

EUROPEAN UNION



Committee of the Regions

# Regional and local democracy in the European Union







**Regional and local democracy in the European Union**

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A great deal of additional information on the European Union is available on the Internet. It can be accessed through the Europa server (<http://europa.eu.int>).

Cataloguing data can be found at the end of this publication.

Luxembourg: Office for Official Publications of the European Communities, 1999

ISBN 92-828-7618-7

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*Printed in Belgium*

PRINTED ON WHITE CHLORINE-FREE PAPER

## Preface

Democracy is the linchpin of Europe. Over the course of the 20<sup>th</sup> century, a period during which equality and freedom in Europe have been more at risk than ever before, democracy has become the watchword for peaceful European integration. The main task of the European Union must therefore be to develop, defend and uphold this common democratic heritage, and carry it safely into the new millennium that is just dawning.

Since it was set up in 1994, the Committee of the Regions has worked to strengthen the democratic structures of the European Union, and helped to make Europe more transparent and bring it closer to ordinary people. The members of the Committee are responsible for democracy in Europe's towns and regions and are an important link between the European Union and its citizens.

The following study considers the structures, operation and development of democracy in the diverse regions, municipalities and communes of Europe. The aim is to initiate a learning process and generally stimulate discussion about possible ways in which democracy might evolve in Europe.

Democracy thrives on dialogue. We hope that this study will promote the active dialogue that is necessary to build an integrated Europe based on diversity.

**Prof. Manfred Dammeyer**  
President of the Committee of the Regions

**Interview with Ms Irma Peiponen**

Member of the City Council of Varkaus, Finland

Chair of Commission 7 -

Education, Vocational Training, Youth, Culture,

Sport and Citizens' Rights

**1. Why is this study unique?**

It is a valuable new tool for understanding the diversity and complexity of local and regional democracy across the European Union. This is a new reference point from which local and regional democracy may further develop.

The diversity highlighted in the study reflects how local and regional democracy must respond to the many different social and economic conditions in Europe. It also reveals the mosaic of cultural identities that make up the European Union - which is much richer than a "United States of Europe" could ever be. This study will therefore be of great importance to local and regional partners in the central and eastern European countries as well as to those in the current EU Member States.

**2. What can we learn from the new information that this study presents?**

An essential prerequisite in creating a citizens' Europe is the strengthening of local and regional democracy in the European Union. This is the key to social cohesion upon which sustainable economic development is built.

I am delighted that such a focused analysis has been given to this topic. As we enter the new millennium a better understanding of what our democratic process is today, and what it could be, is crucial to the shaping of tomorrow's "New European Union".

**Interview with Mr Udo Mientus**

**Member of the Landtag of Niedersachsen, Germany**

**and member of the COR**

**Chair of the COR Working Party on “Regional and Local Democracy”**

**1. What changes does the study identify?**

The study shows that institutional restructuring of government and society has taken place in many European countries over the last 20 years and indeed the notion of a “Europe of the Regions and Cities” has re-emerged. Local and regional authorities have embraced these changes by adapting to them. However, at the same time new forms of individualism have meant that citizens identify less with their communities, which unfortunately makes them less likely to want to participate in the democratic process. Local and regional authorities are clearly trying to address this problem.

**2. Where does the Committee of the Regions fit into this new society?**

As a member of this European institution, I see the Committee of the Regions as one of the major actors in addressing the problem of the lack of democratic participation and transparency at European level. Bringing the EU closer to the citizens is indeed one of the core tasks of all COR members. By disseminating information and good practice, I hope that the COR will help to encourage action at all levels to increase the participation of citizens in the democratic process.

This study makes an important contribution to fulfilling this important task.

## Contents

Introduction .....	page 1
Chapter 1: Belgium .....	page 19
Chapter 2: Denmark .....	page 45
Chapter 3: Germany .....	page 63
Chapter 4: Greece.....	page 91
Chapter 5: Spain.....	page 109
Chapter 6: France .....	page 133
Chapter 7: Ireland.....	page 151
Chapter 8: Italy.....	page 171
Chapter 9: Luxembourg .....	page 187
Chapter 10: The Netherlands .....	page 195
Chapter 11: Austria .....	page 225
Chapter 12: Portugal .....	page 251
Chapter 13: Finland.....	page 267
Chapter 14: Sweden .....	page 281
Chapter 15: The United Kingdom.....	page 303
Conclusions .....	page 333



## Detailed contents

### Introduction

1.	THE CONCEPT OF DEMOCRACY AND ITS INSTITUTIONAL EXPRESSION IN EUROPE	1
1.1	<i>Our Common European Heritage</i>	1
1.2	<i>The Nation State</i>	1
1.3	<i>Variations across Europe: State Traditions and State Forms</i>	3
1.4	<i>“Old” and “New” Regionalisms</i>	5
1.5	<i>Regional and Local Democracy</i>	6
1.6	<i>The European Union</i>	7
2.	THE PRACTICE OF REGIONAL AND LOCAL DEMOCRACY	8
3.	CHALLENGES AND OPPORTUNITIES TO REGIONAL AND LOCAL DEMOCRACY	9
4.	CASE STUDIES OF INNOVATIVE BEST PRACTICE	12
	NOTES	13
	REFERENCES	14

1.	<b>BELGIUM</b>	19
1.	HISTORY AND CONCEPT OF DEMOCRACY	19
1.1	<i>Historical Background</i>	19
1.2	<i>Democracy at Subnational Level</i>	20
2.	THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	20
2.1	<i>National Level</i>	20
2.2	<i>Political Institutions</i>	22
3.	THE PRACTICE OF SUBNATIONAL DEMOCRACY	25
3.1	<i>The Communities</i>	26
3.2	<i>The Regions</i>	26
3.3	<i>The subregional Levels</i>	27
3.4	<i>Subnational Government: Complexity and Lack of Transparency</i>	32
3.5	<i>Citizens’ Attitudes</i>	32
3.6	<i>Patterns of Public Participation</i>	34
4.	CHALLENGES AND OPPORTUNITIES FOR SUBNATIONAL DEMOCRACY	35
4.1.	<i>“Glocalisation”</i>	35
4.2	<i>New Social and Political Movements</i>	35
4.3	<i>The Flemish-Walloon Divide</i>	36
4.4.	<i>Crumbling Legitimacy</i>	36
4.5.	<i>Growing Clientelism</i>	36
4.6	<i>The Rise of the Extreme Right</i>	36
4.7.	<i>Pressure on the Traditional Political Parties</i>	37
4.8.	<i>Breathing Life into the “New Political Culture”</i>	37
4.9	<i>The Provincial Legacy</i>	37
4.10	<i>Management of Change</i>	37

5.	TRENDS, EXPERIMENTS AND NEW PRACTICES	38
5.1	<i>Opening the Black Box</i>	38
5.2.	<i>Reform of Democratic Procedures</i>	39
5.3.	<i>Towards a New Political Culture</i>	40
5.4.	<i>Making Planning and Decision-Making More Rational and Objective</i>	40
5.5.	<i>Trends in Intergovernment Relations</i>	41
5.6.	<i>Towards a New Public Management</i>	41
5.7.	<i>The Beginnings of Partnership Democracy</i>	42
	REFERENCES	43
2.	DENMARK	45
1.	HISTORY AND CONCEPT OF DEMOCRACY	45
1.1.	<i>Historical Background</i>	45
1.2	<i>Democracy at Regional and Local Levels</i>	47
2.	THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	47
2.1.	<i>The National Level</i>	47
2.2	<i>The Local Level</i>	48
2.3	<i>The Role of Political Parties</i>	50
3.	THE PRACTICE OF DEMOCRACY	50
3.1	<i>Elections and Local Politicians</i>	50
3.2.	<i>Other Means of Citizen Influence</i>	52
3.3	<i>Citizens' Attitudes to Local Government</i>	52
4.	CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY	54
4.1.	<i>The European Challenge</i>	54
4.2	<i>Central-Local Relations</i>	55
4.3	<i>Financial Strain</i>	56
4.4	<i>Organizational Changes</i>	56
4.5.	<i>The Regional Level</i>	58
5.	INNOVATIVE APPROACHES	58
6.	CONCLUSIONS	60
	REFERENCES	60
3.	GERMANY	63
1.	HISTORY AND CONCEPT OF DEMOCRACY	63
1.1	<i>Development and consolidation of the concept of democracy</i>	63
1.2	<i>Democracy in the Länder and Local Authorities</i>	65
2.	THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	67
2.1.	<i>The Federation and Interaction of the Various Political and Administrative Levels</i>	67
2.2	<i>The Länder</i>	68
2.3.	<i>The Local Authorities</i>	71
2.4.	<i>The Role of the Political Parties</i>	73

3.	REGIONAL AND LOCAL DEMOCRACY IN PRACTICE	75
3.1.	<i>The Role of Political Networks</i>	75
3.2.	<i>Interest Groups</i>	76
3.3.	<i>Critiques of Regional and Local Democracy in Germany</i>	76
3.4.	<i>Citizens' Attitudes</i>	78
4.	DEMOCRACY IN THE LÄNDER AND LOCAL AUTHORITIES: OPPORTUNITIES AND CHALLENGES	79
4.1.	<i>New Remits at Decentralized Level</i>	79
4.2.	<i>The Need for Reorganization in the Federal Policy Mix</i>	80
4.3.	<i>Changes in the Concept of Government</i>	81
4.4.	<i>Renewal of Direct Democracy</i>	83
5.	INNOVATIVE APPROACHES TO IMPROVING REGIONAL AND LOCAL DEMOCRACY	84
6.	SUMMARY AND CONCLUSIONS	87
	REFERENCES	88
4.	<b>GREECE</b>	91
1.	HISTORY AND CONCEPT OF DEMOCRACY IN GREECE	91
1.1.	<i>Historical Background</i>	91
1.2.	<i>Democracy at the Subnational Level</i>	92
2.	THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	94
2.1.	<i>The National Level</i>	94
2.2.	<i>The Regional and Local Levels</i>	95
2.3.	<i>The Role of Political Parties</i>	101
3.	THE PRACTICE OF LOCAL DEMOCRACY	102
4.	CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY	104
5.	CONCLUSIONS	105
	NOTES	106
	REFERENCES	106
5.	<b>SPAIN</b>	109
1.	HISTORICAL BACKGROUND AND CONCEPT OF DEMOCRACY	109
1.1.	<i>Authoritarianism and Centralism as Constant Factors of the State in Contemporary Spain Prior to the Present Constitution</i>	109
1.2.	<i>Autonomy during the Transition to Democracy and the Constituent Parliament</i>	110
1.3.	<i>The Current Concept of Democracy</i>	111
2.	THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	112
2.1.	<i>State (National) Level</i>	112
2.2.	<i>The Autonomous Communities</i>	114
2.3.	<i>Local Powers</i>	119

2.4	<i>Nationwide and Autonomous Community-Based Political Parties</i>	121
2.5	<i>Autonomous-Community Developments and the Major Themes for Discussion in Recent Years</i>	123
3.	LOCAL DEMOCRACY IN PRACTICE	124
3.1	<i>Critiques of Regional and Local Democracy</i>	124
3.2	<i>Citizens' Attitudes</i>	127
4.	NEW CHALLENGES AND OPPORTUNITIES	128
4.1	<i>Some General Issues of Democracy Concerning the Central State, the Autonomous Communities, and Local Authorities</i>	128
4.2	<i>Trends Affecting Regional and Local Authorities</i>	129
4.3	<i>Autonomous-Community Initiatives for Social Integration</i>	130
5.	INNOVATIVE APPROACHES TO IMPROVING REGIONAL AND LOCAL DEMOCRACY	130
	REFERENCES	131
6.	<b>FRANCE</b>	133
1.	HISTORY AND CONCEPT OF DEMOCRACY IN FRANCE	133
1.1	<i>French-Style Democracy</i>	133
1.2	<i>Democracy at the Regional and Local Levels</i>	135
2.	THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	135
2.1	<i>The National Level</i>	137
2.2	<i>The Local Level</i>	138
2.3	<i>The Role of Parties</i>	142
3.	THE PRACTICE OF LOCAL DEMOCRACY	143
3.1	<i>The Role of Policy Networks and Pressure Groups in Local Government</i>	143
3.2	<i>Critiques of Local Democracy in France</i>	143
3.3	<i>Citizens' Attitudes to Local Government in France</i>	144
4.	CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY	146
4.1.	<i>The European Challenge</i>	146
4.2	<i>Socio-Economic and Demographic Changes</i>	147
4.3	<i>Strengthening Local Democracy in the 1980s and 1990s</i>	147
5.	CONCLUSIONS	148
	NOTES	148
	REFERENCES	149
7.	<b>IRELAND</b>	151
1.	THE HISTORY AND CONCEPT OF DEMOCRACY IN IRELAND	151
1.1	<i>Historical Background</i>	151
1.2	<i>Democracy at the Subnational Level</i>	153
2.	THE INSTITUTIONAL EXPRESSION OF DEMOCRACY IN IRELAND	153

2.1	<i>The National Level</i>	153
2.2	<i>The Local Level</i>	154
2.3	<i>The Role of Political Parties</i>	155
2.4.	<i>The "Regional" Level: Údarás na Gaeltachta and the Shannon Development Authority</i>	157
3.	<b>THE PRACTICE OF LOCAL DEMOCRACY</b>	157
3.1	<i>The Role of Policy Networks and Pressure Groups in Local Government</i>	157
3.2	<i>Critiques of Local Democracy in Ireland</i>	157
3.3	<i>Citizens' Attitudes to Local Government in Ireland</i>	159
4.	<b>CHALLENGES AND OPPORTUNITIES FOR LOCAL GOVERNMENT IN IRELAND</b>	160
4.1	<i>Attempts at Economic Modernization (1958-)</i>	160
4.2	<i>Ireland and the European Community</i>	162
4.3	<i>Regionalization</i>	162
4.4	<i>Changes in the Irish State and Society</i>	163
5.	<b>INNOVATIVE APPROACHES TO LOCAL DEMOCRACY CASE-STUDIES: THE PARTNERSHIP APPROACH</b>	166
5.1	<i>Area-Based Partnerships (ABPs)</i>	166
5.2	<i>The Pilot Area Programme for Integrated Rural Development (IRD)</i>	166
5.3	<i>The EU LEADER Programme</i>	166
5.4	<i>County Enterprise Boards</i>	166
5.	<i>Operational Programme for Local Urban and Rural Development (1994-9) and County Strategy Groups (CSGs)</i>	167
6.	<b>CONCLUSIONS</b>	167
	<b>NOTES</b>	168
	<b>REFERENCES</b>	168
8.	<b>ITALY</b>	171
1.	<b>HISTORICAL AND CONCEPT OF DEMOCRACY IN ITALY</b>	171
1.1	<i>Historical Background</i>	171
1.2	<i>Democracy at the Subnational Level: Regional and Local</i>	172
2.	<b>THE INSTITUTIONAL EXPRESSION OF DEMOCRACY</b>	173
2.1	<i>The National Level</i>	173
2.2	<i>The Regional and Local Levels</i>	173
2.3	<i>The Role of Political Parties</i>	175
3.	<b>THE PRACTICE OF LOCAL DEMOCRACY</b>	175
3.1	<i>The Role of Policy Networks and Pressure Groups in Local Government</i>	175
3.2	<i>Critiques of Regional and Local Democracy in Italy</i>	176
3.4	<i>Citizens Attitudes to Territorial Government</i>	177
4.	<b>CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY</b>	179
4.1	<i>The Crisis of the Italian State</i>	179
4.2	<i>Central-Local Relations and Strengthening Local Democracy in the 1990s</i>	180

4.3	<i>The Impact of Europeanisation</i>	181
4.4	<i>The "Federalisation" of the Italian State</i>	182
5.	CONCLUSIONS	183
	NOTES	184
<b>9.</b>	<b>LUXEMBOURG</b>	<b>187</b>
1.	THE CONTEXT OF SUBNATIONAL DEMOCRACY	187
1.1	<i>The History of the State</i>	187
1.2	<i>Luxembourg: the Local State</i>	187
1.3	<i>The Luxembourg Model: Consensus and Dialogue</i>	189
2.	SUBNATIONAL DEMOCRACY IN LUXEMBOURG	190
3.	CHANGE IN CONTINUITY	192
	REFERENCES	194
<b>10.</b>	<b>THE NETHERLANDS</b>	<b>195</b>
1.	THE CONTEXT OF SUBNATIONAL DEMOCRACY	195
1.1	<i>The History of State Formation</i>	195
1.2	<i>Subnational Government and the Thorbeckean Constitution</i>	196
2.	THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	197
2.1	<i>The National System</i>	197
2.2	<i>The Subnational Level</i>	199
2.3	<i>Institutionalized Interdependencies</i>	201
3.	THE PRACTICE OF SUBNATIONAL DEMOCRACY	204
3.1	<i>The Role of Political Parties</i>	204
3.2	<i>Citizens' Attitudes</i>	207
3.3	<i>Patterns of Public Participation</i>	209
4.	CHALLENGES FOR SUBNATIONAL DEMOCRACY	213
5.	INNOVATIVE APPROACHES TO IMPROVING REGIONAL AND LOCAL DEMOCRACY	216
5.1	<i>Macro Trends</i>	216
5.2	<i>Micro-Level Experiments and Practices</i>	218
	REFERENCES	222
<b>11.</b>	<b>AUSTRIA</b>	<b>225</b>
1.	HISTORY AND CONCEPT OF DEMOCRACY	225
1.1	<i>Development and form of democracy</i>	225
1.2	<i>Democracy at the Subnational Level: Regional and Local</i>	228
2.	THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	231
2.1	<i>The National Level</i>	231
2.2.	<i>The Federal Länder</i>	233
2.3	<i>The Local Level</i>	236

2.4	<i>The Role of Political Parties</i>	237
3.	THE PRACTICE OF REGIONAL AND LOCAL DEMOCRACY	239
3.1	<i>The Role of Policy Networks</i>	239
3.2	<i>Interest Groups</i>	240
3.3	<i>Critiques of Local and Regional Democracy in Austria</i>	242
4.	CHALLENGES AND OPPORTUNITIES FOR LOCAL AND REGIONAL DEMOCRACY	243
4.1	<i>New Tasks and Areas of Activity</i>	243
4.2	<i>Parliamentary Procedure and Efforts at Reform</i>	244
5.	INNOVATIVE APPROACHES TO IMPROVING REGIONAL AND LOCAL DEMOCRACY	246
5.1	<i>Referendums</i>	246
5.2	<i>Petitions for New Legislation</i>	247
5.3	<i>Prior Appraisal of Legislation by the Public</i>	247
6.	CONCLUSION AND PERSPECTIVES	248
	REFERENCES	249
12.	PORTUGAL	251
1.	HISTORY AND CONCEPT OF DEMOCRACY IN PORTUGAL	251
1.1	<i>Historical background</i>	251
1.2	<i>Democracy at the Local Level</i>	252
2.	THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	252
2.1	<i>The National Level</i>	252
2.2	<i>The Local and Regional Levels</i>	253
2.3	<i>The Autonomous Regions: the Azores and Madeira</i>	255
2.4	<i>The Metropolitan Areas: Lisbon and Oporto</i>	255
2.5	<i>The Role of Political Parties</i>	255
2.6	<i>The Autonomous Regions</i>	258
3.	THE PRACTICE OF LOCAL DEMOCRACY	260
3.1	<i>The Role of Policy Networks and Pressure Groups</i>	260
3.2	<i>Critiques of Regional and Local Democracy</i>	260
3.3	<i>Citizens' Attitudes to Local Government</i>	260
4.	CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY	262
4.1	<i>The European Challenge</i>	262
4.2.	<i>Central-Local Relations and Strengthening Regional and Local Democracy</i>	263
5.	INNOVATIVE APPROACHES TO LOCAL DEMOCRACY	264
6.	CONCLUSIONS	264
	NOTES	265
	REFERENCES	265

<b>13. FINLAND</b>	<b>267</b>
1. HISTORY AND CONCEPT OF DEMOCRACY	267
2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	269
2.1 <i>The National Level</i>	269
2.2 <i>The Local Level</i>	269
2.3 <i>The Role of Political Parties</i>	272
3. THE PRACTICE OF LOCAL DEMOCRACY	273
3.1 <i>Elections and Local Politicians</i>	273
3.2 <i>Other Means of Citizen Influence</i>	273
3.3 <i>Citizens' Attitudes to Local Government</i>	274
4. CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY	274
4.1 <i>The European Challenge</i>	274
4.2 <i>Central-Local Relations</i>	275
4.3 <i>Financial Strain</i>	276
4.4 <i>Organizational Changes</i>	277
4.5 <i>The Regional Level</i>	277
5. INNOVATIVE APPROACHES	278
6. CONCLUSIONS	279
REFERENCES	279
<b>14. SWEDEN</b>	<b>281</b>
1. HISTORY AND CONCEPT OF DEMOCRACY	281
1.1 <i>Historical Background</i>	281
1.2 <i>Democracy at the Subnational Level</i>	284
2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	284
2.1 <i>The National Level</i>	284
2.2 <i>The Local Level</i>	285
2.3 <i>The Role of Parties</i>	286
3. THE PRACTICE OF LOCAL DEMOCRACY	287
3.1 <i>Elections and Local Politicians</i>	287
3.2 <i>Other Means of Citizen Influence</i>	289
3.3 <i>Citizens' Attitudes</i>	289
4. CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY	291
4.1 <i>The European Challenge</i>	291
4.2 <i>Central-Local Relations</i>	292
4.3 <i>Financial Strains</i>	293
4.4 <i>Organizational Changes</i>	294
4.5 <i>The Regional Level</i>	295
5. INNOVATIVE APPROACHES	296

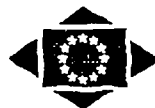


6.	CONCLUSIONS	298
	NOTE	299
	REFERENCES	299
15.	<b>THE UNITED KINGDOM</b>	303
1.	HISTORY AND CONCEPT OF DEMOCRACY	303
1.1	<i>Historical Background</i>	303
1.2.	<i>Democracy at the Subnational Level: Regional and Local</i>	304
2.	THE INSTITUTIONAL EXPRESSION OF DEMOCRACY	306
2.1	<i>The National Level</i>	306
2.2	<i>The Local Level</i>	306
2.3	<i>The Role of Political Parties</i>	308
3.	THE PRACTICE OF LOCAL DEMOCRACY	310
3.1	<i>The Role of Policy Networks</i>	310
3.2	<i>Pressure Groups in Local Government</i>	311
3.3	<i>Critiques of Local Democracy</i>	312
3.4	<i>Citizens' Attitudes to Local Government</i>	313
4.	CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY	316
4.1	<i>The European Challenge</i>	316
4.2	<i>Central-Local Relations</i>	317
4.3	<i>Strengthening Local Democracy in the 1980s and 1990s</i>	317
4.4	<i>Regional and Local Government and the New Labour Government (May 1997)</i>	319
5.	INNOVATIVE APPROACHES TO IMPROVING REGIONAL AND LOCAL DEMOCRACY	327
5.1	<i>Citizens' Juries</i>	327
5.2	<i>Electronic Information and the Internet</i>	328
5.3	<i>Local Authority-Wide Surveys</i>	328
5.4	<i>Community/Citizen's Forums</i>	329
5.5	<i>Citizens'/Customer Panels</i>	329
5.6	<i>Consultative Forums and Representation of Specific Groups</i>	330
	NOTES	330
	REFERENCES	331
	<b>CONCLUSIONS</b>	333
1.	DIMENSIONS OF LOCAL AND REGIONAL DEMOCRACY	333
2.	CRITIQUES OF REGIONAL AND LOCAL DEMOCRACY AND RESPONSES TO THESE CRITIQUES	334
2.1	<i>Restructuring Central-Regional/Local Relationships</i>	334
2.2.	<i>The European Factor</i>	336
2.3	<i>Reform of the Internal Mechanisms of Regional and Local Government</i>	337

2.4	<i>Relations Between the Political System at the Regional and Local Levels and the General Public</i>	338
	NOTE	340
	<b>INDEX</b>	341

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EUROPEAN UNION



**Committee  
of the  
Regions**

**Regional and local democracy in the European Union**

**This external study does not represent the official views of the Committee of the Regions**

COR-Studies E-1/99  
Brussels, May 1999

CdR 222/98



# Introduction

## 1. THE CONCEPT OF DEMOCRACY AND ITS INSTITUTIONAL EXPRESSION IN EUROPE

### 1.1 *Our Common European Heritage*

'Democracy' is a European invention with its roots in the political systems of the Greek city states. It has a variety of meanings, the most important of which are direct or participatory democracy and representative democracy (Held 1987). In its modern connotation it owes much to the philosophies of the eighteenth-century Enlightenment with their exalted role of the individual (Mendras 1997), but also to the doctrine of the separation of powers in thinkers such as Montesquieu. This latter doctrine found its fullest institutional expression in the new United States of America and formed the basis of the American Constitution, drafted in 1787, with the separation of the different arms of representative and executive government and the judiciary. Rousseau was also important for the development of the modern concept of democracy in his championing of the individual against the absolute power of the Church and the State and in his concept of the *general will*. The ideas of the Enlightenment were taken over and transformed into the doctrine of the Rights of Man and the Citizen at the French Revolution that formed the basis of modern liberal democracy.

