position in local community.

*Keywords:* local government, continuity, change

## Introduction

Organization of local government in Croatia is in focus of public administration experts and scientists since establishing independency of modern Croatian state. Many Croatian public administration experts and scientists think that local government in Croatia deserves intensive reforms and changes. They insist on territorial reorganization of Croatian local government, with decentralization of public tasks. Territorial reorganization must lead to the establishment of larger local and regional government units. Those units would have totally a new role in managing local government tasks. Many of public tasks, which are in authority of central government administration, according to this opinion, should be transferred to the renewed local and regional government units. Those units, according with the newly organizational changes, could have extended institutional capacity for managing more of public tasks, including the tasks which are now in jurisdiction of central government administration. Other public administration experts and public administration scientists think that present organization of state territory and present territorial organization, with local government units established at the first and second level, can provide more local decentralization processes. They think that present territorial organizations can assure local government reform processes. Those processes would result in more efficiency in managing public tasks, and assure better performance in fulfilling of local public needs. They also think that local

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government units on regional, local and sub-municipal level have capacity for change of the local government role in public administration system in Croatia.

Croatian government induced some local government reforms, which are held by Ministry of Administration. Those reforms need to induce large jurisdiction role to a local government units and strengthening their positions in managing local public tasks. Counties get totally new role in public administration system in Croatia, because they play a new role as a demonstrated administrative unit of a local state. They have new administrative tools and jurisdictions, separated from central government administration. Local government in Croatia is now in a specific situation, including search of providing new informatics tools that can assure managing a local public task in new circumstances. Also, new circumstances induce new situation on organization of local self-government. The main question is how present reforms and strengthening of counties will impact on future development of local self-government and organization of central government administration in Croatia. This paper would try to analyze how present reforms can impact on temporary system of public administration and which measures and local politics must be taken to improve functioning of local government in Croatia.

### **Local Government System and Decentralization Processes in Croatia and Beyond**

In Croatia, the question of local government organization is one of the most important political questions, and it is the subject of many discussions held on expert or scientific forums (Perko Šeparović, 1965). These discussions are connected with one important and crucial question, which is related to basic principles of organization and functioning of local government system in Croatia (Lozina, 2004). This question is, more or less, local government in Croatia, with strong local self-government, or strong central government administration with local government units is a support for managing local services (Pusić, 1963).

Local government system in Croatia was established in 1992, when Croatia abandoned ex socialistic system of local government organization. These systems lay down on socialistic and Marxist doctrine, which introduced and developed so-called “communal system”<sup>1</sup>. Those models propose extinction of classic state because the presented organizational form for production of inequality in contemporary society. According to this doctrine, classic state has lifetime to finish the establishment of a new socialistic and Marxist society. These reflections encouraged developing of a new model of public governance in contemporary socialistic society (Tomic, 1990). One of the forms was organization and establishment of new communal system, which would cover organization of a new Marxist community, according to this doctrine, which was developed in socialistic theory (Tomic, 1977).

Marxist conception of commune as a basic political unit with legitimacy from the citizens in local community is a radical approach of decentralization of political system, which include believe that only direct democracy can assure classless society in the community. Organization of political system on higher level is based on representative system, where representatives impersonate local commune (Hrženjak, 1963). The main reason is pursuance to avoid of putting legitimacy to the representatives in direct elections. They were elected by the political bodies of commune to represent stands and interests of commune, and they do not have legitimacy which can be established with direct election. In that case, role of the political bodies on the higher level is not

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<sup>1</sup> In Croatian “komunalni sustav”.

executive, but only coordinative nature. According to Marxist conception, there exists unification between activities of local political bodies and organizing of local political services.