### 1.2 *The Nation State*

#### 1.2.1 *Historical Background*

It was at the French Revolution, too, that the concept of the 'nation state' was first applied. According to this notion, the 'nation' is identical with 'the people', who, in contradistinction to the theory of the divine right of kings, were regarded as the fount of sovereignty and state legitimacy. The theory also had a normative dimension, which was that nations *ought* to have 'states' (whereas, previously, a single state might encompass several nations, as in the Austro-Hungarian Empire or in the United Kingdom) and that states and nations *ought* to be coterminous. In the French case, it was thought that the state also existed to create the nation and, during the Third Republic, universal education controlled by the central government was seen as one way of doing this. The doctrine of the Rights of Man also led to the concept of *citizenship*: individuals had the right of participating in running the affairs of the nation, provided they met certain criteria of aptitude (for example the possession of property). These criteria were gradually extended throughout the nineteenth and twentieth centuries, so that now every adult,

regardless of gender, ethnic background, or religion, is regarded as a citizen. The implication was also that the citizens would eventually come to share a common culture and language and abandon whatever specific cultural features they might have possessed. This French understanding of nationhood has sometimes been called the voluntaristic concept (one chooses one's nationality) or nation as *demos*. The Germanic concept of 'nation' was rather different and was based on the notion of sharing a common linguistic culture (even if this was divided into many mutually-incomprehensible dialects); this has been called nation as *ethnos*. In the cases of Germany and Italy, there existed to some extent a common linguistic culture, but politically a great variety of territorial arrangements (from large countries such as Prussia to city states such as Bremen or Hamburg). Nationalism in these countries meant the attempt to build a unified political state on the basis of this alleged, common culture. The two notions of nation as *demos* and nation as *ethnos* are closely related, and the one tends to shade into the other. This is one of the reasons for the difficulties even contemporary states and some nationalist movements have in defining the meanings of nationality and citizenship (Alter 1994).

The coupling of 'nation' with 'state' led to the development of *nationalism* as an ideology, and this gave rise to a series of political movements throughout the nineteenth century. Nations such as Ireland and Greece sought independence from the empires in which they found themselves. As remarked above, attempts were made by territories sharing a similar culture or language to form single states. Nationalism was a powerful political force, but one that was ambiguous. Although it was sometimes linked to imperialism, fascism, and Nazism, it also laid the foundations of our modern political systems and was also closely linked to the creation of liberal democracy. The nation state became one of the most successful forms of political organization in the developed world by the early part of the twentieth century. Woodrow Wilson confirmed this at the Treaty of Versailles with the proclamation of the principle of the self-determination of peoples. After the Second World War the nation-state system was also adopted by the former colonies that achieved independence from the imperialist powers. More recently, it is the system adopted by the nations of the former Soviet bloc. It might be remarked, therefore, that the nation state represents one of the most successful political systems ever seen in human history, if by success we mean the willingness of others to imitate it (Alter 1994).

### *1.2.2 Democracy, Capitalism, and the Nation State*

Historians point to the link between the emergence of the nation state, capitalism, and the development of the institutions of liberal democracy in the nineteenth century (Hobsbawm 1992). This refers to the link between the creation of 'national' markets, through the breaking down of internal barriers to trade, and the

freedom to exercise trade and commerce. It also meant the creation of political institutions in which the industrial bourgeoisie could exercise power. The main institutions were: representative assemblies chosen in free elections; a pluralistic party system; professional administrations accountable to the elected representatives; a free press; political, social, and economic systems underpinned by law; and the development of subnational levels of democratic government. These institutions allegedly represented the 'nation' or the 'people', but, at least at the beginning, the notion of 'the people' who exercised democracy was restricted to men of standing and wealth. This changed throughout the nineteenth and twentieth centuries with an ever-expanding definition of who constituted 'the people'<sup>1</sup>.

This modern, liberal-democratic nation state with its particular kinds of political and administrative institutions forms part of our common European<sup>2</sup> heritage of political philosophy and practice. This is true even if European states did not all adopt the system at the same time and in the same manner. Some European states became democratic as late as the 1970s, and the transition to democracy was consolidated only in the 1980s<sup>3</sup>. Although there is no country in which democracy functions perfectly and many scholars today speak of a crisis of our democratic system, nevertheless, we might remark that today it is basically entrenched in all of the member states of the European Union as well as many other states. It is still quite fragile in several of the countries of the former Soviet Union, although the experience here is quite mixed with some states more solidly democratic than others. Another important feature of West European democracy is the variety of ways in which this is understood and expressed in the different countries. The chapters of this Handbook outline the main features of the origins and evolution of the concept of democracy in each state in the European Union as a way of comprehending the exact meaning of this term. This variety of understandings of a common term should be regarded as part of the rich fabric of political history of Western Europe.

### *1.3 Variations across Europe: State Traditions and State Forms*

While European states possess a common political heritage of liberal democracy, they do not all express it institutionally in the same manner. In this regard, we might speak of a number of 'state traditions', or 'families' of states, such as the Anglo-Saxon, the Germanic, the Napoleonic, and the Scandinavian (Dyson 1980; Loughlin and Peters 1997). Each of these state traditions conceives of the state in a particular manner, and this has given rise to distinct political and administrative cultures, forms of state organization, and kinds of state-society relationships. However, it must be remembered that, within each of these 'families', there exist distinct *national* traditions. In South Europe, for example, although there is a common heritage deriving from the Napoleonic state and what is sometimes

claimed to be a common Mediterranean culture (Loughlin 1994), there are important differences among the different countries from the point of view of their historical development, their political and administrative cultures, and their understanding of democracy itself. The same remarks might be made of the other 'families' mentioned in Table 1. Nevertheless, this Table is helpful as a starting point and as a means of comparison across the different states. It also illustrates the rich diversity of institutional forms and of policy styles that exist within West Europe (Richardson 1982). There are also key differences in the *practice* of democracy. For example, there are several different ways of electing political parties, and the role and functions of parties in political systems display a great variety, but also a capacity for evolution and change (Broughton and Donovan 1999). Furthermore, in some countries, referendums are widely used as a method of direct citizen participation. There is also a variety of methods used for electing political leaders, from presidents and prime ministers to the mayors of communes.

TABLE 1 *State traditions*

Feature	Tradition			
	Anglo-Saxon	Germanic	French	Scandinavian
Is there a legal basis for the state	no	yes	yes	yes
State-society relations	pluralistic	organicist	antagonistic	organicist
Form of political organization	union state/ limited federalist	integral/ organic federalist	Jacobin, 'one and indivisible'	decentralized unitary
Basis of policy style	incrementalist, 'muddling through'	legal corporatist	legal technocratic	consensual
Form of decentralization	'state power' (US), devolution/local government (UK)	cooperative federalism	regionalised unitary state	strong local autonomy
Dominant approach to discipline of public administration	political science/ sociology	public law	public law	public law (Sweden), organization theory (Norway)
Countries	UK, US, Canada (not Quebec), Ireland	Germany, Austria, Netherlands, Spain (post-1978), Belgium (post-1988)	France, Italy, Spain (pre-1978), Portugal, Quebec, Greece, Belgium (pre-1988)	Sweden, Norway, Denmark, Finland

Source: Loughlin and Peters (1997).

There are also a number of distinct state forms such as federal and unitary states (Loughlin 1996a). However, these two basic forms need to be further



differentiated. There exist different types of federations, such as ‘dual federalism’—where the different levels of the federation operate independently of each other, as in Belgium or the United States—and ‘cooperative federalism’—where the levels operate in close conjunction with each other, as in Germany (Hix 1998). However, ‘unitary’ states are also highly differentiated. First, the United Kingdom has been described as a ‘union’ state rather than a unitary state given that its formation occurred through a series of Acts of Union, with Wales, Scotland, and Ireland respectively (Urwin 1982). Among the rest, there is a variety of central–local relationships giving rise to distinct models of unitary state: centralized unitary, decentralized unitary, regionalised unitary (Bullmann 1996; Loughlin 1996b; 1998). There thus emerges a highly complex picture of the variety of the expression of democracy at the national and subnational levels within the member states of the European Union, as illustrated in Table 2.

#### 1.4 ‘Old’ and ‘New’ Regionalisms

Regionalism is both a political idea or ideology and a set of political movements the origins of which are found in the nineteenth century. Many of the early regionalists were opposed to the modern nation state and even to the forms of liberal democracy with what they regarded as its levelling tendencies and breaking up of natural communities. In recent years and certainly since the 1960s, there has developed another more ‘progressive’ form of regionalism, which may be conceived as a ‘modernizing’ project (Keating 1998). This kind of ‘new’ regionalism has received a stimulus from the increased level of integration of the European Union and the challenges and opportunities opened up by the Single European Market and Economic and Monetary Union. These have been in part responsible for the strengthening of regional and structural action policy and the reinforcement of the principles of subsidiarity and partnership. It would be going too far to say that we are witnessing the emergence of a ‘Europe of the Regions’, but certainly we may speak of a ‘Europe *with* the Regions’ (Hooghe and Marks ). There are great difficulties with the notion of a Europe of the Regions. First, there are many ways of defining what is a region (Loughlin 1996a): a Europe of *which* regions? Second, national governments show no signs of disappearing but are, on the contrary, still the most powerful actors in the new system of European governance. Third, their representation at the European level, through the Committee of the Regions or via DG XVI of the European Commission or the European Parliament, still remains quite weak and marginal. However, it is more accurate to speak of a Europe *with* the Regions in the sense that regional and other subnational authorities today have a greater salience in policy-making terms and a new-found freedom to operate on a broader European scale than was hitherto the case.

Regionalism is inherently ‘bottom-up’, that is it presents a set of demands by actors from within regions to the central level of government; these demands are usually related to gaining greater control over the political, economic, social, and cultural affairs of the region. *Regionalism* should be distinguished from *regionalisation*, which is a ‘top-down’ approach to regional problems from central governments or the European Union. It may or it may not take into account the demands of regionalism and, in fact, often ignores these. Regionalism has sparked off many regionalist movements in West Europe.

### 1.5 Regional and Local Democracy

All EU member states have democratic political systems at levels below the national. However, as Table 2 shows, there is a great variety in the arrangements between the national and the subnational, ranging from federations to unitary states. In some cases, the regional and local political systems replicate the national, in others it is different. In the United Kingdom, for example, there will be, as a result of the current reforms, three different electoral systems in operation—the ‘first-past-the-post’ or plurality system at the national level, the single transferable vote (STV) system of proportional representation in Northern Ireland, and the ‘additional-member’ system that will operate for the Scottish Parliament and the Welsh National Assembly alongside the ‘first-past-the-post’ system. In federal and regionalised states, such as Germany, Belgium, and Spain, there may be different party systems at the subnational level with the existence of regionally-based parties, such as the Bavarian Christlich Sozial Union (CSU, Christian Social Union), the Catalan Convergencia i Unió (CiU, Convergence and Union), and the Basque Partido Nacionalista Vasco (PNV, Basque Nationalist Party). Such regionally-based parties may also play a role at the national level. In the United Kingdom, there has always been a different party system in Northern Ireland, where, until recently, the British parties did not organize (in recent years, the Conservative Party has permitted a Northern Irish branch). With devolution, the tendency to develop regionalised party systems in Scotland and Wales will intensify. There may develop also regional or subnational branches of national parties that take on different characteristics from the party at the national level. This is true, for example, for the Catalan section of the Spanish Socialist Party. In other words, the political system at the level of the region may differ in terms of its political culture and political actors. In some countries, the regional and local is completely dominated by the national parties who control local politics from the centre. Another important dimension of regional and local democracy is the influence that regions and local authorities may have over national policy-making. In some cases, this is institutionalized, as in the German *Bundesrat*, which gives the Länder the possibility of co-decision at the federal level. In other cases, it is practically non-existent or exists only through clientelistic mechanisms of

patronage. Nevertheless, in all of our member states there is some degree of democracy operating at these levels.

### *1.6 The European Union*

A further complication has entered the equation with the creation and development of the European Community/Union. The background to this was the devastation of the Second World War, but also the experience of the collapse of democracy in Germany and Italy. Furthermore, the threat from the Soviet Union was perceived to be a threat to Western liberal democracy. One of the primary reasons for the setting up of the European Community, therefore, was to protect democracy in the states where it had existed and to strengthen it in those countries that had experienced dictatorship. Indeed, one of the conditions of entry into the Union today is that candidate states should possess the characteristics of liberal democracy outlined above. Most commentators agree that the Union has been successful in achieving the majority of these aims. All of its member states are successful functioning democracies, even if they all contain imperfections of various kinds. Countries such as Spain, Portugal, and Greece, which became members not long after having experienced non-democratic systems, found that membership helped them to consolidate their democratic systems.

It is ironic that, despite these successes, the Union has failed to develop into a fully democratic system itself. One of the major criticisms levelled against it is that there exists a serious 'democratic deficit' in Europe and that the key decision-making institutions are not directly accountable to the peoples of Europe. Despite efforts to fill this deficit, such as strengthening the role of the European Parliament and the creation of the Committee of the Regions, the European system still lacks the democratic legitimacy characteristic of the nation states, which comprise its members. One of the reasons for this deficit is that liberal democracy, as has been pointed out above, has grown up along with the nation-state form of political organization whether this is federal or one of the kinds of unitary state. However, it is unlikely that the EU will develop into such a nation state or even into a federation such as Germany or Austria (Hix 1998). The challenge is, therefore, both to strengthen the democratic institutions that do exist within the member states and to create new mechanisms whereby democratic control might be strengthened at the European level.<sup>4</sup>

It is true that the European Parliament, as a directly elected body, has been able to fill the democratic deficit to some extent and, through the co-decision procedure, does participate in the decision-making processes of the Council of Ministers. Nevertheless, it still lacks the legislative powers of control and accountability characteristic of national parliaments. Furthermore, it is unable to table initiatives or drafts for legislation such as directives. It can only ask the Commission to present such a proposal. The creation of the Committee of the

Regions in 1994 also goes some way toward filling the democratic deficit by allowing, for the first time, the representation of regional and local authorities at the European level of decision-making (Loughlin 1996a). However, while this is an important breakthrough, and the Committee of the Regions has managed to establish a niche for itself in the decision-making architecture of Europe, it still has no more than consultative powers and its Opinions *may* be ignored.<sup>5</sup>

Despite these cautionary comments, two points should be made. First, the democratic gains of the European Union outweigh any democratic losses given the general success of the democratic systems of the member states. Furthermore, the EU has been an important factor in bringing about social and economic development, the *sine qua non* of democratic practice, in many European countries and regions.<sup>6</sup> The second point is that, especially since the 1980s, the European Union has developed into a policy-making system in its own right and that the decisions made by the EU institutions have an important and direct impact on the member states (Cram 1997). Those who are opposed to further European integration have experienced this as a threat and as a burden. However, it can be seen more positively as the opportunity for European decision-makers to develop closer relationships both at the national and at the subnational levels. Government ministers meet regularly in the European Council and the Council of Ministers. Elected politicians work together in the European Parliament. The Committee of the Regions brings together regional and local politicians from all of the member states. Undoubtedly, these forums are the *loci* of intense experiences of learning and exchange and are the means by which different democratic experiences and examples of best practice can be shared across Europe.

## 2. THE PRACTICE OF REGIONAL AND LOCAL DEMOCRACY

There exists in West Europe a tradition of local self-government and autonomy that predates the emergence of the nation state. One thinks, for example, of the cities of the Hanseatic League or the Italian city-states such as Florence and Venice. Although these communes were not democratic in the modern sense, as they were often ruled by oligarchies; nevertheless, the tradition of communalism may be regarded as a forerunner of local democracy. This tradition is reasserting itself today.

In the modern period, democracy is closely related to the existence of an *informed* citizenry, and, therefore, the attitudes of ordinary citizens toward their subnational levels of government is extremely important. This Handbook attempts to ascertain, where data were available,<sup>7</sup> exactly what ordinary citizens feel about their governments at this level. Related to attitudes is practice. To what extent do citizens get involved in subnational government? This may express itself in a number of ways: electoral turnout, standing for election, contacting the council, maintaining an awareness of council decisions and activities<sup>8</sup>. In some countries,

voting is compulsory and, therefore, not a true indicator of commitment to democratic practice at this level.

Democracy is rarely practised in a manner that is completely faithful to the liberal-democratic schema outlined above, whereby elected representatives legislate and their decisions are translated into policies and executed by local administrators. This is true of both the national and the subnational levels. Decisions are, on the contrary, often made by policy networks and communities, including non-elected participants, who work together in a system of 'governance' that is wider than the institutional structures of 'government' (Kohler-Koch 1996; Rhodes 1997). Outside of the policy networks and communities, pressure groups of various kinds may exist that have an influence on democratic practice. It is difficult at times to identify the existence and ascertain the effects of such policy networks and pressure groups, but this Handbook attempts at least to signal their existence in the countries under study.

This Handbook attempts to paint a picture of the actual practice of regional and local democracy from these different perspectives. Undoubtedly, much more research needs to be done to fill out the picture more adequately.

### 3. CHALLENGES AND OPPORTUNITIES TO REGIONAL AND LOCAL DEMOCRACY

Regional and local authorities in all of the EU member states face a number of challenges. Some of these challenges are common to all states while others are specific to a particular states. Sometimes a general challenge may take a particular configuration in an individual state. Among the challenges facing all states are the following.

- *Globalization*. This rather nebulous term refers to several different processes: the shift of economic and financial processes to a global rather than a national level,<sup>9</sup> especially following the deregulation of the 1980s. Closely linked to this is the emergence of a new model of economic development that stresses the importance of the regional and the local. This linking of the global and the regional/local is sometimes referred to as 'glocalisation', in which the key *loci* of economic development are specific regions or localities such as Silicon Valley in the US or the Dutch Randstadt. Clearly, 'regions' here do not necessarily correspond to political or administrative regions. However, the effect of economic and financial globalization on the political level has been profound: national governments, even of large or medium-sized states such as Germany and the UK, have proved incapable of responding effectively to and managing these processes. Furthermore, globalization has led to a greater competition among regions and cities even within the same state, while many national governments have cut down their regional aid programmes that might

have helped subnational levels of government cope with the changes. The consequences of these changes are that the role, nature, and functions of different levels of government—national, regional, and local—are in a state of flux. Some already strong nations and regions are likely to become even stronger, while the weaker may suffer further deprivation. Nevertheless, the new situation may also be an opportunity for regions and local authorities to adopt new models of regional and local development that develop their endogenous resources. Some authors have spoken of a ‘new regionalism’, which is defined by the attempts by regional actors to exploit these new opportunities with new forms of collective action (Keating 1998). These new models are also based on the premise of local participation and control and hence may lead to the creation of new models of democratic practice. They are also based on respect for regional and local cultures as opposed to the previous model that supposed that these would disappear in a new cosmopolitan culture (Loughlin 1998).