Marxist doctrine in organization of local political system in Croatia and ex Yugoslavia was predominant doctrine and base for territorial organization of communal system (Hrženjak, 1983). Legal authorities and jurisdiction of newly communal units were whirly large, but real influence and independence of those communities was depended on pressure of Communist party in that moment. This type of units had functioned, because of existing off so called model of “party and state”, where almost all functions in the state institution were covered by party’s officials. That connection between party’s roles and institutional roles assured stability in institutional functioning of public authorities at local, republic and federative level.

When Croatia became an independent state, this type of organization was not being acceptable, because this model of organization had no democratic potential. It needed a suitable model of local government system with new territorial organization. That model should be established on democratic principles of organization in political community.

At that moment, different views and conceptions of territorial organization of the state existed (Babac, 2003). Some of the practitioners and scientists thought that Croatia must be a unitary state (Babac, 2002), and others proposed territorial organization with territorial units and large jurisdiction in managing local public tasks (Pavić, 2010).

The democratic approach in organization of local self-government depends on political tradition and contemporary development of the society. In theory, there are existing two main approaches in organization of local government system. The first is conception of administrative decentralization and the second is conception of political decentralization. The first approach is characteristic of state with a centralistic organization. One of the examples of this state in the history was France, which was one of the last who ratified European Charter of Local Self-Government<sup>2</sup>. French local self-government was subordinated and under the trusteeship on the central authority till decentralization reform in 1982.<sup>3</sup> For the first time, in France, principle of decentralization was established. Later that principle was confirmed by Constitution in 2003. Further development of local self-government in France was lead to establishing new territorial division of local self-government, which include new territorial units—regions, and redefined powers of local authorities (Sauviat, 2017). Conception of administrative decentralization was part of officially doctrine of “Community development” from United Nations, where countries in development use limited economic, human and technical capacities to development of social community, with coordination and subordination of central government and administrative center. Central government authorities are educated local political and social activist, to provide assistance and take care for development of local communities (Cvitan, 2003).

The second approach is characteristic for the states with developed local communities, which they have autonomy in front of central government administration. That includes concept of political decentralization, which is regulated by Constitution and laws (Đulabić & Čepo, 2017). These treaties recognize local specifics of some social and economic services, which predominantly have local character. According to this difference, it is possible to differentiate central from local public services. Central services are operated by central government

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<sup>2</sup> See <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/122>, upload 14.04.2020.

<sup>3</sup> See <https://www.arricod.fr/wp-content/uploads/The-French-Experience-of-Decentralization.pdf>, upload 14.04.2020.

authorities and they are qualitatively different from local public services, which are in jurisdiction of local self-government. In those types of political system, local self-government is a tool for autonomy of local community from central government, and also corrective and balanced in front of the central government. This type of political organization is organized and divided according to the territorial principle (Koprić, Marčetić, Musa, Đulabić, & Lalić Novak, 2016).

Local self-government does not exclude that central public government has its own administrative bodies on local level. It is possible to establish dual system of public governance on the same level: local self-government and local administrative offices from the central government. In that case, we have dualism with local state administration and local self-government. They have different organization and different authorities with various but different public services and obligations. Local jurisdiction in managing local public tasks has a significant role for local community. In this type of organization, local self-government has autonomy and independence in managing the tasks, which are, according to the Constitution and treaties, part of jurisdiction of local public authorities (Koprić, 2017).

### **Political Decentralization and Local Self-Government**

Political decentralization can provide many positive effects: It can stop concentration of political power, with fragmentation of public authorities and powers on their disposals between central government authorities and self-government units on local level. It can assure better quality of local public services. Political decentralization reduces public spending and provides broad and intense participation of citizens in political processes and in managing public services. Decentralization processes induce political education of the citizens in the process of building democratic political culture. Political decentralization contributes to political education of citizens and initiates building of democratic political culture in contemporary society. That helps politicians to take experience for the future political carrier on national level (Koprić, 2017).

Main characteristic of decentralizing local government is de-concentration of political powers, legal entity, financial autonomy, absence of intervention or influence of central government administration, right to their own jurisdiction, right to semi regulation, right to semi organization, and right to cooperation with other local units.