- *Europeanisation.* The relaunch of Europe in the 1980s, with the 1992 Single European Market project, was largely a response by national governments and business elites to the perceived threat of a global economy dominated by the United States and Japan. However, it was also the result of intense lobbying by governmental actors and other elites who wished to see the strengthening of the federal elements of an integrated Europe (Pinder 1995; Loughlin 1996). Concurrent with these processes of integration and federalisation has been the re-emergence of the notion of a ‘Europe of the Regions’<sup>10</sup>. Europeanisation has created a new administrative and legal environment for local and regional authorities, to which they have been obliged to adapt. But it has also created new opportunities for them. These have developed new sets of relationships with their counterparts in the rest of Europe and beyond, through associations such as the Assembly of European Regions, the Conference of Peripheral Maritime Regions, and many others. This new position of regions and local authorities in Europe was recognized by the Treaty on European Union (Maastricht), which set up the Committee of the Regions in 1994. The Committee of the Regions, despite its limited constitutional powers (it is purely advisory) is nevertheless establishing an important niche for itself in the institutional architecture of the EU to represent the interests of regions and local authorities. This is likely to grow in the future. The Committee of the Regions is also an important factor for the strengthening of democracy in the EU, as it has the potential to bring the processes of European decision-making closer to the ordinary citizens.
- *Societal changes.* Western societies are undergoing continual and rapid change with a radical upheaval in terms of attitudes, values, and lifestyles (Mendras

1997; Loughlin 1998). There has been a growth of individualism. This is an ambiguous phenomenon. On the one hand it might mean a decline in a willingness to participate in traditional forms of collective action such as political parties, churches, trade unions, etc. However, it might also mean a search to find new forms of participation and a desire to replace some of the traditional institutions. The development of car ownership and cheaper foreign travel have led to much greater levels of mobility and new residential patterns of cities and the countryside. New forms of entertainment, through television and video, are also centred on the possibility of individual choice and have encouraged people to stay at home. In general, there has been a decline in the sense of, and commitment to, community in many Western societies. These changes have important consequences for democratic practice and explain to some extent the apathy and withdrawal from politics that has been evident in recent years, some of which has been reported in this Handbook. It represents a challenge to traditional politics, which developed in a much more stable and communitarian society. However, there is also an opportunity here as the masses of the population (at least in West Europe and other parts of the developed world) are today better educated and healthier than was the case in previous generations. They are also much better informed than were their forebears—news is now available almost instantaneously from every part of the world. The danger is that there is now a surfeit of news and the temptation is for citizens to ‘switch off’ rather than to try to respond positively to the new information. The challenge for policy-makers and citizens is to translate these positive features into new forms of commitment and perhaps new forms of institutional design. Many of the regional and local authorities surveyed in this report are experimenting with different methods of bringing citizens more into the political system at this level.

- *Technological developments.* The period since the Second World War has seen enormous technological changes in telecommunications, transport, and forms of economic production. This process of change seems to accelerate at an exponential rate as new developments feed into each other at an extraordinary rate. The societal changes noted in the previous paragraph are to some extent the result of these changes, which seem to have removed many of the limitations of space and time in human existence as well as enhancing the capacity of choice of the individual. It is also true that governments at all levels—European, national, regional, and local—have great difficulty in controlling and mastering these changes and seem to be continually trying to catch up with them. In other words, the locus of power in important areas has shifted from the political domain to the manufacturers of new technologies and new lifestyles. The question is, of course, whether governments *ought* to try to control the processes of change<sup>11</sup>.

Besides these general challenges faced by all regional and local authorities (and indeed by national governments and Europe as well), there exist a certain number of challenges that are particular to each member state. In some cases, this has involved conflictual central–local relations that have hampered the development of regional and local democracy. In others, there has been the problem of a low level of institutional capacity at the regional or local level. This is caused either by the existence of too many small councils that lack the resources and expertise to respond to the problems of modern government or by a general lack of institutional capacity in the public-administration tradition of that state in general. For example, in some states not all local authorities have been able to manage and use the quite considerable funds that have arrived from the European Union for purposes of regional and local development. These have lain unused and development has not occurred. The country chapters of this study present some of these problems in much greater detail.

#### 4. CASE STUDIES OF INNOVATIVE BEST PRACTICE

One of the purposes of this Handbook is to allow policy-makers in the different EU member states to learn from each others' experiences keeping in mind that solutions to problems devised in one set of circumstances may not be immediately applicable in another. European societies are experiencing a certain convergence under the impact of the forces outlined above. Their responses to these same challenges are of interest to each other. For this reason, we have highlighted some of the features of 'best approach' in the Conclusions.

Finally, it should be pointed out that this Handbook is no more than a snapshot of the state of regional and local democracy in Europe at a particular point in time (1997–8). Furthermore, the Expert Study Group of five academics was given the awesome task of surveying, within a very short space of time, all of the fifteen member states of the EU. Given the impossibility of engaging in a full-scale research project to answer the many questions that we set out to answer, we necessarily had to rely on the already available data. This was relatively rich in some countries, but quite sparse in others. Undoubtedly, many of the opinions expressed here could be nuanced. To some extent, we were able to do so by working closely with a group of politicians and administrators from the Committee of the Regions who were asked to comment on drafts of their country chapters. Not all of the national delegations commented on these drafts in an appropriate time, but the Expert Study Group tried to incorporate the suggestions of those who did as far as possible. These were extremely valuable in pointing out factual errors as well as what were, at times, misleading interpretations. In some cases, the Expert Study Group decided to retain its original interpretation of the situation in some countries, even when politicians or administrators from these



countries disagreed with this interpretation. What is important is that this Handbook should serve as a stimulus for discussion and debate on the state of play of regional and local democracy in Europe. Furthermore, it should act as a means by which practitioners and citizens in all of the member states might become aware of the richness and complexity of the concept and practice of democracy in the countries of West Europe. All the countries and regions of Europe are in a state of continual flux, and the old institutions are challenged by changes in society, by new technologies and the problems they have thrown up, and by a new system of governance that is increasingly European and regional/local rather than exclusively national. The examples of best practice in individual countries contained in this Handbook might serve to stimulate practitioners in other countries to adopt similar approaches. This does not mean that an experience in one country can be simply transported to another. Rather, our outline of the distinct democratic traditions of each country is a reminder that these experiments have to be adopted and applied in a very different context if they are to work. In fact, the transferability of experiences across national and even regional boundaries within countries deserves a study in its own right.

#### NOTES

- 1 At first, this was restricted to males of property and influence in the community, but gradually all adult persons, male and female, of whatever social condition were granted the franchise in all Western liberal democracies.
- 2 Adopted also by those countries with a European lineage, such as the United States, Canada, Australia, and New Zealand, as well as the former European colonies, many of which adopted the institutions of liberal democracy.
- 3 The United Kingdom may be unique in passing directly to liberal democracy, without major revolutionary upheavals or reversals. Most other states alternated between democratic and non-democratic forms of regime before finally settling down in the democratic family. Finland has also progressed smoothly to liberal democracy, although it did experience a civil war in the 1920s.
- 4 The British government has recently suggested that a new body representing the national parliaments might be created to oversee the activities of the Commission.
- 5 In practice, there seems to be a close working relationship between the Committee of the Regions and DG XVI; the latter is responsible for Regional Policy and which ensures that most of the Committee of the Region's Opinions are taken into account. The Committee of the Regions has also developed a positive relationship with the European Parliament.
- 6 It is also true that European regions are still divided into 'leaders' and 'laggards' and that, in the latter, EU Regional Funds have not brought about the transformation that was hoped for.
- 7 In some countries, such as the UK, there was a great deal of information on this topic.

- In others, there was scarcely any available data. The *Eurobarometer* was only partially helpful.
- 8 Again, in some countries the data on these questions was rich, while in others it barely existed.
  - 9 Although it is more accurate to speak of several large economic blocs (dominated by Japan, the US, and Europe) rather than a single global economy; nevertheless, these blocs are highly interdependent.
  - 10 This notion originally referred to a federal Europe in which the constituent units would be not the nation-states, but the regions (at least those that possessed a strong identity such as Corsica, Brittany, Flanders, Wales, Scotland, etc.). Clearly, such a federal Europe is highly unlikely today, as nation states will remain the key levels of government within the Union. Nevertheless, the term is valuable as an indicator of the new importance of regions in the new Europe.
  - 11 An example of the problem is the explosion of pornography, paedophile materials, and other criminal activities on the internet. Advocates of free speech and deregulation of the internet oppose any form of censorship, while many governments and citizens are concerned at these negative features and seek some form of regulation.

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TABLE 2. *Central–local relations in EU member states*

Type of state	State	Political region <sup>a</sup>	Administrative/planning regions <sup>b</sup>	Right of regions to participate in national policy-making	Right of regions to conclude foreign treaties <sup>c</sup>	Political/legislative control over subregional authorities
Federal	Austria	<i>Länder</i> (10)		yes	yes (but limited)	yes (not absolute)
	Belgium	Communities <sup>d</sup> (3)		yes	yes (but limited)	no
	Germany	Regions (3)		yes	yes (but limited)	yes (not absolute)
Regionalised unitary	Italy <sup>e</sup>	<i>Länder</i> (16)			yes (but limited)	yes (not absolute)
	France	Region <sup>f</sup> (20)		consultative	no	yes
	Spain	Régions <sup>h</sup> (21)		consultative	no	no
		<i>Comunidades autonomas</i> (17)		no	no	yes
	United Kingdom <sup>f</sup>	Scottish Parliament Welsh National Assembly Northern Ireland Assembly	English standard regions	no with regard to English regions still unclear with regard to Scotland, Wales, and NI	no at present, but may evolve	yes in Scotland and NI no in Wales (so far)
Decentralized unitary	Denmark	Faroe Islands	Groups of Amter	no	no	no
	Finland	Aaland Islands	Counties have a regional planning function	no	no (but has a seat in the Nordic Council)	yes
	Netherlands	Rijnmond region <sup>i</sup>	Landsdelen	consultative	no	no
	Sweden		Regional administrative bodies	no	no	no
Centralized unitary	Greece	Island regions <sup>j</sup>	Development regions (13)	no	no	no
	Ireland		Regional authorities (8)	no	no	no
	Luxembourg Portugal		Potential planning regions	no	no	no

<sup>a</sup> This refers to regions and nations (as in Scotland, Wales, Catalonia, the Basque Country, and Galicia) with a directly elected assembly to which a regional executive is accountable.

<sup>b</sup> This refers to regions without a directly elected assembly, which exist primarily for administrative/planning purposes.

<sup>c</sup> There is a sharp distinction between the federal and non-federal states in this regard; however, the majority of non-federal states may engage in international activities with the approval of, and under the control of, the national governments.

- d The Flemish linguistic community and the Flanders economic region have decided to form one body; the French speaking community and walloon region remain separate.
- e Italy is currently undergoing a process of political reform that involves the transformation of the old state into a new kind of state with some federal features. However, although the position of the regions will be strengthened, this will not be a federal state such as Germany or Belgium.
- f The United Kingdom was, until the referendums in Scotland and Wales in September 1997, a highly centralized 'Union' state. However, the positive outcome of the referendums means that there will be a Scottish Parliament and a Welsh National Assembly by 1999. A referendum in 1998 on a Greater London Authority with an elected mayor was also successful, and this is seen as a precursor to possible regional assemblies in England. The successful outcome of the Northern Ireland peace process means there will be a Northern Ireland Assembly as well as other new institutions linking together the different nations and peoples of the islands.
- g In Italy there are seventeen 'ordinary' regions and five regions with a special statute because of their linguistic or geographical peculiarities: Sicily, Sardinia, Trentino-Alto Adige (South Tyrol, large German-speaking population), Val d'Aosta, and Friuli-Venezia Giulia.
- h There are twenty-one regions on mainland France. However, to this one must add Corsica and the overseas departments and territories (the DOM and TOM). Since 1991 Corsica has a special statute and is officially a *Collectivité territoriale* rather than a region. The TOM too have special statutes, and one of them, New Caledonia, has recently (May 1998) been permitted to accede to independence within a period of twenty years.
- i In 1991 it was decided to set up a new metropolitan region with an elected government in the Rotterdam area to replace the *Gemeente* of Rotterdam and the Province of South Holland. However, this was rejected by a referendum held in Rotterdam.
- j Portugal, while making provision in its Constitution for regionalisation, has so far only granted autonomy to the island groups of the Azores and Madeira. The mainland remains highly centralized.

\* \* \*



# Belgium

## 1. HISTORY AND CONCEPT OF DEMOCRACY

From its birth in 1830 until the first Constitutional reform of 1970, Belgium was a decentralized unitary state, similar to the Netherlands, with a subnational government divided into provinces and municipalities. The four constitutional reforms that have been enacted since 1970 (in 1970, 1980, 1988, and 1993) have altered the relationships between the various tiers of government, transforming the country from a unitary state into a federation (Ministerie van de Vlaamse Gemeenschap 1993; Veldkamp 1993; Alen 1995; Gouvernement Wallon 1998). Article 1 of the most recent version of the Constitution reads 'Belgium is a federation, consisting of communities and regions'. What all this means for local and regional democracy in Belgium is considered below.

### *1.1 Historical Background*

Belgium began life as an independent state in 1830 when the southern provinces broke away from the United Kingdom of the Netherlands after a rebellion. For a long time afterwards, Belgium was a unitary state until, after a series of reforms, it became a federation in 1993. The origin of Belgium's transformation into a federation lies in the age-old boundary between Germanic and Romance languages that splits the country into a Dutch-speaking north (Flanders) and a French-speaking south (Wallonia). In the early nineteenth century, French was the language of government and Belgium seemed to be on the way to becoming a French-speaking country. But opposition started building up in Flanders from the mid-nineteenth century onwards. After various protracted political battles, language laws were passed giving the Dutch language official status in education, government, and the courts, and in 1963 the language frontier was finally defined. This has now become a political and administrative frontier. Belgium has been divided up into four language areas: the Dutch-speaking area (Flanders, with a population of 5.7 million), the French-speaking area (Wallonia, 3.1 million), the German-speaking area (66,000 inhabitants), and the bilingual capital, Brussels (consisting of the city of Brussels and eighteen of the surrounding municipalities, with a total population of 970,000), where Dutch and French have equal status.

With the establishment of the language frontier and the recognition of Flanders as a monolingual area, the idea of cultural autonomy grew in that part of Belgium. Wallonia too had an autonomist movement, but this had a largely economic

character. Above all, Flanders achieved a strong demographic and economic ascendancy after the Second World War, which led the Walloons to demand control over their own economic destiny (Ministerie van de Vlaamse Gemeenschap 1991).

Slowly, the idea grew on both sides of the language frontier that the unitary state structure was no longer viable in the long term. This led eventually to the reforms that transformed Belgium from a unitary state into a federation.

## *1.2 Democracy at Subnational Level*

With the fourth constitutional reform of 1993, based on the 'St. Michael's Agreement', Belgium has become a full-blown federation. A federation is a group of states in which power is shared between the central government and the federal states, with the aim of granting these federal states a high degree of autonomy. The idea in Belgium is to have a form of federation known in constitutional law as a 'dual federation'. Sovereignty is formally spread over three coordinated authorities—the federal government, the regions, and the communities—which each have their own exclusive powers and which, in principle, must not encroach on the prerogatives of the others. The national government, with its own powers and responsibilities, exists not above but alongside the regions and communities. Hence, there is no hierarchy between the federal and the regional governments (Alen 1995).

Notwithstanding the dual-federal basic structure, there are also, in the practice of government, recognisable models of 'cooperative federalism', a form of federalism modelled on the German federal system. This is expressed in the organization of 'community-to-community talks' when working out cooperation law and, more generally, in a high level of government interpenetration. Because of the lack of hierarchical relationships, community issues (of which there are naturally many in a small country like Belgium) must be discussed in great detail, and often at great length. The Belgian prime minister, Dehaene, does not hesitate to call the new Belgian government structure a form of 'federal cooperative'. Even the Flemish government, which is undoubtedly leaning towards independence, acknowledges that cooperation across administrative boundaries is still of great importance (Ministerie van de Vlaamse Gemeenschap 1993).

Cooperative federal tendencies rely significantly on the arts of accommodation and arrangement that have long typified Belgian administration; but cooperation is also enshrined in the law. The earlier conflict-ridden institutional framework of the consultation committee and court of arbitration has been abandoned. The principle of federal loyalty is laid down in Article 107 of the Constitution. This calls, for instance, for cooperation and consultation in order to monitor the integration of different policies. Cooperation agreements are one facet of this. Administrative bodies that have authority over the same field have a statutory duty to consult with



each other. If any conflicts of interest still arise, the Senate is the body empowered to decide on a solution.

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### 2.1 *National Level*

Sovereignty in the Belgian federation is now spread over three political levels: central government, the regions, and the communities.

There are three linguistic communities: the French-speaking, Dutch-speaking, and German-speaking communities. These are responsible for cultural policy, welfare policy and health policy. The communities are empowered to pass laws and have their own government. There are also three regions: the Flemish region, the Walloon region, and the Brussels Capital region. All three regions have their own parliament with authority to pass laws and their own government. The regional institutions have authority over a number of 'territorial' issues.

The regions and communities came into being in response to the different political priorities in the North and South. The communities were conceived as a way of meeting Flemish demands for self-government; the regions as an answer to French-speakers' demands for more economic autonomy.

As mentioned above, there is no hierarchy between the three constituents of the Belgian federation (central government, regions, and communities). The national government exists not above, but alongside the regions and the communities.

The three pillars of the Belgian federation are subject to parliamentary democracy. Not only the central government, but also the communities and regions have their own legislative and executive bodies.

At federal level, legislative power is exercised by the head of state and the two elected houses of parliament.

Federal legislative authority operates through a controlled bicameral system and is exercised by the House of Representatives (Lower House) and Senate (Upper House) jointly with the King. The distribution of duties between the House and the Senate is based on the following basic ideas:

- the Lower House exercises political control over the government and monitors public finances;
- both houses are responsible, on an equal footing, for institutional law-making and relations between the federal government and the communities and regions;
- the Senate provides a forum for reflection;
- the Senate is the meeting place between the federal government and the federal states.

The Lower House has 150 members, who are directly elected every four years. The Senate has seventy-one members, of whom forty are directly elected. The Flemish Council and the French Community Council each send ten members to the Senate, the Council of the German-speaking Community sends one member. The other ten senators are coopted.

The executive authority consists of the federal ministers, who are responsible to the Lower House and the Monarch, who cannot be held responsible to anyone.

Given political realities, the primacy of the legislator has shifted towards a *de facto* ascendancy of the executive authority. Draft laws initiated by the executive authority take precedence over draft laws initiated by the legislature. Amendments have no chance of being adopted, because of existing parliamentary majorities (De Ridder 1994).

Obviously, not everything has changed in the Belgian system with the advent of federalism. Belgium can still be described as a hereditary, constitutional, and parliamentary monarchy. The monarchy is regulated and limited by the Constitution. The King possesses no powers other than those specifically vested in him by the Constitution and special legislation. The monarchy is thus also anchored in the parliamentary democracy. The King cannot act on his own in his capacity as head of state. Every act or position with political repercussions must be endorsed by the minister (or by the whole government), who is answerable for it to the Lower House.

The substance and significance of the King's role have declined in the course of political history. Nowadays the monarchy exercises influence rather than authority. This influence is exerted mainly through confidential discussions between the King and his ministers. The ministers inform the King and advise him. The king advises, exhorts, and warns. Occasionally the monarch acts as a linkman between the parliamentary majority and the opposition, and between the different communities and regions. Finally, the King carries out ceremonial duties and is the symbol of Belgian sovereignty (De Ridder 1994).

## *2.2 Political Institutions*

In addition to the above-mentioned institutions, several other sustained patterns of behaviour have had a fundamental influence on Belgian politics.

### *2.2.1 Consensus Building*

In the terminology of Lijphart (who drew a basic distinction between consensus democracies and Westminster-style democracies) Belgian democracy can clearly be described as a consensus democracy (Lijphart 1984). This consensus democracy has grown out of - and is a response to - the multiple and sometimes deep divisions that have riven the country. These divisions have been

institutionalized in society. They have taken shape in separate worlds or ‘pillars’: a Catholic or Christian-democratic pillar, a socialist pillar, and a liberal pillar. In addition, there are further divisions between Dutch-speakers and French-speakers. Belgium is a fragmented country that has survived as a democracy because of this tradition of consensus democracy.

Through federation, Belgium has in fact been pushed even further towards what Lijphart (in 1984) described as the ideal model of consensus democracy. Federation, the spreading of power and power-sharing were seen by Lijphart as important ‘symptoms’ of a consensus-driven decision-making system. One could object that in the Belgian federation, power-sharing is, as far as possible, ‘organized out of existence’: sharing out the goods seems to be a more important principle of power-sharing. However, it has already been demonstrated that cooperation across administrative boundaries is still a central feature of Belgian government. The combination of a greater spreading of power and indissoluble solidarity ensures that the consensual political culture of Belgium survives.

### 2.2.2 Pragmatism

‘Fixing’, the art of concluding (creative) *ad hoc* agreements, is highly esteemed in the Belgian political system. And in practice, ‘fixing’ goes hand in hand with a large dose of pragmatism.

The contrast between Belgium and the Netherlands is particularly marked on this last point. The former Belgian prime minister, Wilfried Martens, is quoted as saying that “The Dutch are more rational. First they make notes, then they get down to business. The Flemish are more emotional and spontaneous. We go and negotiate first and then we put something down on paper” (Donkers 1996). Planners and other professional problem-solvers play a more important role in the Netherlands than in Flanders, where political fixers are more predominant. The cobbling-together of a workable arrangement is generally considered to be more important than adhering to previously determined standards and principles.

Political dexterity is at least as important as analytical skills in a country where political decisions have from time immemorial been taken in ‘conclaves’ of political and administrative elites. The state structure seems like a labyrinth to political and administrative outsiders. This impression has not diminished since Belgium became a federation. Political and administrative insiders, on the other hand, have no such difficulty. Personal contacts create the Ariadne’s thread that enables them to find their way through the ‘Belgian labyrinth’ (Van Istendael 1993).

### 2.2.3 *Clientelism*

Clientelism is now under pressure, though it still has considerable influence in Belgian political dealings, whether as a basis for marketing or as a line of action.

Clientelism has long been an important feature of Belgian political culture. The services that politicians provide are, in principle, free and have no strings attached, but that does not stop politicians hoping that their 'clients' will give them something in return, such as a preferential vote. In the run-up to elections, politicians send out letters in which they remind their 'clients' of the services they have provided and ask for their vote. Electoral research shows that at least four out of ten voters who have used the services of a politician actually do give a preferential vote to that politician. Hence, the political exchange of a preferential vote for a service is a reality, although it is not a reflex (De Winter 1994: 428–30).

Even if clientelism does not always deliver the desired preferential vote, it can be a useful exercise for politicians, as it is often a source for them of information about issues of concern to citizens. Research also indicates that services have a very positive psychological impact.

There are many disadvantages in clientelism. The link between the citizen and the politician becomes more and more a customer-service provider relationship. As a result, the ideological link between the two disappears. This creates a dependency situation between politician and citizen (De Winter 1994: 528–30).

Clientelism entails a risk of a separate system being set up for case treatment, whereby cases supported by politicians get faster, better treatment than those that have to go through the normal administrative channels. Because of their overblown concern for the interests of individual citizens, public representatives have too little time to think up general solutions and formulate legislation for the greater good.

### 2.2.4 *Particracy*

Closely linked to the practice of clientelism is that of political appointments. A political appointment can be effective as a service or as a reward for a service. For some time it seems that the political will is growing to drastically curtail this practice (De Winter 1994: 428–30).

'Particratic' tendencies in the Belgian system are often described as problematic. However, the practice of partisanship also has features that are more positive. For example, as a small country, Belgium has largely avoided becoming a hostage to decision-making by a 'fourth estate' bureaucracy. One of the reasons for this is the party politicisation of the civil service and especially the existence of powerful ministerial staffs.

### 2.2.5 *Elitism or the Pyramid of Power*

Earlier in this text the image of the 'Belgian labyrinth' was evoked. Another popular image used to describe the decision-making culture in Belgium is that of the pyramid of power.

Dewachter and Das have conducted research into the Belgian political elite. A written survey was used to identify the major decision-makers in six policy areas during the period 1988–90 and the significance of twenty political positions in the entire political decision-making process in Belgium. The findings were summed up as follows: "Instead of institutions and bodies that stand alongside one another, inequalities appear in the share out of decision-making and in power, hierarchical relationships, involving individuals and positions" (Dewachter and Das 1991).

In practice, the Belgian set-up suffers relatively little interference from awkward citizens or otherwise competitive forces. In this relatively elitist political structure, the government is a rather 'elusive' phenomenon. "The government is like a slippery eel that always slips out of the net. Decision-making is well-nigh impossible to monitor", states Dewachter (1995: 353–6).

## 3. THE PRACTICE OF SUBNATIONAL DEMOCRACY

The communities and regions, which sprang from the constitutional reforms, are the constituent parts of the federal Belgian state established in 1993. As a rule of thumb, one can say that the communities are responsible for 'individual-related matters' (language, culture, education, health care, social aid, etc.), while the regions are responsible for 'territorial matters' (such as road infrastructure, water, the environment, land division, housing, spatial planning, and regional economic affairs). The Flemish preference for the community and the French-speaking preference for the region have led to an asymmetrical federal structure.

There is a separate Walloon region and a separate Brussels region. There is also a separate Walloon community and a separate German-speaking community.

In 1980, Flanders decided to amalgamate region and community. In practice, this means that the Flemish community exercises both community and regional powers and, therefore, has a budget comprising both regional and community funds. The Flemish community is empowered to issue decrees that can amend, supplement, or abolish existing Belgian laws insofar as these come under the Flemish authorities' terms of reference.

French-speakers chose a different direction in the state reforms of 1992–1993. In practice, this means that the powers of the French community can be wholly or partially transferred to the French-speaking faction in the Brussels Capital Council and to the French-speaking area of the Walloon region. The French-speaking faction in the Brussels region, the French Community Commission of Brussels (COCOF), has the power to issue decrees. In practice, the French community

delegates sport, tourism, vocational training, and school transport to the Walloon region or, as regards French-speakers in Brussels, to the Brussels region.

Constitutional law specialists point out that there are in fact eight subfederal entities : the three regions, the three communities, the Brussels Communal Community Commission and the French Community Commission of Brussels (COCOF).

### *3.1 The Communities*

The Flemish-speaking, French-speaking, and German-speaking communities each have their own legislative body: the Flemish Council (which is at the same time the legislative body of the Flemish region), the French Community Council, and the Council of the German-speaking Community.

The Flemish Council has 124 members: it consists of 118 members who are directly elected by voters in the Flemish region and 6 Flemish members of the Brussels Regional Council. The French Community Council comprises 75 members from the Walloon Regional Council and 19 French-speaking members from the Brussels Regional Council, making a total of 94 members. The Council of the German-speaking Community has 25 directly elected members.

The executive body of the communities is the community government. This is elected by the councils.

The most important community responsibility is education and science policy. Another important area is what is known as personal affairs. This includes social and legal youth protection, family policy and help and assistance for children, social welfare, the integration of immigrants, and policies on the disabled and the elderly. Cultural policy also comes under the communities. Finally, the Flemish-speaking community and French-speaking community (but not the German-speaking community) are empowered to regulate the use of languages in administrative affairs, education, industrial relations, and the statutory instruments and documents of companies. However, decrees in this area are not applicable in Brussels or in the 'facility municipalities' on the periphery of the capital.

### *3.2 The Regions*

The Flemish, Walloon, and Brussels Capital regions each have their own legislative institutions: the Flemish Council (which is also the legislative body of the Flemish community), the Walloon Regional Council, and the Brussels Capital Council. The executive authority of the regions is the regional government, whose members are elected by the appropriate council.

The Flemish government, which is both the regional and community government, has a maximum of eleven members. The Walloon regional

government has a maximum of seven members. The Brussels regional government has five members, plus three regional junior ministers.

The regions are responsible for spatial planning, the environment, land allocation, conservation, and water policy. In the economic sphere, they are responsible for economic development, industrial renewal, public industrial initiative, foreign trade, natural resources, and energy policy. The regions are obliged to implement their economic policy within the framework of Economic and Monetary Union. Other regional responsibilities include employment policy and public works and transport.

The regions are responsible for the general funding and supervision of the municipalities and the provinces (except for the municipalities in the German-speaking area, which come completely under the central government, and the six 'facility municipalities', which theoretically come under the federal level but are effectively supervised at regional level) (Deweerd 1994b: 191-4).

Under the 1993 Constitution, the regions and communities will in future be responsible for all matters that are not expressly vested in the federal government. However, it is still not clear when this allocation of responsibility will take place as this must still be decided by a special legislator, and the federal government's responsibilities must still be enshrined in the Constitution.

### *3.3 The Subregional Levels*

Despite federalisation, the traditional subnational system of government in Belgium, consisting of provincial and local authorities, has remained largely intact. Despite statements to the contrary, the Belgian reforms must not be seen as a devolution of government power. In fact, national government is being re-established and refortified.

The subnational government system of provinces and municipalities has largely remained intact, but the context of this system has of course changed drastically since 1993. The most obvious difference from the earlier situation is that responsibility for the municipalities and provinces and for specific payments to these subnational authorities has been transferred from the old central government to the new federal authorities. Other differences will be dealt with in more detail below, along with areas where there is no change.

#### *3.3.1 The Institutions of Local Government*

The most important institutions in Belgian local government are the municipal council and the municipal executive consisting of the mayor and aldermen. The municipal executive is responsible for the day-to-day running of the municipality. In principle it is a collegial body, but tasks are shared out within it in the interests of efficiency. Meetings of the executive are held behind closed doors. Decisions

require, in principle, an absolute majority. Aldermen are elected by the municipal council from among its members. To secure election, an absolute majority of votes is necessary.

The municipal executive is chaired by the mayor, who is appointed by the monarch. Usually, a member of the municipal council is appointed mayor. The mayor elect must enjoy the support of at least half of the members elected to the municipal council. The mayor is not only the head of the municipality, but also the representative of central government. Hence, two levels of government come together in one person: the central and the local. Mayors tend to present themselves as promoters of their municipality; they try to attract public or private investments to their area and to run social services for its inhabitants. At the same time the mayor must often operate as a broker in any conflicts within the municipal majority (Ackaert 1994: 538–44).

The municipal council, which is also chaired by the mayor, is the representative and legislative body of the municipality. A municipal decision is taken by an absolute majority of votes. Not all municipal council discussions are open to the public. The public may attend meetings about decisions that affect the financial situation of the municipality or that relate to the establishment of institutions of municipal interest. The municipal council must meet behind closed doors when identifiable persons are concerned, or if two-thirds of the members present decide that the meeting should not be open to the public, in the interests of public order.

Article 41 of the Constitution lays down that municipal interests are to be handled exclusively by the municipal council. It is the legislative body that largely defines 'municipal interest'. The provision can be positive when a power is explicitly granted to the municipal authorities with a broad area of discretion; or it can be negative when a certain power is withdrawn from the municipal or provincial authority, or is strictly regulated. In exercising their powers, the municipal authorities are subject to higher-level legislation (for example the language laws).

As well as running their local government area, municipalities can also be called upon by higher tiers of government to undertake joint ventures with them. Examples include maintaining population registers, national service lists, organizing censuses, etc. The term 'joint administration' is used when the municipalities have virtually no room for manoeuvre to make their own contribution. Where municipalities (subject to minimum standards) have discretionary powers, the term 'tasks of joint interest' is used.

Municipalities are supervised by higher authorities. This administrative supervision is divided into general administrative supervision (suspension and annulment) and special administrative supervision (preliminary opinion, authorization, and approval). A distinction is also made between ordinary and specific supervision. This means in practice that ordinary administrative supervision is restricted to municipal actions dealing with municipal matters,



while specific supervision deals with municipal action in the context of joint administration (Ackaert 1994: 533–5). Important in administrative supervision is that the supervisory authority cannot usurp the role of the decentralized government.

Compared with municipalities in other West European countries, Belgian municipalities control a relatively small share of state spending. Municipal expenditure accounts for around 12 per cent of all government spending. Municipal revenues include income from taxes and charges. The municipalities also receive money from the central municipal fund. They are also eligible for a number of specific payments from the federal government and the regions and communities.

TABLE 1.1 *Local expenditure as a percentage of total government spending in the Benelux countries*

Country	Year			
	1980	1984	1988	1992
Belgium	15.2	12.8	12.4	11.7
Netherlands	32.9	34.4	31.0	28.9
Luxembourg	15.2	12.9	—	—

Source: Maes (1997: 8).

### 3.3.2 *The Institutions of Provincial Government*

The key provincial institutions are the provincial council, the provincial governor, and the permanent deputation. The provincial council is the representative and legislative body of the province and decides on all matters of provincial interest. The number of members varies from forty-seven to eighty-four, depending on the province's population. The provincial governor is a 'liaison officer' between the provincial and national government and appointed by the crown for an indefinite period. As a political official, the provincial governor can receive instructions from both the central and regional government. As the administrative supervisory body, he can rule on the legality of decisions taken not only by the municipalities and public social welfare bodies, but also by the provincial council. The provincial governor is the voting chairman of the permanent deputation, whose other members are appointed by the provincial council. The permanent deputation rules on all matters related to the day-to-day government of the province.

It is a matter of some surprise that the provinces have survived the Belgian constitutional reforms. The Belgian unitary state had nine provinces; the Belgian federation has ten: five Flemish and five Walloon. The nineteen Brussels municipalities, which used to be part of the province of Brabant, now come directly under the Brussels Capital region. The other municipalities of the former province of Brabant are now shared between the new provinces of Walloon Brabant and Flemish Brabant. This is why there is one extra province (Deweerd 1994a: 46–7).

The province is a largely independent political institution with a council elected directly every six years. The province has a twofold task. First, it is responsible for managing provincial affairs, including the day-to-day running of the permanent deputation. Second, it plays a role with the higher authorities in joint government. The provincial council, but especially the permanent deputation and the provincial governor, take important decisions on behalf of the central government on environmental licences, building and housing appeals, the settlement of municipal tax complaints, the approval of municipal budgets and accounts, security, and maintenance of law and order.

The province has a qualified right of initiative. This means that it can take initiatives in any matter that is either of provincial interest or does not clash with the legal remit of the municipal authorities, provided that the higher authority has not taken it up. By making use of such a qualified right of initiative, provincial governments formulate policy on education, social affairs, culture, the environment, leisure, tourism and recreation, utilities, agriculture and horticulture, road building and maintenance, public health, and security (Coenen 1994: 520–1).

The value of the provinces lies above all in such low-profile but important activities as providing support, assistance, and encouragement. The provinces' low profile as a government body has even been called a 'blessing in disguise' (De Rynck 1992). This 'blessing' does not apply so much to the provincial council (the role of this provincial institution is now as good as over), but it does apply to those who govern the province from day to day: the governor and permanent deputation.

The governor and the permanent deputation have few formal powers of decision, but informally they play an important role as middlemen in all sorts of interlocking administrative networks. Above all, the governors, who are appointed for life, can exert considerable political clout.

However, the fact remains that the value of the provincial tier of government is not evident to many people, especially now that the regional government is becoming more and more prominent, while supraprovincial relationships (such as the Antwerp-Ghent-Brussels triangle) are emerging more and more clearly. Many think it absurd to maintain provincial boundaries alongside municipal and regional boundaries. Drawing attention to their own autonomous powers does not seem to be a viable option for the provinces. The best survival strategy for the Belgian

provinces still seems to be to operate as a back-up for and 'subsidiary' to other government bodies (De Rynck 1994).

### 3.3.3 Other Institutions at Subregional Level

- *Regional development corporations (RDCs)*—Regional development corporations are regional associations where representatives of employers, workers, provinces, municipalities, and joint municipal authorities (JMAs) get together. The RDCs work along provincial lines and play an important role in framing regional programmes. They also lobby various bodies in a bid to strengthen the economic structure of an area.
- *Districts*—Districts are regional administrative bodies without policy-making powers, without any autonomy, and without any political or civil representation. The federal government appoints district commissioners with responsibility for one or more administrative districts. A district commissioner assists the governor and, therefore, has his/her residence in the provincial capital. Within their official area, district commissioners are responsible, under the direction of the governor, for upholding the law and general government regulations, and they supervise all rural police services.
- *Joint municipal authorities (JMAs)*—Although mergers between municipalities have led to greater economies of scale and to more efficient administration, municipalities cannot perform all their allotted tasks with complete efficiency. This problem is generally solved via cooperation between municipalities. The most detailed structure here is the joint municipal authority. This is a structure for cooperation between different municipalities, regulated by public law, that is set up and managed on the basis of voluntary rules adopted by the participants for the promotion of matters of municipal interest. Participation in a JMA is voluntary, in principle. The major policy areas are energy supplies and waste disposal. JMAs are supervised by the regional governments.
- *College of provincial governors*—The college of provincial governors consists of the governors of the ten provinces and has a number of specific responsibilities confined to the municipalities of Voeren and Komen-Waasten.
- *The governor and the deputy governor of the Brussels Capital administrative district*—After the province of Brabant was split up, the nineteen municipalities of Brussels were no longer attached to a province and were grouped together to form the Brussels Capital administrative district. In this district the commissioner has the title of governor and exercises the powers of a provincial governor.
- *Public centres for social welfare*—The public centres for social welfare are municipal institutions that enjoy municipal autonomy and have all the powers not exclusively vested in another institution. Their organization and administrative supervision is carried out by the municipalities. The social welfare council consists

of nine to fifteen members, depending on the population of the municipality. Members are elected by the municipal council.

### *3.4 Subnational Government: Complexity and Lack of Transparency*

In accordance with the Constitution, those directly elected by their relevant constituency must defend the province's interests. The elector votes for delegates to the provincial council, which defines policy in all openness and carries out the duties entrusted to it by its constituency.

In practice it has also been noticed that the municipalities often concern themselves with policy matters that are outside their remit. Countless non-profit bodies and JMAs with general objectives are set up. These threaten to grow into megagovernment bodies that do not have the democratic basis established by the Constitution.

The federalisation of Belgium has not led to a devolution of power to subnational levels. Instead, it has further strengthened centralization from Brussels. It is worth noting here the new administrative centres that the Flemish government set up in the provincial capitals in 1985. These are simply more layers of officialdom between the citizens and the policies that continue to be forged in Brussels.

If the central authorities wish to secure greater devolved input, they set up more and more councils, commissions, or specific public law institutions. The creation of the Flemish community has not stemmed this trend; it may even have accentuated it.

Against this background it is hardly surprising that there is now great concern about the opaque, uncontrollable intermediate areas of policy. This situation is generally described as a democratic deficit (Coenen 1994: 529–31).

### *3.5 Citizens' Attitudes*

Previous research indicates that provincial administration is not held in high regard. The municipality is seen as the most relevant subnational administrative unit. Maes (1997) states that citizens identify closely with their municipality as a geographical entity. In a survey, Dutch and Belgian citizens were asked to state which geographical entity they identified with first and second. The results were as follows: both Dutch and Belgian respondents identified primarily with their municipality. When the first and second choices were added together, the Dutch respondents came out in favour of their nation, but Belgians continued to identify more closely with their municipality.

Dewachter (1993) carried out exhaustive research into the level of political knowledge in Belgium. Unfortunately his study did not cover knowledge of local politics. Interviews suggest that knowledge of, and interest in, local political

institutions is of a lower level than in the Netherlands, whilst knowledge of, and familiarity with, local politicians is greater in Belgium. Local politics is much more personalised in Belgium than in the Netherlands. In 1987 no fewer than 92 per cent of those polled knew the name of their mayor. Through the tradition of political favours, other local politicians (councillors) also have a relatively high profile.

TABLE 1.2 *Geographical identification. Entities with which Belgian and Dutch citizens identified most strongly—first and second choices (%)*

Entity	Country					
	Belgium			The Netherlands		
	First	Second	First & Second	First	Second	First & Second
Municipality	45	16	63	43	23	66
Region	14	25	38.5	7	19	25.5
Country	21	29.5	51	35	34	69
Europe	16	23	4	144	19	8
World	10	6	16	9	8	17

Source: Maes (1997: 8).

The attitude of the Belgian public towards local government is strongly coloured by political and cultural factors. A comparative cultural survey shows that Belgian political culture exhibits strong Latin characteristics and differs clearly in this respect from Dutch political culture (Hofstede 1991). Flemings and French speakers may perhaps exhibit cultural differences, but these differences in values are much less pronounced than between the Walloons and the French, or between the Flemings and the Dutch (Kerkhofs and Rezsóhazy 1984: 214). Nevertheless, Flemings and Walloon have many attitudes in common.

The Latin cultural model implies a certain kind of citizenship and certain expectations of government, including subnational government. In general this is a rather 'clientelistic' form of citizenship: the citizen has long played second fiddle to the client. Confidence in local government is not self-evident. Local politics achieves recognition to the extent that it meets the citizen's expectations.

The depillarisation and individualization of society has certainly not made the clientelistic model of citizenship any less influential. And public confidence in traditional politics has certainly not broadened. This is clear from the results of the last elections, which showed a clear move away from traditional politics.

### *3.6 Patterns of Public Participation*

Public participation can be divided into classical, conventional forms and new, unconventional forms.

If conventional participation is broken down further (voting, party membership, discussion of politics), and a comparison made between Belgium and the Netherlands, the following picture emerges. Belgians talk less about politics and take less interest in politics than the Dutch. Belgians are also less likely to be members of a political party, but they vote more frequently than the Dutch (Heunks 1996: 222) because of the continued existence of compulsory voting in Belgium and its absence in the Netherlands. But, where local elections are concerned, the picture is more complex than this.

There is a general belief that local elections mean more, and make more of a difference in Belgium, than they do in the Netherlands. Belgian local elections are noticeably less 'nationalised' than Dutch local elections. Local politicians are judged by their own actions to a greater extent in Belgium than in the Netherlands, where this depends in the main on trends in national political preferences. In Belgium electors have two votes: one for a list and the other for a candidate on a list, which gives elections a personal touch. If one votes for the candidate at the top of a major party list, one effectively contributes to the election of the mayor. Although in Belgium, mayors are appointed by the Crown, this is done, unlike the practice in the Netherlands, on the basis of instructions from the ruling majority in the local council. Normally the head of the list of the largest party represented in the council becomes mayor. The influence of the Belgian voter on the governing majority is also much more direct, as in Belgium it is far more common than in the Netherlands for a small, homogeneous majority to govern. Between 1988 and 1994 almost 60 per cent of Belgian municipalities were governed by a homogeneous political majority (and not by a broad-based coalition, as is often the case in the Netherlands). Usually one party had an absolute majority, or sometimes there was a standing coalition of parties.

Political opportunities for unconventional, participation-based 'new' politics—as often expressed through new social movements—are less favourable in Belgium than in the Netherlands (Walgrave 1995). With reference to the difference between materialistic 'old' politics and post-materialist 'new' politics, it can be stated that the 'old' politics are still relatively important in Belgium (Inglehart 1990: 91–5). Belgians are less interested than the Dutch in membership of new political movements such as the environmental, anti-nuclear, and peace movements (Inglehart 1990: 379). Belgians are less inclined than the Dutch to vote green/ecologist (Knutsen 1996: 172). The environmental movement is also perceived as less legitimate in Belgium than in the Netherlands (Kanji and Nevitte 1996: 288). The relatively low level of political mobilisation around the 'new politics issues' in Belgium is linked by Kitschelt (1989) to competition from other

fault lines or 'cleavages'. In Belgium, regional and socio-economic cleavages still command attention. Kitschelt concludes that the mobilizing potential of the post-materialist dimension is, therefore, low in Wallonia and no more than moderate in Flanders. Walgrave (1995) points to the impact of Belgian political culture, which does not take for granted the political involvement of individuals and groups. Involvement of this kind is not considered as particularly socially desirable, although it is not discouraged.

Grass-roots participation is not very strongly supported by the existing institutions. This is connected with the underdeveloped opportunities for public enquiries and the protection of rights, and also, to a lesser extent, with the lack of transparency of the decision-making system. If citizens or groups of citizens wish to resist something, they tend to use political rather than administrative channels. By using political channels one can attempt to obtain access to the relatively closed 'conclaves' where political negotiations are traditionally conducted (Dewachter 1995: 353–6).

#### 4. CHALLENGES AND OPPORTUNITIES FOR SUBNATIONAL DEMOCRACY

The challenges faced by subnational government in Belgium are in some cases the same as those existing in other countries (see Introduction); in other cases, however, they are peculiar to Belgium, arising from the country's unique political and social situation.