For realization of local political decentralization, it needs to initiate some elements important for establishing autonomy of local self-government units, such as local elections, localization of political conflict, improving quality of local public services, fiscal autonomy right to self-regulation and self-organization, absence of political influence of central government bodies and cooperation with other local self-government units.

Local political elections mean that local community free and independently elects their representatives in local political institutions, which they have political legitimate independent in central government administration. Localization of political conflict is decentralization of political disputes in the sense that many local political issues will be settled on local level, without intervention of central government authorities. This also means that central political level will discuss and decide about main national political issues and problems, which are relevant for whole society. Improving the quality of local public services is the result of supervision of users (public and private) and local public community, but also local political bodies and local political institutions and associations (Sellers, 2016). This reason stimulates local public services to better results, efficiency, economics and quality of service. Low public costs of local self-government are coming as a result of pressure of local

political actors, who expect ration spending of public money. Intensive participation of local citizens usually results in immediate and direct communication between citizens and local political bodies and institutions. Contribution to political education of citizens is intensive because the possibility of their participation in daily life of local community is much more achievable on local than national level. All of these processes contribute to efficiency and quality of local public services, which are more responsible to local public needs (Džinić, 2015). Fiscal autonomy under the pressure of the local political actors can assure less local public spending and more efficiency in managing local public costs. Rights to self-regulation and self-organization can assure independency of local political institution instead central government authorities. In Croatia, local political elections also provide a high degree of independence of many political actors on local level in front of central political influence. But on the other side, relatively small size of local government units, with small fiscal, administrative and organizational capacity induce relatively dependence on transfers and support of central executive authorities (Koprić, 2010b).

One of the main principles which were embedded in the idea of political and administrative decentralization was principle of subsidiary. This principle was integrated into Treaty of Rome (treaty establishing the European Economic Community) to strengthen the national and sub-national level of government instead of institutions of the European Union (Bakota, 2007). This principle is also part of Treaty of Lisbon (Petrić, 2017). Principle of subsidiary is also incorporated in European Charter of Local Self-Government, and it applies between local and central government level. In a situation where exists overlapping jurisdiction between two level of government with the equal political, administrative or organizational capacity, advantage for managing some public tasks or services has local unit in front of central government units. The main reason for this approach is the stand and attitude that local government units are connecting with local community and they can better understand community needs and reply to their expectations and requirements. The principle of subsidiary helps to split public obligations and tasks between different levels of public governance. One of the main issues is the question of capacity of local government units and ability to manage public tasks, which is one of the top questions in the process of decentralization. Organizational, financial or professional capacity of local self-government units are the crucial elements for implementation of principle of subsidiary, as a main principle for decentralization. But according to this principle, central government authorities must to provide support to local units in implementation and realization of local public tasks and services (Council of Europe, 1994).

### **Purposes of Local Self-Government in Croatia and Beyond**

Organization of local self-government has some purposes which are relevant and important for life in local community. Those purposes determinate and describe the role of local political services and institutions in providing tasks important for the members of the local society. Those purposes also define position and importance of local units in daily life of community (Koprić, 2012a). Those units can be city or municipal units, sub-municipal units or regional units. Role of them depends on political system and relation between central government and local government organizations, and it can be extensive or restrictive in local community. These purposes are: *administrative*, including organization of central administrative services on local level and adjusted to the local communal needs and habits. In centralized countries, this purpose is dominant and crucial, and autonomy of those types of units is limited and depends on central government authorities (Đulabić, Đinić,

&Manojlović, 2017); *political*, where local government units have also position of political institution, which representative stands, interests and opinions of local society. Those interests usually have local character, because they are connected with the local area and other elements which determine life in local community. Because those interests are specific; they are usually limited by influence of local community (Sellers, 2016). The second important thing is that interests of local community does not necessary match with the interest of central government authorities. It is possible situation where these two interests are opposed to each other (Nemec & Vries, 2015). Local units has important and significant role in providing various social services (Steen, Teles, & Torsteinsen, 2017). In the past, this purpose was important, because local self-government units took it care about functioning of hospitals, hospices, public health, epidemic and hygienic measures and fight against infectious diseases. In the large part of history, local units were only part of public governance that had strongly treaties which regulate hygienic standard in local communities. With strengthening of central state, local self-government units became less relevant. Institutions established from the central government became to provide numerous services, such as education, health service and protection, social service and protection, social housing, cultural policy etc. According with decentralization processes and strengthening of local self-government organization, more social services became again important part of local government activities. Trends in reforms of public administration revalorizing social purpose of local self-government in daily life of local community; *economic*, where local government became engine of economic development in local and regional community. This position is significant in a modern approach and analysis of role and position of local self-government in contemporary state. Without local self-government that will stimulate and encourage of economic development of society with efficient public tools, it is impossible to serious discuss about modern position of local government unit in modern state. Local and regional units are considered as the main divers of local economic development and growth. That situation recognizes European Union, which stimulates local development by using regional and cohesive funds to reduce differences in economic development by member states.

In Europe, there are existing classic models of local government in Europe: French, English, Scandinavian, and German. French model introduces a large number of local self government units called municipalities; each municipality is very small by territory and number of inhabitants (Borraz, 1999; Foucault, Madies, & Paty, 2008). Almost every village or a small urban place became status as a municipality. At first, all municipalities had the same authorities and jurisdiction, and then larger cities got more powers and possibility to regulate additional local public services on their own territory. Departments and regions are the second and third degree of territorial self-government. Local public services in jurisdiction of local self-government were limited, and in the same time, there was strongly administrative control over local government units. German model was characteristic of the complex structure of local government which includes different public authorities between urban and rural places (Höfelmann, 2008). Some bigger cities get special position as self-government units, with large authorities and extended jurisdiction. There are differences between local and central government jurisdiction and public tasks divided between central government authorities and local government units (Wollmann, 2013). Scandinavian model was characteristic with large municipalities on the first and counties on the second level of local self-government. English model is specific because of absence of constitutional guarantee for organization of local government (Hambleton & Sweeting, 2004). That situation assured central government bodies' high

influence on activity of local government units. Without guaranteed rights to local government jurisdiction and autonomy, central government can manage high pressure on functioning of local government.

Territorial structure of local self-government depends on some crucial facts, such as organization of local government units, economical and fiscal capacity, demographic aspects, territorial dimension, institutional and historical dimension, administrative and institutional capacity and availability of local public services. Croatia has large number of local self-government units—cities and municipalities (over 550 units) on the first level of local self-government organization. The second level includes a large number of counties (20 and capital city Zagreb). In that sense, Croatian local government is fragmented with restrictive public authorities in front of central government organizations and the public authorities from its (Koprić, 2013).

### **Elements for Organizational Structure of Local Self-Government**

Organization of local self-government units depends on more aspects which determine the approach to this problem.

The first element depends on which the model organization of self-government units is implemented: centralized or decentralized. If model of organization is centralized, then it exists highly influence by central government to manage local public services and local public tasks. If it is decentralized, we have original local public tasks, independent on influence of central government. It is usually stipulated that the centralistic approach to public governance usually leads to a notable number of smaller local government units which are hierarchical integrated. On the other hand, decentralized organization of local self-government usually predicted large local government units, with their own autonomy, programs and politics of development. They have an important degree of independence in front of central government. Their administrative, organizational and fiscal capacities assure different public services and local tasks important for daily life in local community. In that organized system of public governance, central government manages usually only public services and activities important for all citizens. Other public activities with local characteristics and domestic interests are usually regulated by local government authorities.