##### 4.1 *'Glocalisation'*

The simultaneous processes of increasing and decreasing scale (glocalisation = globalization + localisation) are a general trend that is making itself felt in Belgium to some extent, as the country houses Europe's government institutions and is federalised at the same time. Belgian politicians, more so than many of their European counterparts, are pulled in two directions by the forces of Europeanisation and regionalisation ("Think European, act regional").

##### 4.2 *New Social and Political Movements*

The rise of new social and political movements is a second general trend with a major impact on Belgium (Walgrave 1994; 1995). Compared with the Netherlands the rise of a cohesive network of new social movements with a clear post-materialist agenda is less pronounced in Belgium. The Belgian movements are more diverse, and this is also true of their agendas, which makes the challenge to authority a complex one. In the Netherlands the rise of new movements is clearly correlated with the emergence of post-materialist preferences and demands. This is

less clearly the case in Belgium. Traditional, regional, and materialist cleavages continue to play an important part, often in combination.

#### 4.3 *The Flemish–Walloon Divide*

A look at the Flemish–Walloon divide reveals the connection between the various cleavages. The division is not just a purely linguistic one, but also socio-economic and politico-cultural. The economic decline of Wallonia has coincided with the economic rise of Flanders. Studies show that Flemings and French speakers take different positions along the traditional left–right divide: with the Walloons more to the left and the Flemings more to the right, although all kinds of subtle distinctions can be made (Delruelle-Vosswinkel 1984; Iker 1995).

Dealing with the Flemish–Walloon divide remains a major task for Belgian government—a task complicated by the reversal of roles that has taken place. The former elite has grown dependent on a section of the population that used to be backward. This causes tensions on both sides of the language frontier.

#### 4.4 *Crumbling Legitimacy*

Confidence in political and democratic institutions has come under pressure as a result of a number of scandals, including the Augusta and Dutroux affairs. *Ad hoc* action, including the sacking of individual members of the government, has not succeeded in turning the tide. The broad support for the White Movement has shown how brittle confidence is, and how strong the support is for fundamental change.

#### 4.5 *Growing Clientelism*

Students of Belgian government talk of declining support for advisory bodies and dwindling interest in the forms of participation set up in the 1970s and 1980s. In place of this, clientelistic citizenship, which has always played an important part in Belgium, has been given a new lease of life. In this way developments in the direction of partnership democracy are hindered.

#### 4.6 *The Rise of the Extreme Right*

At the most recent local council elections the extreme right-wing parties—the *Vlaams Blok* in Flanders, the *Front National* and *Agir* in Wallonia—made large gains. Between 1976 and 1994 support for the *Vlaams Blok* in Flanders as a whole rose from 0.7 to 6.6 per cent. In Wallonia support for the extreme right rose from 0.1 per cent in 1982 to 3.1 per cent in 1994. In the six municipalities of Brussels



Capital where the *Vlaams Blok* fielded candidates in 1988 and 1994, support increased from 1.8 to 3.9 per cent (Ackaert 1995).

#### *4.7 Pressure on the Traditional Political Parties*

The crumbling of the national political system, the first signs of which emerged in the 1991 parliamentary elections—in which socialists and Christian democrats lost ground on both sides of the language frontier—was confirmed by the 1994 local elections. Once again the *Christelijke Volkspartij* (CVP, Christian People's Party) lists in Flanders and the *Parti Socialiste* (SP, Socialist Party) lists in Wallonia performed badly.

#### *4.8 Breathing Life into the 'New Political Culture'*

In reaction to the trends mentioned above, virtually all the traditional political parties have declared their willingness to work together on the development of a 'new political culture'. This is a promise that will be very difficult to keep, and it is still not at all clear how, in concrete terms, it is to be done. Ideas are in some cases vague and undeveloped, in other cases diverse and mutually contradictory. Thus, greater proximity of citizen and government is being urged (closing the notorious 'gulf'), as is an end to the practice of political favours for citizens (which would increase the distance between citizen and government).

#### *4.9 The Provincial Legacy*

The provincial tier of government is a legacy of the unitary Belgian state that is not seen in a uniformly positive light in a regionalised Belgium. Abolition is not planned at present, however, particularly since the creation of a new province, with the division of Brabant into a Flemish and a Walloon part. The institutions and operation of the Belgian provinces remain a source of continuing concern however. The pressing questions are how the Belgian province can be made to function as an intermediate tier of government, which would still be occupied even if the provinces were to be abolished, and how the province can secure legitimacy in the eyes of citizens (see also point 3.3.2).

#### *4.10 Management of Change*

Belgian government has been in the throes of change for a long time and this will continue for some time to come, in the light of the situation outlined above (the need for change) and below (movements for change, discussed under 5.). Whilst the institutionalization of state reform continues to be the focus of attention, the question of de-federalising the law on municipalities and reforming the courts has

also resurfaced. During the reconstruction (of the institutions) the work of ‘selling’ (policy, public goods, and services) must, however, continue as normal. This is a particularly difficult task, even for the Belgians who have become past masters of change.

## 5. TRENDS, EXPERIMENTS, AND NEW PRACTICES

Belgium differs sharply from its neighbour, the Netherlands, with regard to political and government reforms. In the Netherlands weighty reports and memos are written, but little changes in the end. In Belgium, however, less is written, but the changes are far greater. A watershed in the process of change in Belgium was the 1993 Constitution which made it absolutely clear that Belgium was no longer a unitary state, but rather a federal state.

However, the reforms do not stop at the federalization/regionalisation of Belgium. It may be concluded that a new wave of reforms has started with regionalisation, particularly in Flanders where an activist regional government has set to work. This has much to do with the fact that a new government has to carve out a niche for itself and differentiate itself from other parties. There has been sharp criticism of regional activism from some quarters, which, it is alleged, is excessively top-down and operated too much along functional lines. Others, however, have paid tribute to what has been achieved in a relatively short time and not solely on the initiative of regional government. Let us look at this in more detail.

### *5.1 Opening the Black Box*

Subnational government in Belgium has always been a relatively closed subject. Government has traditionally negotiated a wide range of social players, but the discussions tend to take place in restricted, closed, functionally delimited policy communities. The advisory councils, set up in large numbers in the late 1970s, have brought little fundamental change. The national government style has, as it were, been copied at local level. The advent of a new generation of advisory councils—above all in the field of environment policy—has, however, brought some changes. It is now less common for meetings of the advisory councils to be dominated by mainly retired middle-class men. The new advisory councils are in theory more attractive to broader sections of society. However, practical involvement in the advisory councils has declined rather than increased. If citizens want to take an interest in public affairs, they look for deeds rather than words (a theme that will be developed further below).

An important factor in the opening up of a formerly closed system is the new Law on Open Government, adopted in 1994, which has since been making its influence felt. This law enables citizens and institutions to get to grips more

effectively with the 'Belgian labyrinth'. If they, nonetheless, draw a blank and suspect foul play, they may apply to the ombudsman. The ombudsman has recently enjoyed a spectacular ascendancy in Belgian government, including local government. Ombudsmen have been, or are being, appointed in many areas.

## *5.2 Reform of Democratic Procedures*

In 1994 electronic voting was introduced in 12 per cent of municipalities; this is not without practical significance, but it does little to alter the logic of local democracy.

The logic of local democracy has been changed, however, by the provision to hold local referendums, introduced by the local government law of 1995. The referendum option adds a direct democratic element to a system of indirect democracy. To date, fifteen attempts have been made to force a referendum. The required conditions were met on three occasions. Of the three referendums held (in Ghent, Genk, and Begijnendijk), two produced no result because of low turnout (in Genk and Begijnendijk the turnout was below 40 per cent). In Ghent, however, the turnout was high enough to lead to the adoption of a policy measure: the withdrawal by the local authority of a draft decision to build an underground car park.

The 'St. Michael' Agreement' stipulated that local and provincial council elections should be held on the same day. This happened for the first time in 1994. This made it possible to focus public attention simultaneously on these two levels of subnational government. In order to counter the low level of representation of women in local authorities, the Minister for Home Affairs introduced legislation seeking to ensure that at least 25 percent of party members sitting on local councils are women.

### 5.3 Towards a New Political Culture

The great confusion over the idea of a new political culture should not blind us to the fact that a number of initiatives have been taken in this area. There is, however, no generally accepted idea of what 'new' should mean, although there is a discernible trend away from the 'old'. Major initiatives for a new political culture have been taken by the liberal, Guy Verhofstadt; he has been responsible for a number of influential citizens' manifestos and has been the driving force behind the reshaping of the old PVV into the new VLD. The VLD has turned away from the old political culture by severing all its links with liberal pressure groups and instead seeking direct dialogue with the individual citizen, from whom a new sort of citizenship is expected. He/she is treated less as a client/consumer than as a citizen.

The practice of political favours has fallen into disrepute. New parties such as *Agalev* have turned their backs on the favours system. And even the traditional parties have recently become more critical of it. On the initiative of the Flemish politician, De Winter, a code of conduct against political favours has been drawn up. Having the right party card is less important than it used to be in obtaining positions and other favours. Politicians' 'meeting days' seem to be on the way out.

The contrast with the situation in the Netherlands is striking. One expert on Belgian government put it in a nutshell: 'Just when you are trying to get politicians into the cafes, we are trying to get them out'.

### 5.4 Making Planning and Decision-Making More Rational and Objective

In some areas the gap between Belgian and Dutch political and government culture is narrowing rather than widening. For a long time the process of making planning and decision-making more rational and objective was considered less important in Belgium than in the Netherlands. This is clearly changing, certainly in Flanders, which is clearly looking to the Northern European style of government. Thus, for example, government is now required to publish the reasons for decisions. This hampers the practice of political favours. There is also a move to rationalize (spatial) planning. Municipalities and provinces are making more and more use of outline planning documents. The 1997 spatial planning decree requires the drawing up of municipal structural plans. In practice there are also tentative signs of the emergence of structural visions. Inclusive planning is gaining ground at the expense of old-style (*ad hoc*) functional planning. The Dutch practice is being consciously imitated in implementing rationalization and introducing objective practices.

### *5.5 Trends in Intergovernment Relations*

As a reaction to the electoral successes of the *Vlaams Blok*, urban environment policy has become one of the top priorities of the Flemish government (Peeters 1997). By improving living conditions in urban areas it is hoped that the ground can be cut away from underneath the extreme right. The Flemish regional authority is taking initiatives in this area. It has drawn up a youth employment policy plan and a social stimulus fund, but is also urging town authorities to make their contribution. Horizontal government is considered very positive in policy theory. Working with covenants is also in keeping with the theory. The practice of urban environment policy conforms to a great extent with horizontal policy theory, but this certainly does not apply to all areas where covenants and agreements are used.

Maes (1997) asserts that interactivity in central–local relations only appears to have increased. In fact, he believes that there is still too much one-sidedness, uniformity, and hierarchy in relations. A municipal interest group writes that covenants are often a smokescreen. The VVSG stated in December 1997 that ‘certainly the first generation of covenants were more like one-sided contracts’. The VVSG is calling for an increase in the scope for local policy, which a number of developments have put under pressure. Examples quoted are the tendency to foist tasks on municipalities, increasing enthusiasm for regulation at regional level, the increasing number of planning requirements, and the development of many new forms of supervision which block the expected lightening of the supervisory load (in the light of the 1993 supervision decree). The hierarchical mentality in intergovernment relations—as expressed in concepts such as ‘subordinate tiers of government’ and ‘government under supervision’—has, many feel, not diminished with the regionalisation of Belgium and the increasing concern for government renewal. One involved party felt that many acts of higher levels of government, ostensibly aimed at ‘renewal of government’, actually tended to accentuate the degree of control exercised (Suykens, 1997b).

### *5.6 Towards a New Public Management*

The growing interest in functional rationality and businesslike, efficient, and client-oriented working is generally lumped together in the international literature under the heading new public management (NPM). Subnational government in Belgium, and particularly in Flanders, is clearly in the grip of NPM and the values and practices associated with it. The foundations were laid with the relatively large-scale reorganization of municipalities between 1950 and 1992. During this period the number of Belgian municipalities fell by no less than 73 per cent (for comparative purposes: in the Netherlands the number of municipalities declined by only 36 per cent). The reorganization made larger-scale government action

possible, but also created problems in terms of external communications and internal management. Major financial intervention in the early 1980s accentuated the need for objective management. The first step in this direction was a new municipal accounting system that became operational in 1995. There are doubts in the municipalities as to the renewing qualities of this system: the system is said to bring automation, but little in the way of modernization (in terms of devolution of government responsibilities, etc.).

In other areas, however, renewal is unmistakable. Examples springing to mind are the rise of competitive and entrepreneurial thinking in urban government, growing autonomy and privatization, the development of self-management and public-private partnerships and the emergence of performance management and human resources policy. During the current term of office, a number of large municipalities—Ghent, Louvain, and Antwerp—have initiated a radical internal reorganization. The Antwerp municipality is now broken down into nine ‘business units’. At the same time strenuous efforts are being made to increase the level of professionalism. Businesslike professionals—an example being the district managers in towns—are gaining ground at the expense of purveyors of political favours, who for a long time dominated contacts with citizens.

### *5.7 The Beginnings of Partnership Democracy*

Looking at the Netherlands, we can see that NPM and joint policy-making have enjoyed popularity at different times. In Belgium the two are running in parallel, with a slight preference for NPM. Interactivity is not stressed so much in Belgium, as links between politicians and citizens have always been close and should, some feel, be given less emphasis. Interesting examples of businesslike joint policy-making can be found in Antwerp and Ghent. Genk provides illuminating examples of a combination of businesslike and district-oriented working methods. Government is being brought closer to citizens’ lives, but at the same time also made more objective. The Genk approach is supported by structural discussions, steering groups, and district managers, and conditions for this are relatively favourable (a stable political situation combined with a strong mayor).

A similar combination can be found in Antwerp. On the one hand the municipality is pressing ahead with making the organization more businesslike. An example is the establishment of ‘business units’ referred to above, which undoubtedly contributed to the town secretary being elected government manager of the year. At the same time the municipality attaches great importance to grass-roots work, with a specific level of cooperation (joint policy-making) being sought between government and citizen. A number of sectors within the Antwerp organization are now working in a district-oriented way. And this is necessary since the Antwerp local government area was substantially increased as a result of merger in 1981. For some time the development of district councils as a form of

decentralization within the Antwerp urban area has been intensively discussed. In other towns this is not an issue.

It is typical of Belgium that calls for 'partnership democracy' often go hand in hand with calls for strong democratic leadership (Suykens 1997a). The Belgians are less inclined than the Dutch to shrink away from a central leadership role. There are, however, often different ideas as to who should fill this role. The phrase 'government by the municipality' is often bandied about. And yet the municipalities are still often seen as the implementers of regional policy.

In terms of best practices and reformist tendencies at subnational level, Flanders has clearly progressed further than Wallonia. This coincides with the practice of political and government renewal in Belgium. In general, it can be said that Flanders wishes to reform itself faster and more radically than Wallonia, which in some cases is clearly applying the brakes to reform initiatives, such as the defederalisation/regionalisation of the law on municipalities, which commands a high level support in Flanders.

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# Denmark

## 1. HISTORY AND CONCEPT OF DEMOCRACY

### *1.1 Historical Background*

In the mid-nineteenth century, the Danish system of government underwent dramatic changes. A two-hundred-year period of royal autocracy was replaced by a system of government based on one of the most modern constitutions of the time. By popular demand, reinforced by the revolutionary tensions in contemporary Europe, the King agreed in 1849 to share his own powers with a new two-chamber assembly. Voting rights were granted to approximately 75 per cent of adult men. Amongst those excluded were those in receipt of poor relief. A setback to the development of democracy came in the wake of the 1864 war, when Denmark lost Schleswig and Holstein to Prussia. The Conservatives managed to achieve a constitutional revision, whereby voting rights to the upper chamber were restricted. This reduced the influence of the popular vote and delayed the introduction of parliamentarism until the first years of the twentieth century. However, the final establishment of universal suffrage took place in 1915 (Petersson 1994; Hastrup 1994).

The constitutional changes of the mid-nineteenth century have been taken as a symptom of the suddenness in the Danish transition to democracy (Rokkan 1970). However, although important steps were taken in 1849, the process towards democracy was gradual and took almost a century (Svensson 1996). Once the conflicts over democracy were resolved, a certain amount of consensus developed in the Danish polity. As in other Nordic countries, economic growth and the creation of a comprehensive welfare system, together with corporatism and cooperation across political lines, contributed to this sense of agreement. However, by the 1970s, symptoms of an economic and political crisis had emerged. Economic problems, including rising unemployment developed at the same time as the established political parties ran into trouble. New parties emerged, and it became even more difficult to create stable governments.

Denmark shares the main characteristics of the Nordic model of politics and society, but it is, at the same time, clearly its southernmost outpost. The size of the public sector, the extensive welfare commitments, the corporatist arrangements, and the relative social and ethnic homogeneity are features that Denmark has in common with Sweden, Norway, and Finland. However, Danish society is also a

deviant case (Pettersson 1994). Industrialisation came earlier, but farming still retains a strong position. Population density is considerably higher and Denmark lacks the vast, thinly populated areas of the other Nordic countries. Its welfare system contains fewer standardized approaches and offers greater scope for choice in education, childcare, and care for the elderly. Private provision of, for example, pensions and social care is also more common. The transformation of the welfare system started early in Denmark, as it was hit by economic problems already in the early 1970s. The Danish membership of the European Community since 1973 has further reoriented Denmark towards the continent.

The Danish system of democracy has certain specific hallmarks. Denmark has a distinct tradition of public involvement in political decision-making in at least two respects. First, at national level, there has been a considerable use of public referendums. Since 1915, when the Danish constitution made provisions for this form of direct democracy, seventeen referendums have been held. During recent years, the successive transfers of decision-making powers to the EU are subject to binding (as opposed to advisory) referendums. The Constitution requires such referendums also in other situations, for example to change the constitution or to alter the voting age. In addition, referendums may be called upon by a minority in parliament as a way of blocking bills outside the fields of finance, taxation, and international law. If 30 per cent of the electorate votes against the bill, it will not come into force. This was used in 1963 by the non-socialist opposition, which managed to stop new land-use laws. Advisory public referendums may be held in any matter. Generally, direct-democracy methods are only regarded as legitimate in certain areas, such as the relationship with the EU, whereas representative democratic forms are favoured in overarching national decisions (Madsen, Nielsen, and Sjöblom 1995).

The second form of public involvement is through the extensive practice of user influence. This is particularly developed and actually compulsory in relation to schools and day nurseries. Each institution is run by a board, through which parents, who represent the users, have influence on the decision-making process. The present system was introduced in 1990, but is based on a long tradition of parental involvement in the Danish school system (Lindbom 1995). At the moment there are 1,700 boards in primary schools and 4,300 in day nurseries and the model of user influence is also being developed in old people's homes. The development has been gradual, but it can now be regarded as a comprehensive reform movement (Floris and Bidsted 1996). The increasing presence of user influence is seen, by some observers, as a way of developing an alternative to the traditional forms of representative democracy (Sørensen 1995).

## *1.2 Democracy at Regional and Local Levels*

The Danish system of local and regional government has its roots in the Middle Ages, but a feudal system and the period of royal autocracy put effective limits on local self-government in both towns and countryside until the early nineteenth century. However, at that time a process started that gradually increased local autonomy, created new tasks for local institutions, and reduced state control over local matters. After the constitutional reform of 1849, voting rights were also extended at the local level, even if the wealthiest citizens still had more influence over local decision-making. In 1908 all citizens over 25 were given the right to vote (Bogason 1991).

To what extent is democracy understood differently at central level than at local or regional level in Denmark? Generally, it seems that the major features of Danish democracy also permeate the local level. For example, there is a multitude of political parties at both levels. However, there are also differences. The strong position of the mayor, who may be something of a local king, has no equivalent at central level. At the same time, the extensive practice of referendums at central level has no equivalent at local level. Even if local referendums are permitted, they are still very unusual. It is reported that local politicians generally have a negative attitude towards local direct democracy of this kind. Instead, user influence is preferred (Villadsen 1993).

Behind the formal structure of Danish politics lie informal relationships with importance for policy-making. There are professional networks that link actors who share common interests in different settings. Voluntary organizations are active in lobbying for their particular interests and, in the name of consensus-seeking, their views are often invited by the formal decision-makers. The notion of corporatism, which is present in Danish society, implies power structures parallel to those formally established.

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### *2.1 The National Level*

Denmark is a constitutional monarchy. Since 1953 it has a one-chamber parliament, which is elected every four years. Proportional representation is used, but a party must obtain at least two per cent of the votes in order to be represented in parliament. The electoral system has facilitated the emergence of a large number of political parties. Ten parties have seats after the 1998 elections, but the number has varied between five and eleven during the post-war period. In addition, the semi-independent areas of the Faroe Islands and Greenland are represented by two seats each. The low electoral threshold has facilitated splits in established parties and encouraged the creation of new parties. The elections of

1973 were particularly dramatic, with the electoral successes of the two protest movements of the Progress Party and the *Centrum-Demokraterne* (CD, Centre Democrats), together picking up almost one quarter of the votes. In the main these parties were against high taxation and an extensive public welfare system. Protest parties appeared earlier and have generally been more successful in Denmark than in the other Nordic countries.

A consequence of the multitude of political parties, and itself a characteristic of Danish democracy, is the parliamentary instability. Most governments have been minority governments, and changes of government are frequent. During the 1980s, a new pattern of Danish parliamentarism was established. Despite losing a large number of votes in parliament, the government still remained in power. Indeed, it has been suggested that this opens up a new parliamentary practice, whereby the government can lose crucial votes, the opposition shape policy, and patterns of majority can vary from one policy area to another (Petersson 1994).

Participation in parliamentary elections has been fairly stable during the post-war period at around 85 per cent of those eligible to vote. The Danish electoral system provides some scope for choice of individual candidates as well as parties. The parties themselves decide how they want to present their candidates to the voters on the ballot: whether they prioritize certain candidates, or leave the decision to the voters. In practice, about 50 per cent of the voters use the right to express a choice of candidate, the others vote for the party of their choice. 33 percent of MPs are women.

## 2.2 *The Local Level*

Local and regional government has two tiers: municipalities and counties. On the Danish mainland there are today 275 *kommuner* (municipalities). The present structure was established after an amalgamation reform in 1970, when the number of municipalities were reduced from 1,390. The average population of the municipalities is 19,200 inhabitants (1997), varying from 2,400 to 484,000. However, as the median size is 10,200 inhabitants, most Danish municipalities are fairly small. The upper tier consists of fourteen *amtskommuner* (county councils) with an average size of 336,000 inhabitants (1997). The number of counties was also reduced during the amalgamations in 1970. The city of Copenhagen and the municipality of Frederiksberg, situated within the capital, represent one third of the Danish population. They have a special organization and are both municipalities and county councils. The self-government powers of Danish local authorities are protected by the constitution.

Outside the Danish mainland lie the territories of the Faroe Islands and Greenland. They are part of Denmark, but enjoy an autonomous status; the Faroe Islands since 1948 and Greenland since 1979. They each have a directly elected Assembly, a government, and considerable freedom to enact their own laws and

run their own affairs. However, defence and foreign policy matters are the responsibility of the Danish government. The two territories are exempted from the Danish EU membership, but Greenland was included for a few years. Each has its own representation in the Danish Parliament. At the local level, the Faroe Islands have fifty rather small municipalities and Greenland has eighteen slightly larger ones (Benoit and Martens 1992).

In the Faroe Islands there is a powerful movement for independence. The May 1998 elections were a success for the parties who support the establishment of an independent Faroese state. Therefore, the three major parties have decided to initiate negotiations with the Danish government regarding sovereignty. If an agreement is reached, the final decision will be left to the Faroe Islanders via a referendum.

Each Danish municipality and county has a council, which makes the major decisions. On average, municipal councils have seventeen members; however, numbers range from seven to thirty-one. In the City of Copenhagen the council has fifty-five members. Councillors are elected for four-year periods. The key political figure in Danish local government is the mayor, who is appointed by the council from among its members. The mayor is chairperson of the council and is in charge of the preparation and implementation of council decisions. He/she is also responsible for the day-to-day running of the local authority, even if there is also a chief executive officer. The mayor is usually the only local politician who is salaried on a full-time basis. The important position of the mayor distinguishes Danish local government from the systems in the other Nordic countries, where, at least formally, political and administrative leadership are separated and political decision-making tends to be more collective. The combination of being both chairman of the council and political head of the local administration is unusual, also in a broader international context. A number of committees are appointed with responsibility for different local government tasks. Since 1993 local authorities are free to shape their committee structure (Bidsted 1997).

Danish local authorities perform a broad set of functions (Norton 1994). They have a general competence, within the law, to provide services in the interests of their citizens. However, most of their functions are mandatory. Major municipal tasks include social services and primary and adult education. They also provide culture and leisure services, and they are responsible for environmental protection and public utilities, such as water supply and sewerage systems. Also, and unlike local government in most other countries, Danish municipalities administer individual social-security assistance. This is largely financed by central government and concern, for example, retirement pensions, child benefits, and sickness benefits.

The county councils are in charge of hospitals and primary health care, upper secondary education, and regional planning. Their functions were more limited before reorganization in 1970, when they received several tasks that were

previously the responsibility of national government. There is also, at county level, a state county prefect, who is appointed by central government. Several of the prefect's tasks were transferred to the county councils as a part of the local government reorganization reform. Today, the functions of the mayor are more restricted than those of corresponding units in the other Nordic countries.

Generally, county councils are not superior to municipalities. Functions have been divided between them, creating fairly distinctive areas of responsibility. However, in some specified areas, the counties have a supervisory or controlling function. For example, they provide advice in complicated social matters and act as a deciding authority when municipal school decisions are being challenged. Also, four county councillors, together with the state county prefect, constitute a county supervisory committee; it investigates municipal decisions that have been formally challenged, and it has the power to declare these invalid.

### *2.3 The Role of Political Parties*

The number of political parties varies considerably between local authorities, but in many local authorities there is a multitude of parties. The three largest parties tend to be stronger at local than national level. One reason is that small parties abstain from running in some local areas. In addition, the struggle for the mayoral position is, in practice, limited to the larger parties, which is assumed to enhance their attractiveness. However, this effect is limited to the first election after a new mayor has been appointed (Frandsen 1997). Table 2.1 summarizes the results from the most recent municipal elections.

The three largest parties, the Social Democrats, the Conservatives, and the Liberal Democrats, together receive between 60 and 75 per cent of the votes. The rest of the votes are spread over among a large number of small parties and specific local lists. Such lists were more common before reorganization; nevertheless, they attracted 17 per cent of the votes in the 1970 elections (Sundberg 1989). Subsequently, they stabilised at around 8 per cent (Bidsted 1997), but lost further ground in the 1997 elections.

## 3. THE PRACTICE OF DEMOCRACY

### *3.1 Elections and Local Politicians*

Elections to the local councils are held in November every four years, most recently in 1997. EU citizens living in Denmark may vote in local elections, and other foreign citizens have the same right, if they have been residing in Denmark for at least three years. All electors are also eligible as councillors. A system of proportional representation is used. The choice is between parties and specific candidates. Voting for specific candidates is more common at the local level,

particularly in small municipalities and in rural areas (Mouritzen 1997).

TABLE 2.1. *Municipal election results 1989–97 (percentages)*

Party	Election		
	1989	1993	1997
<i>Socialdemokratiet</i> (Social Democratic Party)	35.7	35.1	33.1
<i>Det radikale Venstre</i> (Social-Liberal Party)	2.7	2.9	4.6
<i>Konservative Folkeparti</i> (Conservative People's Party)	14.6	13.0	12.1
<i>Centrum-Demokraterne</i> (Centre Democrats)	1.5	0.6	1.0
<i>Socialistisk Folkeparti</i> (Socialist People's Party)	10.0	8.1	7.9
<i>Dansk Folkeparti</i> (Danish People's Party)	0.0	0.0	6.8
<i>Kristeligt Folkeparti</i> (Christian People's Party)	1.4	1.2	1.7
<i>Venstre</i> (Liberal Democratic Party)	18.0	24.7	25.0
<i>Fremskridtspartiet</i> (Progress Party)	5.6	4.3	1.8
<i>Enhedslisten-de rød-grønne</i> Unity List-The Red Greens	0.0	1.1	2.7
Other parties, incl. local lists	10.5	8.0	3.3

Participation in local elections is around 70 per cent, which is between 10 and 15 percentage points below the figures for parliamentary elections. As turnout for local elections has decreased during the post-war period, this gap has steadily become wider. Interestingly, local participation decreased dramatically in the first elections after the reorganization of local government in 1970. However, some of the lost ground was regained in the subsequent elections (Albæk 1996).

In the same way as in national elections, the parties decide on fixed and closed party lists or whether to leave the choice of candidates entirely to their voters. Ranking has become less common and in the 1993 elections, it only characterized a third of the lists (Elklit and Jensen 1995). On average, each elected municipal councillor represents 1,100 inhabitants, which is a large number in a European context (Council of Europe 1995). Twenty-eight per cent of the municipal councillors (1997) and 31 per cent of the county councillors (1993) are women.

However, there is considerable variation behind these figures. For example, six of the municipal councils now have a female majority. Male dominance is generally stronger in key positions, for example only 10 per cent of the municipal mayors are women.

### 3.2 *Other Means of Citizen Influence*

Local authorities may arrange local, advisory referendums, but these are not particularly common. Instead, it is more usual for local authorities to ascertain their citizens' opinions on municipal services via surveys. In 1995, 32 per cent of the municipalities made use of such surveys. In addition, 71 per cent investigated how a particular service was perceived by its users. Only one quarter of the municipalities made no use of surveys to sound out citizen or user opinions (Andersen, Berg, and Buch Jensen 1997).

As already mentioned, user influence through boards of schools, day nurseries, and other institutions is a widespread and distinctive feature of Danish local democracy. Submunicipal committees are unusual in Denmark, but an experiment is under way in Copenhagen, with four directly elected submunicipal committees.

Public participation is changing in Denmark. This has been detected particularly since the 1980s (Goul Andersen 1993). There is a general decline in participation: fewer citizens are active in organizations or are members of parties. There has been a gradual decline in party membership since the 1950s, and the fall is larger in Denmark than in other West European countries (Bille 1995). However, participation in grass-roots activities increased during the 1980s and is now more evenly distributed between social groups than at the end of the 1970s. (Goul Andersen and Hoff 1995). Indeed, the whole pattern of involvement is changing: individual rather than collective contacts are becoming more common, there is a focus on influencing outputs and implementation instead of inputs, and there is an interest in narrow and local issues rather than broad and general issues.

### 3.3 *Citizens' Attitudes to Local Government*

On the whole the Danes are pleased with the state of their local democracy. In a survey by the *Eurobarometer* in 1995, Denmark emerged as the EU Member State in which the citizens were most satisfied with democracy at the local level. Eighty-two per cent were very or fairly satisfied with democracy in their own town, compared with an average of 57 per cent for the EU as a whole. Denmark, Ireland, and Austria emerged at the top, and Italy, Greece, and Spain at the bottom of the table (*Eurobarometer*, no. 43, 1995).



However, despite the high level of satisfaction, other figures indicate decreasing confidence in local decision-makers. Table 2.2 reports the results from two citizen surveys, one undertaken at the end of the 1970s, the other fifteen years later.

TABLE 2.2. *Citizen confidence in local politicians 1978 and 1993 (percentages)*

'Municipal politicians generally keep their promises to their electorate'	Year	
	1978	1993
Agree	48	30
Neither agree nor disagree, do not know	18	28
Disagree	34	42

Source: Berg and Kjær (1997)

TABLE 2.3. *Citizen confidence in local politicians 1978 and 1993 (percentages)*

'You can generally trust the municipal politicians to make the right decisions for the municipality'	Year	
	1978	1993
Agree	50	39
Neither agree nor disagree, do not know	12	25
Disagree	38	36
Number of respondents	1,836	1,002

Source: Berg and Kjær (1997)

It remains to be seen whether this decline in confidence in local politicians will continue. A recent population survey, undertaken by the *Institut for Konjunktur-Analyse*, reports increasing confidence in Danish politicians during the 1990s (IFKA 1998).

## 4. CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY

### 4.1 *The European Challenge*

Denmark has been a member of the EC/EU since 1973. Danish local government has, therefore, a longer experience of involvement in EU matters than the Swedish and Finnish newcomers. However, local authorities were only marginally affected during the early years of membership, and it was not until the establishment of the 1992 Single European Market project, that Danish local authorities faced the consequences of membership (Klausen 1997). The Single European Market meant a set of new demands on local government, including adjustments to EU regulations, technical standards, and public procurement procedures. The setting up of the Structural Funds also provided new opportunities to finance local and regional development projects (Klausen 1994). Hence, from the end of the 1980s, Europe became important for Danish local government.

However, local responses to this new situation vary considerably. Commentators have identified four different ways in which the Danish local and regional authorities have responded to Europeanisation. Some authorities are *counteractive*: as they are sceptical about the EU project and/or see no benefits from involvement in activities directed towards the EU. The majority of local authorities are *passive*: they only make incremental changes and tend to adopt a wait-and-see approach. Others are *reactive*: increasing their international activities, participating in international networks, but generally with a low level of ambition. Finally, there is a small group of *proactive* local authorities, which have developed more extensive strategies towards the EU. These tend to consist of the largest local authorities and those located in the areas of western Denmark that are eligible for EU funding. They have adjusted their external strategies, as well as their internal organization, to the new setting. The external means may include: establishing an information office in Brussels, either by themselves or with others; participating in international conferences; and developing networks aiming at creating advantages for their local area. Internal changes include: employing officers responsible for EU contacts, setting up an office for international affairs, and providing personnel training in EU matters (Klausen 1997; 1998).

Danish local government seems to have adopted a different strategy towards the EU than has local government in Finland and Sweden. The European orientation of the Finnish and Swedish local authorities has increased considerably since the early 1990s and is now more intense than in Danish local authorities. In terms of regional restructuring, Denmark has a policy of wait and see, whereas both Finland and Sweden are changing, or have recently changed, their regional structures. It has been argued that a split between the Scandinavian countries is emerging, which is linked to different experiences with regard to economic

problems (Gidlund 1998). The redistributive capacity of the Swedish and Finnish welfare states has weakened and local and regional authorities are increasingly compelled to take their fate in their own hands. It is hoped that EU-oriented activities and other international links and networks will create competitive advantages for them. Local authorities in Denmark have not faced the same problems and have, therefore, not had the same incentives to develop external/internal strategies.

Nevertheless, it seems safe to predict that the economic incentives to be gained from more internationally-oriented strategies will stimulate more local authorities to become reactive and that cooperation across national borders will increase. However, it is unlikely that the number of proactive authorities will increase greatly.

#### *4.2 Central–Local Relations*

The relationship between central and local government in Denmark is hallmarked by a mixture of control, negotiation, and autonomy. Central government has increasingly shifted its regulation of local government into broader and more general forms, thus avoiding detailed involvement. An important component in the relationship is the annual economic agreement between central government and the local government associations. This agreement is not legally binding for the individual local authority, but it has, nevertheless, contributed to reducing the speed of expansion.

Danish local-government expenditures represent 27 per cent of gross domestic product (GDP) (1994 figures), and their share of total public expenditures is 42 per cent (Council of Europe 1997). Taxes are the main source of finance, providing 54 per cent of municipal and 65 per cent of county council income (Committee of the Regions 1996). Tax revenue derives largely from a proportional, local income tax, but there is also a small property tax. Local authorities have a formal right to determine the level of the taxes themselves, even if the system of annual agreements with government has restricted tax increases. In 1994 municipal taxes varied between 13.5 and 22.3 per cent and county council taxes between 8.9 and 10.4 per cent.

The dependency on local sources of finance, and hence the state of the local economy, is further emphasized by the amount of local government resources that come from user fees and service charges. This represents 22 per cent of municipal and 16 per cent of county council income, which means that around 80 per cent of local-government resources are locally generated. Danish local authorities rely on local sources of income to a greater extent than local governments in any other European country (Council of Europe 1997). Of the remaining income, central government provides the largest part through block grants, but also makes use of some specific grants. Local authority borrowing is restricted, as each local

authority has a borrowing limit set by central government. A system of transfers between local authorities compensates for differences in preconditions between local areas.

### *4.3 Financial Strain*

As mentioned previously, economic problems hit Denmark earlier than the other Nordic countries. Because of the economic recession in the early 1970s, local authorities were compelled to restrict their use of resources. The policy of several governments during the 1970s and 1980s, both Social Democratic and non-Socialist, was to curb local government expenditure in order to provide scope for private-sector activities. However, due to the transfer of functions from central government, there was still a considerable expansion of local government during the 1970s, in particular at county level. In 1977, the budgetary system of local government was changed to increase central government control over local expenditures, which made it easier for central authorities to assess and compare the state of the economy in different local areas (Bogason 1991). During the 1980s, when local government in Finland, Norway, and Sweden continued to expand, Danish local government stagnated (Oulasvirta 1992). This was mainly achieved by massive reductions in central government grants and later also by imposing penalties on local authorities that refused to comply with central directives (Nissen 1991). However, as a consequence, the economic problems of the early 1990s did not hit Danish local authorities to the same extent as its neighbours in Sweden and Finland.

### *4.4 Organizational Changes*

In recent years, Danish local government has also undergone profound organizational and managerial changes. Decentralization measures have increased local autonomy. These measures include transfers of responsibilities from central to local government, replacement of special grants with a block grant, and the setting of frames instead of detailed regulations (Albæk 1995). In the wake of the decentralization process, the distribution of functions between municipal, county, and state levels has been subject to debate. A parliamentary committee, which also includes representatives of the local government associations, has been appointed by government, with the task of suggesting a more rational division of powers. The report from the committee is expected before the end of 1998 (Indenrigsministeriet 1997).

The internal structures of local government have been altered. However, the solutions selected locally vary considerably, as a common feature is that most changes have been initiated by the local authorities themselves. Nevertheless, almost all local authorities have decentralized powers further, to institutions such

as schools and day nurseries (Bidsted 1997). Also, new ways of steering and governing public activities have been introduced with the aim of increasing efficiency. In the same way as in other countries, the emphasis is on leadership and management. Management by objectives and results is very common in Danish local authorities. Privatization of local government responsibilities has been rare, whereas contracting out of public services has been more common. However, this is still limited to technical services and does not so much concern the key welfare functions of local government. Denmark has a tradition of parental choice between different public and private service alternatives, in particular with regard to schools. However, this is not unrestricted, as local authorities decide themselves within which areas choice should be permitted. In 1993, 80 per cent of the municipalities provided opportunities to choose within education, childcare, and care of the elderly (Bidsted 1997).

A consequence of these organizational changes is an increasing fragmentation of Danish local government. In essence, in the wake of decentralization, a unifying structural principle is now lacking. It has been argued that it is now more difficult for citizens to identify the responsible authority or the relevant officer. It may make representative democracy less relevant, as many decisions are moved from the local council to other bodies. Differences between citizens may also increase. Those who are well organized, perhaps as users, as well as being articulate, would benefit. Others may experience greater difficulty in finding their way in an increasingly complicated landscape of local politics (Bogason 1996a; 1996b).

One way of counteracting this has been to establish information offices where citizens' contacts can be limited to just one officer. These offices are present in several municipalities and the government has suggested that their tasks should be extended to include functions performed by other public authorities. Under a recent amendment of the Local Government Act, local authorities are compelled to provide detailed information about their services to their citizens (Indenrigsministeriet 1997).

There are other ongoing changes in the local government structure that may cause problems in terms of local democracy. As previously mentioned, local authorities have been given increased freedom to decide how to organize their committee system, and a general tendency is that the number of committees has been reduced, from an average of 4.5 in 1970 to 3.6 in 1992 (Andersen, Berg, and Buch Jensen 1997). In addition, several local authorities have decided to reduce the size of their local council. This occurs at a time when the number of candidates in local elections is also falling. During the past decade, the number of candidates in municipal elections has decreased by a quarter; in the 1997 elections, there were, on average, four candidates per seat in the municipal councils. As participation in local elections has also been falling and differences in turnout between rural and urban local authorities have been increasing, there is concern

about the state of Danish local democracy (Albæk 1996; Indenrigsministeriet 1997).

#### *4.5 The Regional Level*

The position of the county councils has been under pressure on several occasions during the past few decades. In 1970 the number of counties was reduced to the present 14, while at the same time their functions were extended. During most of this period, there has been a debate about a suggested abolition of the county councils. In particular the Conservative Party and the leadership of the National Association of Local Authorities in Denmark, which organises the municipalities, have claimed that Denmark is sufficiently small and homogeneous to merit only one level of local government. However, the Liberals and the Social Democrats have opposed the suggestions. The debate, which was at its most intensive in 1988, never resulted in any comprehensive changes (Nissen 1991).

However, in 1990 a metropolitan council covering Copenhagen and the surrounding county councils was abolished. This was originally set up in 1974 and was indirectly elected, by the member county councils, the City of Copenhagen, and the municipality of Frederiksberg. Its tasks included regional planning, public transport, and hospital planning; it was effectively a third tier of local government. After its abolition, most of its functions were transferred to the local and regional authorities. As the regional level has gained increased importance in the EU context, the suggestions to abolish the county councils have become less common. Thus, it seems unlikely that this tier of local government will disappear at present.

### 5. INNOVATIVE APPROACHES

A number of innovative reforms have been carried out with explicit emphasis on the need to strengthen local democracy. The major and most comprehensive attempts have followed the path of user influence (Bidsted 1997). In 1989 parliament made governing boards for user influence compulsory in relation to municipal schools. These consist of five to seven members, with parents' representatives in the majority. In addition, the employees of the school and the pupils are represented. Later, the practice of mandatory user boards was extended to county council upper secondary schools and municipal day nurseries. The boards have decision-making powers of their own within frames set by central government and financial discretion as specified by the municipality. Additional users' boards may be established at the discretion of the local authority. These may have decision-making powers or may only make recommendations. They are particularly common in retirement homes, nursing homes, and in connection with libraries and sports facilities.

An evaluation of the system of user boards (see Floris and Bidsted 1996)

indicates that the user influence is limited to more peripheral matters in the activities of the school or the nursery. This may include decisions about specific activities or excursions but rarely touches upon the key aspects of education or care. Further, it is difficult for the users to influence the agenda of the board. Generally, there is a strong tendency to reach consensus decisions, but there are also conflicts between the different interests represented in the board. Another effect is that the users' involvement in the day-to-day activities of the school or nursery has increased and this has made such boards more visible in the local community.

An important question is whether user influence is undermining the position of the elected councillor. The Danish experience suggests that user boards generally decide on matters that normally would not have been tasks for the council or a committee. Also, user boards have only been able to influence overall decision-making in the municipality to a limited extent. Hence, it seems possible to combine them with traditional forms of representative democracy. A conclusion is that the user boards are here to stay, particularly as they are not generally called into question in the public debate (Floris and Bidsted 1996). Also, user participation in Denmark appears to be fairly evenly distributed between different social strata, even if there is a slight middle-class dominance with regard to parental participation in school and nursery matters (Goul Andersen and Hoff 1995).

Another major reform is the experiment in Copenhagen with directly elected submunicipal committees in four of the fifteen city districts. This started in 1996 and will continue until the end of 2001. Each of the four districts has a population of around 130,000. The committees are responsible for municipal activities with regard to children and the elderly, culture and leisure, streets and roads. However, they have no taxation rights and are dependent on Copenhagen City Council for their resources. Apart from in Copenhagen, submunicipal committees have been tried in just a few municipalities in Denmark, mainly within the free-municipality experiment (Hansen, Torill, and Aarsæther 1996).

Like the rest of Scandinavia, Denmark has had a free-municipality experiment. Indeed, the Danish programme started in 1985, just one year after Sweden and clearly inspired by the Swedish example (Albæk 1994), and it was completed in 1993. In total 36 local authorities participated and these were given certain freedoms in relation to specified regulations. However, there seems to have been less enthusiasm about the Danish programme, perhaps because a tradition of local policy experiments already existed in Denmark (Baldersheim and Ståhlberg 1994).