The second element depends on economic and fiscal capacity of local self-government units. Two main aspects of this element are dissent and appropriate financial resources for financing local public needs and fiscal autonomy in front of central government authorities, which guarantee independency in spending of local fiscal incomes. If local government units depend on financial transfers from central government budget, it is usually at the expense of their autonomy and independence. In that sense, financial autonomy is important for independent and autonomous functioning of local self-government units.

Demographic elements can also have significant impact on the structure of the local government units. Processes like migration of population, urbanization or depopulation in local government units can influence on developmental processes in local community and signalize problems in balanced territorial development. Local government units should be initiators of local development, but sometimes if misbalance in local development exists, large cities with large attraction and influence can disrupt deployment of some rural areas.

Territorial elements of self-government organization are usually defined with some geographical specifics, such as configuration of territory, traffic connections and fare distances between places in territorial units. Some

areas have high population density, but in others, population density is low. All of these elements are important to determine the size of local units.

Institutional and historical dimension are also important in discussion on territorial organization of local self-government. Some historical reminiscences, which precede modern organization of local self-government sometimes shows tendency for renewing old forms territorial organization. These forms are formatted in historical memories, in which they had influenced to development of some local territorial spaces and creation of common cultural identity specific for local community on those areas. Prior institutions can also induce establishment of organizational forms local self-government which is reflections of earlier territorial organizations, because they affect on perception of citizens on which form of local self-government can expect.

Administrative capacity of local self-government is one of the matters which are connected with the question of financial autonomy and fiscal capacity enough for financing of local public services and tasks (Rožen, 2013). Local self-government units have sense only when they can lead local public policies and assure and deliver many of local public services to the citizens in local community independently on central public administration (Jeong, 2007). According to this stand, local public bodies have autonomy in local decision making processes. These processes are autonomous, based on right to self-government and created by the will of the citizens expressed in local elections. For leading local politics, it is necessary to assure local political network and organizational and professional capacities in local government units.

Availability of public services to the citizens in local community and openness to their needs is one of the elements which influence the structure of local government units (Taliawi & Van Der Wal, 2019). Large local government units sometimes can be too far from citizens in the sense of formalization of local public tasks and bureaucratization. The second problem is democratic control of local government institutions, which are not directly connected to local community (Klaric, 2019).<sup>4</sup> On the other hand, smaller local government units are usually open to the citizens, with informal relations and direct communication between local public servants and citizens (Koprić et al., 2016). Some of the approaches include various forms of decentralization in larger local self-government units, which include establishment of sub-municipal government as a form of interaction between local community and sub-municipal units which is intensive, openness and directly (Perko Šeparović, 1988).

In Croatian local government system, organizational structure is divided on municipal and cities on the first and counties on the second level. The number of local government units is large, but their jurisdiction and public authorities are defined restrictively and connected with urban planning and local communal services (Koprić, 2010a). Other public powers are in competency of central government administration. The second problem is administrative capacity of local government units to provide local public services, because of restricted financial, personal, organizational and institutional capacity. Many local government units depend of help of central administration and financial transfers from central budget. Problems of Croatian local government system can be monitored from all aspects which define organization of local self-government (Koprić, 2012b).

At first, Croatian local government system seems to be decentralized, because of many local government units at the first and the second level. But authorities and powers of local government units are limited.

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<sup>4</sup> In that type of local government organizational structure sub-municipal government units are much closer to local community, and they must to take role of democratic control of local government institutions.

Institutional capacity of units is restricted and has low density to service some complex public services. Size of local government units is relatively small with territory and number of citizens on which they are inhabitant (Pavić, 2010). All of these aspects result with limited administrative capacity to fulfill interests and needs of citizens in local community. On the other side, many of local government units do not have institutional and fiscal capacity to be political independent from the central government. These factors contribute to low efficiency of local government and weak the ability of citizens to influence on development of local participatory democracy as a corrective of the central government (Koprić, Škarica, & Manojlović Toman, 2019).

Continuity in development of local government system in Croatia needs changes in the new institutional evolution of local governance, which will be established in a new approach to organization and functioning of local government. New way of organization must to found model of local government which will be inclusive, participative, efficient and democratic proactive. Local institutions must have potential to be engines of local community development. Those requests implicate questions about size and organization of local government units, their administrative capacity and ability to provide efficient local public services. The second question is possibility to include participation of citizens in local decision-making processes.<sup>5</sup> That can strength democratic control over political processes in local community and improve communication between central and local government level in managing public services and tasks to citizens.

### Conclusion

Local self-government in Croatia has continuity from Croatian independency until today. In this period, Croatian local government-system was organized in two-tier system, with cities and municipalities on the first, and counties on the second level. There are relatively a large numbers of local government units, with a limited jurisdiction. Public authorities of local government units included basic local services with urban planning and communal public services, such as waste management, water supply, infrastructure works, primary healthcare protection etc. The rest of the public activities were charged central government administration bodies. At first sight, because of a large number of local government, it seems that local government has large autonomy. In practice, because of limited authorities, local government units do not have capacity to initiate changes in local community. Main activities of local government units in local community are mostly connected with local public services and tasks that affect on daily life of citizens. One of the most important activities of local units is urban planning, which is the main tool for initiation of local development. Other services are usually important for quality of life in local units. Counties, as local government units on the second level, coordinate activities of local public services which are organized by local government units on the first level.

The main question of this approach to organization of local government in Croatia is how to improve the quality and importance of local government in daily life of citizens and community. The main objections in

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<sup>5</sup> Completely new economic problems caused with COVID-19 disease will additionally generated processes of transformation, not only organization of local self-government, but also other segments of organization of public administration in direction of establishing more efficient, proactive and inclusive public services. In that sense, there are new proposals of territorial organization of local government in Croatia, with complete reform of central and local government system in Croatia. See <https://www.jutarnji.hr/vijesti/hrvatska/korona-je-razotkrila-stetnost-teritorijalnog-ustroja-vrijeme-je-za-promjene-vodeci-strucnja-k-za-javnu-upravu-predlaze-potpuno-novu-sliku-rh/10196956/>, upload 14.04.2020; <https://www.tportal.hr/vijesti/clanak/lokalna-samouprava-ili-slabouprava-moze-li-pandemija-koronavirusa-inicirati-promjene-terit-orijalnog-ustroja-hrvatske-foto-20200413>, upload 14.04.2020.

organization of Croatian local government are large fragmentation of local units, low institutional, fiscal and administrative capacity, small population and territory with lack of public authorities.

Croatian local government depends on relations with central government administration. Local government units initiate processes and actions at local level, which implementation hardly depends on support of central government. Without institutional, administrative and financial support of central government administration, it is hard to accomplish serious goals in local policy. That shows high level dependency of local government from central government institutions in providing local government policies.

To assure a proactive approach in providing local policies, it is necessary to consider the possibility of reforms of organization of local government, which includes new territorial organization and redefining local public authorities. New territorial organization needs to ensure the effective implementation of local policies, which contribute to development of the local community. Which territorial type of organization can be created depends on aspects needed to assure development of local community. In that sense, local units need to satisfy local public needs and create conditions for functioning of local community. That includes organization of local public services needed for daily life of citizens in community and organization of normal living. Those activities must lead to participation of citizens in daily activities of community and active contributing to the social and economic development. Development of local government organizations needs to be key social driver of sustainable development of local society. Reform of local government in Croatia must lead in that direction, which will bring new dimension in organization and functioning of all aspects of public sector. That includes complex reforms, not only local self-government organization, but also reform of state administration and public services. Only reforms that follow social, political and economic occasions in contemporary society can provide efficient organization of local self-government. To implement this reform in Croatian society and state, it is necessary to provide political and social conditions which will make these changes acceptable and necessary for further development.

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