Initiatives aiming at improving local democracy may also be introduced locally, without reliance on central suggestions or regulation. One example is the establishment of a citizens' panel in the municipality of Sundeved (*Nyhedsmagasinet Danske Kommuner*, no. 16, 1997). Eighteen people were selected to sit on the panel and asked questions about how they want local

government services to be shaped in the future. The purpose was to find new ideas and it was expected that views would emerge that were not normally represented in the public debate. However, the panel has no decision-making powers.

## 6. CONCLUSIONS

To some extent Denmark has followed a different path from many other EU countries in its development of new forms of local democracy. Some have made greater use of local referendums and other means of direct democracy, others have implemented systems of submunicipal committees. However, the Danish contribution to the various approaches is highly focused on user influence. Through the creation of a large number of boards of schools and other institutions, users have been extensively involved in decision-making at the micro level. The experiences from these initiatives are sufficiently good to permit the boards to continue, and their use has been extended to other areas. Further, as these innovations seem to be compatible with traditional forms of representative democracy, the Danish way forward is likely to continue along the path of user influence.

However, at the same time, local democracy in Denmark is facing similar problems to those in most other Western countries: fewer politicians; the decline of traditional forms of influencing political decision-making, such as voting and party activism; and an increasing distrust of local politicians. These developments may be aspects of a more general restructuring of the way democracy functions, which challenges traditional patterns, not only in Denmark, but also elsewhere. Nevertheless, there is, in Denmark, a debate about the state of local democracy, and how it may be improved, which is one requirement for the development of future solutions.

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## Germany

### 1. HISTORY AND CONCEPT OF DEMOCRACY

#### *1.1 Development and consolidation of the concept of democracy*

Under the terms of its constitution (*Grundgesetz* or Basic Law), the Federal Republic of Germany is a democratic and social federal state (Art. 20(1)). Its constitutional order must conform to the principles of a republican, democratic, and social state governed by the rule of law (Art. 28(1)). The rule-of-law principle reflects the rejection—already established in nineteenth-century German constitutional thinking—of the absolutist administrative state. In its place is a liberal constitutional order that only permits the exercise of democratically legitimised political power, a power itself limited by civil rights such as the right to religious freedom, freedom of expression, freedom of the press, and freedom of movement. Interpretation of the Basic Law's principle of the 'social state' is not without controversy. Conservative constitutionalists tend to view it as a non-binding declaration, subordinate to the rule-of-law principle; the Left, on the other hand, considers it a precept that public life should be organized along democratic and socially responsible lines.

Historically, however, German constitutional thinking was not based on the idea of a sovereign people acting to allow society—or rather the changing majorities within society—to take charge of government. Rather, government and society were conceived as two separate spheres, between which balances, mutual checks, and ordered legal relations had to be put in place, not least in forming public opinion on politics. The idea of strong government as, among other things, the guarantor of a successfully functioning polity dates as far as the early nineteenth century. Prussia offers the best example. The objective of "successful" absolutist regional princes and their advisors was to end the geographical and functional fragmentation of political power and build up an efficient territorial administration, thereby creating "from above" the preconditions for modern statehood.

In Germany no bourgeois revolution was successful in shaking this nineteenth-century image of an authoritarian state. On the contrary, influential sections of the bourgeoisie allied themselves with the aristocracy to counter the demands of the poorest classes. It was not until the 1860s that the emerging social democracy began to voice calls for a universal and equal right to vote. This right was granted

to men in 1871 and extended on a general basis to all the *Länder* after the establishment of the Weimar Republic in the wake of the November revolution.

Under the Constitution, the Federal Republic of Germany has embraced a political system in which all state authority emanates from the people (principle of people's sovereignty). The 1949 Basic Law provided for a predominantly representative, parliamentary democracy. Under Article 20(2) of this Law, state authority is 'exercised by the people through elections and [ballots] and by specific legislative, executive and judicial bodies'. The political parties are explicitly recognized in the constitution as helping to express the political will of the people. Members of parliament, however, are not bound by orders and instructions and, as representatives of the people as a whole, should be subject only to their own conscience.

In 1948–9 the Parliamentary Council—the constituent assembly—debated whether or not to incorporate referendums and plebiscites into the Basic Law. In the end, however, it decided not to establish this form of direct democracy for specific issues and to forgo the direct election of political leaders. The reason for such scepticism towards the direct expression of sovereignty is often explained in historical terms, given the impact of National Socialist agitation on the masses. It is, however, certainly also the product of the emerging Cold War during which fears were stirred up of communist machinations in grassroots society (Jung 1994). Even to this day, plebiscites are ruled out at federal level. German unification, for example, was effected not in the way originally conceived in the Basic Law—by plebiscite on the adoption of a new constitution—but by the simple accession to the Federal Republic of the re-established eastern German *Länder*. Similarly, the European treaties and the Maastricht and Amsterdam amendments were not adopted by plebiscite or advance referendum, but solely on the basis of decisions taken by the competent representative federal authorities—the *Bundestag* and *Bundesrat*. That said, the government coalition agreement hammered out between the SPD and Alliance '90/The Greens in the wake of their victory in the September 1998 Bundestag elections pledges to strengthen direct grassroots democratic rights of participation. The plan is to amend the Basic Law to allow the introduction of popular initiatives, popular petitions and referendums at federal level too.

One of the inalienable pillars of constitutional order in contemporary Germany is the federal structure of government. The principles of a republican, democratic, and social state governed by the rule of law also apply in the *Länder*. Local authorities are guaranteed the right to local self-government. One of the Basic Law's few direct-democracy provisions requires a referendum to confirm any modification of *Länder* boundaries.

From a contemporary viewpoint, government practice in Federal Germany is marked by the interaction—sometimes cooperative, sometimes fraught with conflict—of the three political levels (federal, *Länder*, and local authority). The

political parties exercise a certain influence on policy-making and are themselves the port of call for demands from strong organized interest groups (particularly business associations and trade unions). Traditionally, grass-roots input takes the form not so much of direct political participation as largely voluntary involvement in societies, associations, and political parties. However, the citizens' action groups and new social movements that have come to the fore since the 1970s have changed this picture, leading to the re-emergence of direct-democracy forms of political participation. A survey taken a few years ago, for example, showed that while just 32 per cent of those Germans questioned said they could envisage joining a political party, 51 per cent said they could imagine taking part in a citizens' action group (Roth 1993).

Although this indicates that, in Germany, there is a trend away from fixed commitment to political parties towards spontaneous, less binding involvement in single-issue initiatives, radical approaches to democracy—such as the ecological movement, or the people's movements in east Germany—often resulted in new departures and even a broadening of the spectrum of political parties (a case in point being the establishment of *Die Grünen* (Green Party), known today, following its fusion with sections of former German Democratic Republic (GDR) people's movements, as *Bündnis '90/Die Grünen* (Alliance '90/The Greens). Since the 1970s, however, Germany's political culture has also drawn on a range of articulate, sometimes internationally active, non-governmental organizations.

## *1.2 Democracy in the Länder and Local Authorities*

### *1.2.1 German Federalism and the Länder*

The division of the German territory into *Länder*—and thus the principle of federal government—very much pre-dates the democratic republic. In the nineteenth century, German federalism developed initially as a confederation of sovereign German principalities and free cities. The German Confederation—including Austria—was established in 1815 and lasted until Austria's defeat by Prussia in 1866. Under Prussian hegemony, a North German Confederation was then established (1866–71) before the founding, in 1871, of the German Empire as a *kleindeutsch* confederation including the southern German states, but not Austria. It was not until 1919, with the establishment of the Weimar Republic, that a democratically legitimate German federal state emerged. Compared with the federal set-up in Germany today, however, the Weimar Republic had more marked features of a unitary state.

In Europe political modernization was often linked to the establishment of nation states and the concomitant emergence of territorial authority with clearly defined borders, a sense of national awareness among the people, and a viable administration. In Germany this was effected at *Länder* level. The German 'nation

state' came late, first as a confederation of states and later as a federal state. As a result, German constitutional theory reflected conditions on the ground by developing very early on, a specifically federal view of how tasks should be divided between the various political levels. From the German Confederation of the early nineteenth century right up to the present day, German constitutional theory has thus presumed specific *Länder* responsibility unless the Constitution explicitly states that competence for a particular matter lies at a higher level (the confederation, later the Empire, and then the federal state). Thus, even in the 1871 Constitution of the German Empire, we find the structural characteristics of German (administrative) federalism that are still crucial today, that is administration is a matter for the *Länder*, which have to enforce federal laws in areas for which the federal government is responsible. Conversely, the *Länder* have to be involved in the formation of federal legislation.

In the nineteenth century the debate on German federalism also looked to the USA. In contrast to the situation there, however, the German model eschewed dual, parallel machineries of state in favour of a specific division of responsibilities between the two levels of government to reflect the historical development of modern German statehood. The German *Länder* have always had a twofold role in this regard: internally, as a focus of integration for people living there, and externally, as the basis for the establishment or re-establishment of the nation state.

### *1.2.2 Local Self-Government*

Local self-government as anchored in today's German Basic Law also has its roots in the early nineteenth century. Civic statutes began to be adopted—first in Prussia (in 1808), then in other German states—to regulate the right of citizens to form their political will and exercise self-government in matters relating to the municipal administration. In Prussia, local councils were established under the three-class voting system. Political rights to local self-government were also designed to preserve the feudal and aristocratic structure of the *Länder* by using internal reform as a means to head off any attempts at revolt, and as a means to improve the economic basis for the levying of government taxes.

Despite continued friction with the feudal state bureaucracy, the towns evolved into political entities, facilitating the economic development and industrialisation of the nineteenth century. The local authorities provided the manufacturing infrastructure (for example water, gas and electricity supply, transport), ensured the circulation of goods and capital (banks and credit institutions, customs associations), and made the first moves towards social policy (for example health, industrial safety, and housing). Their drive for modernization, however, was not wholly without a degree of ambivalence. The pioneering liberal economic spirit often went hand-in-hand with a policy towards workers and the poor which

contained not only elements of the welfare state, but was also clearly marked by repression, control and exclusion (Leibfried and Tennstedt 1985).

In practice, the local authorities quickly became a problem-solving arena for society as a whole, thereby giving considerable impetus to the expansion of the public remit. The original, basic, two-pronged concept of local self-government headed by leading figures in the community, coupled with a largely immutable, absolutist state administration, was successively transformed by amendments to voting rights, the spread of the professional classes, and the emergence of political parties.

Today, the constitution guarantees local authorities the right to manage all the affairs of the local community under their own responsibility within the limits set by law. This basically also includes a general right to determine remit. It would not, therefore, be permissible for the state to list local-government tasks.

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### 2.1 *The Federation and Interaction of the Various Political and Administrative Levels*

The Federal Republic of Germany is a parliamentary democracy; its government is formed by the majority in the *Bundestag*. Since unification, there have been 656 members of parliament (not counting the *Überhangsmandate* (excess seats) in each parliamentary term; these are constituency seats won directly by a particular party in 'excess' of its proportional share of the vote). Parliament is elected every four years under a system of personalised proportional representation; half of its elected members come from constituencies, half from party lists. Parties may only enter the *Bundestag* if they secure at least 5 per cent of the popular vote or three direct constituency seats. The majority in the *Bundestag*—as a rule the product of a coalition—elects the federal chancellor, who nominates cabinet members for appointment by the federal president. The Chancellor (Prime Minister) is constitutionally by far the strongest political figure who determines the broad lines of government policy.

Current legislation focuses on the Federation. The Basic Law works on the premise that it is fundamentally the *Länder* who hold the legislative remit, with federal-level responsibility in only a few, well-defined areas ('exclusive legislation', for example foreign affairs and defence). In political practice, however, this relationship has been reversed in favour of the federal level. Federal legislative power was bolstered by the concepts of "concurrent" and "framework" legislation also provided under the Basic Law. For example, the Federation was able to broaden its powers in domestic policy through allocations of remit based on the "concurrent" arrangements. Framework powers were similarly used to boost the federation's powers in cultural policy too. The reason for this shift in remit was

the constitutional requirement for uniform living conditions, a precept to which the Federal Constitutional Court also gave high priority. On the other hand, the strength of the *Länder's* position today lies in their wide co-decision making powers in federal legislation, a departure not originally intended by the Basic Law. The Bundesrat must expressly endorse more than half of all planned federal legislation before it can become law.

Overall, Germany's political and administrative system is marked by a highly interwoven division of responsibilities between the various levels. While, by virtue of its pre-eminence in legislative matters, the Federation also definitively sets the level of government revenue, the *Länder* and local authorities are responsible for the lion's share of government administration and public expenditure.

TABLE 1

**Central and local government staff, 1997 (full- and part-time)**

Federation	526,431	11.4%
<i>Länder</i>	2,401,665	52.1%
Local level	1,683,521	36.5%
Total	4,611,617	100%

(Source: 1998 Statistical Yearbook [*Statistisches Jahrbuch 1998*])

TABLE 2

**Public expenditure, 1997 (in million DM)**

Federation	481,008	36.7%
<i>Länder</i>	494,870	37.7%
Local level	335,527	25.6%
Total	1,311,405	100%

(Source: 1998 Statistical Yearbook [*Statistisches Jahrbuch 1998*])

## 2.2 The *Länder*

With a few exceptions (Bavaria and, to some extent, Hesse), the western German, post-war *Länder* are artificial constructions that have no significant history as territorial units. In contrast, the five eastern German *Länder* that were re-



established in 1990 almost exactly within their 1946 borders are largely traditional historical and geographical entities. Major differences exist among the sixteen *Länder* in terms of size, population, and economic clout, ranging from the largest, North Rhine-Westphalia, with a population of over 17 million, to the three City-State *Länder* of Berlin, Hamburg, and the smallest, Bremen (population 680,000).

The position of the *Länder* within the federal German political system stems on the one hand from the resources they can muster to orchestrate independent *Länder* policies and, on the other, from their participatory rights at federal level.

The *Länder* exercise their rights of participation in federal policy above all via the *Bundesrat*, whose main remit is involvement in federal legislation. The *Länder's* remit increases the more the *Länder's* own interests are involved. Legislation to amend the constitution requires a two-thirds majority in the *Bundesrat*. Law affecting *Länder* finances, their administrative sovereignty, areas of joint government responsibility, or a modification of *Länder* boundaries requires an absolute majority. For all other bills, the *Bundesrat* is free to file objections, which may, however, be rejected by a majority in the *Bundestag*. If the *Bundestag* and *Bundesrat* cannot agree on legislation requiring approval, a mediation committee consisting of sixteen members from both houses is convened under the terms of the constitution. The *Bundesrat* itself has the power to initiate bills, which are then transferred to the *Bundestag* for decision.

In contrast to a senate, the members of the *Bundesrat* are not directly elected, but are delegated by the *Länder* governments. They are cabinet members bound by instructions and must cast *en bloc* the votes of the federal *Land* in question. The distribution of votes among the *Länder* is laid down in the constitution. Table 3.3 shows how the votes are distributed following the changes after unification; the third column gives the current political majorities.

TABLE 3.3

*Länder representation in the Bundesrat*

<i>Land</i>	Votes	Government
Baden-Württemberg	6	CDU + FDP
Bavaria	6	CSU
Berlin	4	CDU + SPD
Brandenburg	4	SPD
Bremen	3	SPD + CDU
Hamburg	3	SPD + Alliance '90/The Greens
Hesse	5	CDU + FDP
Mecklenburg-West Pomerania	3	SPD + PDS
Lower Saxony	6	SPD
North Rhine-Westphalia	6	SPD + Alliance '90/The Greens

Rhineland-Palatinate	4	SPD + FDP
Saarland	3	SPD
Saxony	4	CDU
Saxony-Anhalt	4	SPD minority government tolerated by the PDS
Schleswig-Holstein	4	SPD + Alliance '90/The Greens
Thuringia	4	CDU + SPD
Total	69	

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CDU: *Christlich-Demokratische Union* (Christian Democratic Union); FDP: *Freie Demokratische Partei* (Free Democratic Party); CSU: *Christlich Soziale Union* (Christian Social Union); SPD: *Sozialdemokratische Partei Deutschlands* (Social Democratic Party of Germany).

An amendment to the Basic Law (requiring a two-thirds majority in the *Bundestag* and the *Bundesrat*) was needed to ratify the Maastricht Treaty. In the process, the *Länder* pushed through considerable improvements in their position in respect of European policy. For example, the Federation now requires *Bundesrat* consent to transfer sovereign rights to the EU. Moreover, in its EU policy, the federal government must accommodate the views of the *Länder* in the same way as it has to take account of their position in the current federation–*Länder* relationship. Where essentially the exclusive legislative jurisdiction of the *Länder* is affected, German representation in the EU institutions (for example the Council of Ministers) is transferred to a member of a *Land* government (Art. 23 of the Basic Law). The German *Länder* and local authorities have twenty-four members in the Committee of the Regions. Twenty-one of these members are from the *Länder*, mainly delegated government members or, in some cases, also members of the *Land* parliaments. The local-authority associations, which make up the federal association of local-authority boards, decide on the three remaining seats. All the German *Länder*, as well as a great many local authorities have their own liaison offices in Brussels.

In the main, the *Länder* have exclusive legislative competence for areas such as schools and cultural policy, radio and television, municipal affairs, police and administrative law and law relating to roads and right of way. In all other fields of domestic policy, the *Länder* must give their own slant to policy frameworks set out at federal level; they do this via complementary legislation and by pooling their financial and administrative resources. A horizontal financial-equalisation scheme exists between the *Länder* themselves, which largely levels out differences in tax revenue.

The *Länder* constitutions that came into force after the Second World War in the American, French, and indeed Soviet zones generally contained more elements of direct democracy (popularly initiated legislation and/or various forms of referendums) than the Basic Law or the *Länder* constitutions adopted largely in the wake of the Basic Law in the British occupation zone (which covered northern

Germany, except Bremen). It has taken until the 1990s to make changes on any large scale to *Länder* and local-authority constitutions strengthening direct methods of raising public opinion in all federal *Länder*.

### 2.3 The Local Authorities

Under constitutional law, local authorities are public bodies directly related to *Land* level, and as such are constituent parts of the *Länder*. However, in terms of the constitutional understanding of democracy, and in political practice, they may be regarded as an independent third tier (or fourth if the EU is counted) of the political and administrative system.

TABLE 3.4.

Level	No.
<i>Länder</i>	16 (incl. 3 city states)
<i>Kommunen</i> (local authorities)	
<i>Landkreise</i> (rural districts)	323
<i>Kreisfreie Städte</i> (non-county urban municipalities)	116
<i>Kreisangehörige Gemeinde</i> (county-constituent municipalities)	14,511

Local authorities' current remit is very varied. It ranges from the provision of basic economic and social necessities and the building of public infrastructure to comprehensive, local development planning. Its main focus is on social affairs (housing, social and youth welfare, nursery schools, hospitals, senior citizens), education (schools, adult education centres), leisure (promotion of associations, sports facilities, swimming pools), business development and environmental policy (for example business parks, technology centres, waste policy). About two-thirds of real public investment goes to local authorities. Local public utilities (for example gas, water, electricity, local transport, refuse collection) play a major role here.

Rural districts have a supralocal remit, which would overstretch the administrative capacity of the mainly smaller county-constituent municipalities. In non-county urban municipalities, both administrative levels coincide. One third of local authority revenue comes from taxation, one third from government allocations (particularly from the *Länder*), and the rest via levies, contributions, and other income. The eastern German municipalities, which have a narrower tax

base, are much more dependent on government grants.

A 1994 amendment to the Basic Law also expressly guarantees the basic independence of local authorities in terms of financial responsibility as part of their right to self-government. However, the local authorities' general complaint is that the - as they see it - overly restrictive financial arrangements are the Achilles heel of the German tradition of local self-government. For many local authorities and rural districts, the situation has become particularly acute over the past two decades. Since the 1980s, local authorities' outlay has risen as a result of the burgeoning social welfare costs caused by continued mass unemployment. At the same time, local authority tax revenue has declined in recent times, primarily because of government income tax incentives (with a local-authority share of 15%).

Municipal statutes are structured within the framework of the Basic Law under *Land* legislation. Different municipal traditions, not to mention the influence of the Allies, resulted in the establishment of a number of basic variants, although the gaps between these are now narrowing. The differences relate largely to the local statute, in particular how the executive is set up and how it relates to the district council. There are also differences in how the council is elected and in direct rights of grass-roots participation.

District councils were given the strongest position in the British-influenced northern German *Ratsverfassung* (council constitution) adopted in North Rhine-Westphalia and in Lower Saxony. Here, the council was given an all-encompassing remit. A full-time local official, appointed for a fixed term of office, was made responsible for administering council policy implementation.

In contrast, the southern German council-mayoral constitutions (Bavaria, Baden-Württemberg) are characterized by the strong position of the directly elected mayor, who also heads the administration and chairs the district council and all its committees. Proportional representation is used for council elections, with uni-nominal elements allowing voters to amend the order of candidates proposed. It is thus permitted to pool votes for candidates on one list or to distribute them among candidates from different lists (ticket-splitting). In a lesser form, this variant is also practised in the Rhenish mayoral constitutions (Rhineland-Palatinate, Saarland, and rural municipalities in Schleswig-Holstein), although, here, mayors are traditionally elected by the council, which is itself elected under proportional representation.

Under the *Magistrat* constitution (Hesse, Bremerhaven, and, formally, in towns in Schleswig-Holstein), the council elects not only the full-time mayor but also the *Magistrat* as a collective body to head the administration. The *Magistrat* is made up of full-time *Beigeordnete* (aldermen) who run the administration and honorary members elected according to the relative strength of the political parties in the council. The district council is elected under proportional representation.

In contrast to the northern German council constitution and the *Magistrat*

constitution, the southern German variant contained elements of direct democracy from the very outset. These took the form of public petitions and popular decision-making. In the 1990s these arrangements have been transposed, with various modifications (quorums, restrictions on the subject matter), to the other *Länder*. The reforms of the past few years have also resulted in greater conformity between arrangements for the 'top job' in the administration. Municipal statutes in all the *Länder* now provide for direct elections for mayors to head the local administration.

In eastern Germany a democratic local-authority constitution was promulgated as early as 1990 to cover the entire German Democratic Republic (GDR) as it was then. This constitution comprised both traditional elements and various components taken from western models. The five new *Länder* now each have their own local constitutions that correspond more to the basic southern German variant. In some cases (Brandenburg, Saxony-Anhalt) mayors are also directly elected. Direct-democracy features have also been introduced, such as various forms of public petition and popular decision-making.

Thus, in the 1990s, all the *Länder* have taken on board the main elements of the direct forms of participation originally found only in southern German local authorities. The mayors in all the *Länder* are now directly elected, resulting in lasting changes particularly to northern German local-authority constitutions.

## 2.4 *The Role of the Political Parties*

Although the political interrelationships in the German federal state make for a high degree of harmonious democracy, political competition is ensured in the first instance by the political parties. Parties that oppose each other at federal level regularly share power in individual *Länder* and local authorities. As a result, they are also obliged to work together within the federal context. Conversely, the parties also use their power in *Länder* and local-authority governments as an opportunity to develop and promote alternatives to federal policies.

Until well into the 1970s, the German federal party system was dominated by the *Christlich-Demokratische Union/Christlich Soziale Union* (CDU/CSU, Christian Democratic Union/Christian Social Union), *Sozialdemokratische Partei Deutschlands* (SPD, Social Democratic Party of Germany), and *Freie Demokratische Partei* (FDP, Free Democratic Party). The ecology movement spawned an additional force at national level—the Greens, known as Alliance '90/The Greens since their merger with some sections of the now former GDR civil-rights movement which have secured a solid footing at least since their entry into the Bundestag in 1983. Since unification, the *Partei des Demokratischen Sozialismus* (PDS, Party of Democratic Socialism), the successor to the former GDR state, the SED party, has also been represented in the Bundestag. On the right-wing fringes, parties such as the *Republikaner* (Republicans) or the

*Nationaldemokratische Partei Deutschlands* (NDP, National Democratic Party of Germany) have scored some regional successes but fail to cross the 5 per cent hurdle in national elections. Following unification, the CDU and FDP absorbed their eastern German counterparts of the same name that had formerly been part of the GDR machinery of state as so-called 'block' parties under *Sozialistische Einheitspartei Deutschlands* (SED, Socialist Unity Party of Germany) hegemony. Membership of the five parties represented in the Bundestag is currently as follows: CDU: 657,643; CSU: 179,647; SPD: 817,650; Alliance '90/The Greens: 46,410; FDP: 80,431; and PDS: 105,029 (Wiesendahl 1997; Zeuner 1997).

From the foundation of the Federal Republic right up to 1998, the CDU—and its sister party the CSU, which operates only in Bavaria—have been the driving force in federal politics; with the exception of the SPD–FDP coalition of 1969–82, the federal chancellor has come from the CDU which has been the main party of government. Lasting changes to the constitution were adopted during the only CDU/CSU–SPD 'grand coalition' government of 1966–9 (for example the 'emergency powers' provision and the expansion of broad-based business-taxation arrangements, incorporating the budget policy of the *Länder* and the local authorities). The 1998 Bundestag election victory by the SPD and Alliance '90/The Greens was the first time a party had switched directly from the opposition to lead the government.

As things stand, eleven of the sixteen *Land* governments are SPD-led. The new federal government coalition thus has a broad majority in the Bundesrat, and is also supported by many SPD or SPD-Green-led local authorities. Should the majorities in the Bundestag and Bundesrat differ, the Bundesrat, as the *Länder* chamber, is generally also used by the main federal opposition party as an arena to present its policy alternatives. Beyond that, however, the Bundesrat also regularly facilitates *Länder* cooperation and consensus; party political boundaries may well be breached as the *Länder* work out a common position - for example on tax policy - which may well run counter to that of the majority in the Bundestag and/or the federal government.

All the parties see *Land* politics in particular as an important field of recruitment for federal-level positions. Although prevailing trends indicate a decline in the importance of party strongholds, geographical and cultural factors continue to influence electoral preferences. The SPD is stronger in Protestant and industrial areas, while the CDU/CSU dominates in rural or farming regions. Even the largely unpaid political work performed in local authorities is now crucially influenced by parties represented federally, although in smaller municipalities in particular, a considerable number of independent electoral groups are still represented.

Current trends show turnouts of just under 80 per cent for *Bundestag* elections, with an 82.2 per cent turnout at the 1998 Bundestag election. The average figure for *Land* and local elections is some 10–15 per cent lower. Turnout at direct

mayoral elections is sometimes less than 30 per cent, and the larger the municipality the lower the turnout. The trend is downwards at all levels, one reason for which is given as the advancing phenomenon of ‘social disintegration’ (Niedermayer 1997). Since the beginning of 1996, EU citizens have had the right to vote and run for election in local elections. Attempts by some SPD-led *Länder* to extend local voting rights to foreign residents from non-EU countries have up to now been thwarted by the Federal Constitutional Court.

The 1990s have seen the resurgence of a debate—more or less dormant since the 1970s—on the strengthening of internal party democracy. Against the backdrop of shrinking membership, direct forms of participation by party members have been stepped up but, to some extent, have lagged far behind practices in other European countries. Plebiscitary elements such as possible or occasional members’ ballots or member surveys (as the Greens have done since 1980, the SPD on an optional basis since 1993 on specific vacant posts, the CDU on some similar decisions at *Land* level, and the FDP on a planned change to the Basic Law regarding large-scale bugging operations) are not features of everyday political life and, in the era of media-led democracy, also run counter to the prevailing trend towards centralising decisions on policy-making and the filling of vacant posts.

### 3. REGIONAL AND LOCAL DEMOCRACY IN PRACTICE

#### 3.1 *The Role of Political Networks*

A feature of local and regional democracy is the presence of ‘networks’ of the players involved; this is a vertical and horizontal phenomenon pervading the entire political and administrative system.

For example, the regular meetings between specific ministries (for example the conference of Culture Ministers who are responsible for schools policy) have developed into an important working interface between the federation and the *Länder* at which the preliminary work is done on far-reaching decisions and coordinated with the views expressed by the *Länder* governments. It generally remains for the *Land* parliaments merely to endorse the findings.

Local interests are represented by three umbrella organizations: the *Deutscher Städtetag* (German Association of Towns) representing larger municipalities, the *Deutscher Städte- und Gemeindebund* (German Federation of Towns and Local Authorities) bringing together smaller county-constituent towns and local authorities, and the *Deutscher Landkreistag* (German Association of Rural Districts) representing the counties. The spokespersons of these organizations are local politicians from the two main parties, CDU and SPD, who seek as broad a consensus as possible from a local viewpoint and, in doing so, are prepared to accept occasional disputes with the party at federal level or with their *Land*

governments.

Many networks are set up by specialist associations to exert influence on specific policy areas; in social policy, for example, these include agencies active in non-governmental welfare work, with the churches playing an influential role.

### 3.2 *Interest Groups*

The aim of organized interest groups is generally to influence the decisions and results of the political and administrative system. In government systems run on federal lines, therefore, there is a multi-tier system of associations exerting an influence at federal, *Land*, and local level. The associations focus their organizational energies on the level of government most suited to the interests they represent. Thus, the major industrial associations are active mainly at federal level, where business and labour relations are largely regulated. In the education sector, associations (e.g. parent groups) operate mainly at *Land* level, since the *Länder* are responsible for cultural policy. The lobby activities of sectoral associations and large groups of companies reflect the economic profile of the federal *Länder*, which, for their part, seek to carve out a image for themselves as a good location for industry, be it cars, information and communication technology, or the media.

At local level too, there is a wide range of organized interest groups, particularly in economic, employment, and social policy. Local industry is represented by chambers of industry and commerce (as mandatory-membership agencies under public law), which also play a crucial role in vocational training. Other important players at local level include trade unions, citizens' action groups, self-help groups, and charitable associations, which are mainly involved in the provision of social infrastructure. For local industry, it is particularly important that Germany has a wide network of decentralized public or cooperatively run banks and savings banks that, apart from offering private banking services, generally also provide loans for small and medium-sized businesses.

In contrast to, say, Austria, associations in Germany are more pluralist, and, while they are also generally committed to prevailing political currents, affiliation is not as clear-cut as in Germany's southern neighbour. The *Länder* and local authorities have institutional powers strong enough to allow them to play a dominant role in the various network structures. Their use of these powers at the decentralized level to moderate and direct by laying down substantive, result-driven specifications is often more a question of style on the part of the players and groups in government than of their political hue.

### 3.3 *Critiques of Regional and Local Democracy in Germany*

Both the political and academic worlds now largely agree that devolved levels of government are a good thing. German conservatism as represented by the



CDU/CSU is closely linked to the Roman Catholic Church and emphasizes the subsidiarity principle, which has its origins in Catholic social teaching; traditionally, it has taken a more federal than centralist tack. Historically, social democracy and trade unions looked more to the nation state, but the past few decades—the result of experience of government and of crisis management—have seen a shift to a pro-federal approach. The citizens' action groups and new social movements of the 1970s—culminating in the establishment of the Green Party—sought grass-roots democracy and thus, from the very outset, a stronger local level (Roth 1994).

In their wake have come probably the most significant changes in local government, which go beyond the issue of formal structures and organized lobbying. In the 1980s and 1990s, the emergence of new players broke through the fossilised structures of local politics and put new topics on the agenda. Alternative schemes and groups have helped inject new life into local-level players, entering into substantive alliances and formal coalitions with left-leaning sections of the established political spectrum. "Red-green" local government alliances sought to restore socially critical elements to local politics, providing impetus and experience for later similar alliances at *Land* and now also at federal level. The past twenty years have seen a more timely and sustained opening-up of local politics than at any other political level. This has provided scope for responsive and participatory policy approaches as regards both the issues on the agenda and the wide range of players involved (for the various stages in this development, cf. for example, Bullmann and Gitschmann 1985; Zeuner and Wischermann 1995 and Roth 1998).

At *Land* level too, political majorities were formed in the 1980s which sought the systematic renewal of subnational politics while distancing themselves from the conservative-led federal government (cf. for the initial example of Hesse, Meng 1987, 1993). However, with regard to Germany's capacity for *Länder*-driven reform, academic critics often object that German federalism is a "crypto-unitarist state" in which the constituent *Länder* no longer enjoy adequate scope to modulate their policies (Abromeit 1992). Following unification, for instance, the establishment of five relatively small *Länder* in eastern Germany has sometimes been considered to have weakened federal structures, given the dependence of these *Länder* on redistribution from central government. On the other hand, however, this view is countered by the impact - both real and symbolic - of the existence of the new *Länder* in integrating the people living in eastern Germany. A balanced assessment of *Länder* politics as a potential launching pad for innovation will include both (i) the structural constraints which make for harmony within the federal state via the financial equalisation arrangements and the federation's leading role in the cooperative legislative process and (ii) vice versa the ongoing party political competitiveness at subnational level which time and again opens up new scope for the *Länder* to pursue political alternatives, not least in their dealings

with local and regional players.

Criticism also continues to be directed at the fact that the unification process did not yield more sustained backing for elements of direct democracy; a demand also voiced by popular movements in eastern Germany at the time of the constitutional debate ('round table' democracy, cf. Naßmacher 1997). That said, some commentators have been positive in their assessment, citing the emergence of channels of direct democracy in the *Länder* and local authorities in the 1990s (Jung 1998).

As things stand, the main complaint of the *Länder* and local authorities themselves is their shortage of funding; the result, they say, of misguided tax policy at federal level. On the other hand, their spending patterns expose them to criticism particularly from the liberal economic wing, with calls for them to trim their administration and privatise services.

### 3.4 Citizens' Attitudes

Surveys carried out in selected areas of both western and eastern Germany in the mid-1990s show that, generally, ordinary people have a considerable interest in local politics. Seventy per cent of those questioned in eastern Germany said they were interested in local politics (compared with 68 per cent interested in politics in general). In western Germany 64 per cent expressed an interest in local politics and 71 per cent in politics in general.

Sixty-five per cent of western Germans said they were basically satisfied with democracy in Germany; only 38 per cent of eastern Germans could say the same. Figures for the local level are less divergent, with 51 per cent of those questioned in western Germany saying they were happy with the services of local politics, compared with 47 per cent in the east. Substantial differences emerge in the assessment of individual local authorities; the satisfaction rate in eastern Germany ranges from a high of 75 per cent to a low of 27 per cent. In western Germany this ranges between 75 per cent and 26 per cent. Breaking down these figures into assessments of specific players at the local level, municipal administrations come off best (with an average satisfaction level of almost 75 per cent in western Germany and over 66 per cent in the east). People are also favourably disposed towards senior local officials and local councils, well ahead of the local parties (46 per cent satisfaction rate in eastern Germany and 52.6 per cent in the west), although the widest range of assessment is found here (between 27.3 per cent and 64.1 per cent in the east and between 35 per cent and almost 75 per cent in western Germany)(Cusack and Weßels 1996).

The figures in this study demonstrate the continued differences in political culture between western and eastern Germany and also clearly show that citizens' attitudes to local democracy performance and the players involved can vary substantially from one case to the next. Only cautious generalisations may be

drawn, however, given the size of the sample and the differing local conditions on the ground.

Both ordinary citizens and local politicians regard the economic situation as the main concern. Ordinary people who have been surveyed, however, attach primary importance to unemployment, while politicians consider local finance as the foremost issue. Leading German local politicians see in their remit substantially more—and more sustained—problems than their international counterparts. This is often put down to specific ‘disappointment factors’; while, in the east, many hopes have remained unfulfilled, local leaders in the west, following many relatively trouble-free decades, are still unused to the scale of the difficulties to be tackled (Cusack and Weßels 1996).

#### 4. DEMOCRACY IN THE *LÄNDER* AND LOCAL AUTHORITIES: OPPORTUNITIES AND CHALLENGES

The most important challenges facing the *Länder* and local authorities stem from their expanded remit (a process that began to take hold from the 1970s onwards), coupled with the resultant growth in the catalogue of decentralized activities. The reconstruction of the *Länder* and local authorities in eastern Germany in the early 1990s is a further factor, again raising questions about a just equalisation of burdens within society and between the various levels of the federal structure. A third field is the new role of the *Länder* and local authorities as the idea of government changes, particularly in respect of political control. Fourth, in political practice, the question remains of whether the decentralized levels can make for more democracy by moving from a ‘consensual’ democratic system to one grounded in participation, or whether, conversely, developments are afoot that tend to emasculate democracy.

##### 4.1 *New Remits at Decentralized Level*

Since the 1970s, regional and local players, have been increasingly assigned new remits making it even more difficult to determine which of the different political levels is responsible for which specific issue. Three characteristic trends have emerged in particular:

- The previously little-analyzed, ‘material’ side of infrastructure and production has been targeted as a matter for politics. This includes, for example, energy supply, waste management, and transport policy—areas that have been increasingly exposed to ecologically-inspired criticism of traditional growth technologies and large-scale technical remedies. A need arose for new, ‘alternative’ lines of technology (resource-saving ‘closed-loop’ recycling schemes, decentralized energy supply, expansion of local public transport), requiring locally coordinated, tailor-made responses. Against this background,

a new kind of expertise emerged, which was taken on board in particular by reform-minded local authorities. There were changes of direction and 'administrative expansions' in the new policy areas; initially, the *Länder* and local authorities set up new expert panels, later followed by fresh administrative departments.

- At the same time, emphasis was put on the social-policy aspect of decentralized politics. One example of this was the response—initially at local level in particular—to the women's movement. Feminist initiatives, which were in part transposed into the party spectrum, were initially a catalyst for a dedicated, decentralized gender-equality policy; as matters progressed, gender issues became an element in broad areas of traditional local policy, such as urban planning and transport. At first, this took the practical form of the establishment of women's equality boards; these were followed by specific units promoting women's issues, culminating in women's agencies and ministries for women.
- Traditionally, the local authorities and regions have been responsible for vocational schools, local economic structures, local business development, and social assistance; only since the 1980s, however, has this evolved into a more closely integrated network of local economic and employment policy. The initial reason for this was mass unemployment—with figures now far in excess of 10 per cent—and the fact that, with local authorities responsible for social-welfare payouts, long-term unemployment represents a substantial and rising cost factor. This situation led—first in the west, but since unification particularly also in the east—to the establishment of employment agencies whose remit covers occupational training, the reintegration of the long-term unemployed, and, sometimes, also encouraging new departures from products and production processes in the region. There is now a broad-based spectrum of business- and employment-development departments in local authorities and in the *Länder*, which sometimes, however, embrace very divergent schools of thought. As a result, the individual programmes differ substantially.

#### *4.2 The Need for Reorganization in the Federal Policy Mix*

One of the main problems facing the *Länder* and local authorities is the narrowing of financial margins of manoeuvre, particularly in the 1990s. As a result of massive transfers of funds between west and east (around DM 170 billion per year) and the highly redistributive *Länder* financial-equalisation arrangements, few options remain open to even the more economically strong western *Länder*. Another reason for this development, however, has been, up to now, the national-revenue policy, which forwent tax increases during unification, and instead offered lavish write-off schemes for higher incomes, thereby generating fresh tax waivers. Thus, in what are normally the richest local authorities situated around prosperous

conurbations, local politicians were (aptly) wont to note that the champagne tax often brings in more revenues than income tax. Some net-paying *Länder* (Baden-Württemberg, Bavaria, and Hesse) are currently instituting proceedings before the Federal Constitutional Court against the *Länder* financial-equalisation arrangements with the aim of achieving a wider spread. At federal level, until the September 1998 Bundestag elections, a prospective tax reform was blocked because of different objectives on the part of the federal government and the SPD-led *Länder* majority in the Bundesrat. The new government coalition, backed up by, arithmetically speaking, a large majority in the Bundesrat, is planning far-reaching changes to tax law. The final shape of these changes remains unclear, however, not least in the light of certain points of controversy with SPD-led *Länder* governments. In various *Länder* the local authorities are pressing for constitutional guarantees that the assignment of new remits will also be directly linked to financial transfers.

Differences in *Länder* size and economic clout regularly fuel discussions about a reorganization of *Land* boundaries. As early as 1973 the federal government set up the Ernst Commission, which suggested a reduction in the number of western German *Länder* from eleven to five or six. The reorganization plans primarily affected northern Germany (with the proposed merger of Schleswig-Holstein and Lower Saxony with the city-states of Hamburg and Bremen) and midwestern Germany (one variation being the unification of Hesse, Rhineland-Palatinate, and Saarland). A reform of this kind would have created *Länder* of more or less the same size and economic clout. It would have required the agreement of the *Bundesrat* and endorsement by referendum. Such reform concepts, however, including those put forward during the process of German unification, failed from the very outset because of the inertia of the *Länder*. Institutional self-interest on the part of all *Land* bodies that would otherwise become superfluous and the now more marked awareness of a specific *Land* identity have prevented any changes to date.

Under the influence of the occupying powers, the demarcation of the *Länder* boundaries after the Second World War was quite arbitrary. As a result the Basic Law, as originally framed, stipulated that a revision of *Länder* boundaries would be needed. In fact, this happened only once, with the establishment of Baden-Württemberg in 1952. Moves to unite Brandenburg with the capital, Berlin, in the wake of unification failed. Although the requisite two-third majority in favour was forthcoming in both parliaments, more than 62 per cent of Brandenburg's eligible voters rejected the fusion in 1996 (Laufer and Münch 1997).

#### 4.3 Changes in the Concept of Government

The ever more complex range of tasks, coupled with the increasing number of players involved, have changed both the form and the character of decentralized

government. The *Länder* and local authorities more and more find themselves as initiators and mediators, bringing a whole range of players within society into their problem-solving strategies. Increasingly, this is accompanied by a reorganization of public-administration activities.

#### 4.3.1 Administrative Reform

German local authorities lead the way in terms of new departures in public administration, leaving the *Länder* and the federal authorities trailing behind. Overall, however, German local authorities are among the late developers in this field, since attempts at modernization were, in the main, not made until the 1990s (Naschold 1997).

At the local level, the focus is on internal administrative modernization, particularly in financial management. Local authorities' preference for business-led rationalization is a response to recommendations from the *Kommunale Gemeinschaftsstelle für Verwaltungsvereinfachung* (KGSt, joint office for administrative simplification, sponsored by local authorities) whose reports play an invaluable role in promoting uniform, local administrative organization. On the other hand, however, efforts towards greater democracy that touch on the relationship between politics and the local council or that advocate more grass-roots involvement have not moved forward (Bogumil and Kißler 1997).

#### 4.3.2 Meso- and Micro-Corporatism

Because of their expanded material remit in the fields of economic and social reorganization, the *Länder* and the local authorities have had to strive much harder to bring in organized interests in a fresh way.

In the *Länder* the 1980s and 1990s saw the emergence of sometimes prototypical development policies along 'social-democratic' or 'neo-conservative' lines, which differed in the extent to which they brought in not only the academic and business world, but also trade unions and critically-minded action groups. The extended 'social-democratic' variant replaced business-related strategies with regional-specific approaches. In North Rhine-Westphalia, for example, a support scheme was developed initially for the Ruhr region, bringing together a wide spectrum of players via a system of regional conferences. In practice, however, differences between the various *Länder* concepts are now narrowing.

German local policy has a long tradition of working together with associations and organizations. In local-level social policy, cooperation with private charitable associations is well established. This has been joined by corporate arrangements, particularly for business development and labour-market support. Alternative agencies and new social initiatives are also often involved in the local, collective

decision-making mechanism, thereby ensuring that, in many cases, local users can exert a more effective influence (Heinze and Voelzkow 1993).

#### 4.4 *Renewal of Direct Democracy*

In contrast to the federal level, the 1990s have seen a marked expansion of direct forms of democratic participation in the *Länder* and local authorities. It is still unclear, however, how far this really represents a qualitative step towards greater democracy.

Between 1992 and 1994, in the wake of German unification, proposals were mooted both in the joint constitutional commission and in *Bundestag* consultations to incorporate referendums and petitions for referendums into the Basic Law. These were rejected by the governing CDU/CSU-FDP majority as a matter of principle. Therefore, new federal legislation was not forthcoming. On taking office in autumn 1998, the red-green coalition announced new legislation to introduce popular initiatives, popular petitions and referendums at federal level too.

In the meantime, however, the 1990s have seen a steady expansion of elements of direct democracy in the *Länder* and local authorities. This development was backed up by the experience of the people's movements in the former GDR and the then widespread practice of 'round-table' participation. The action groups of the democracy movement were largely responsible for these 'round tables' and also played a major practical role in shaping political renewal. They receded into the background, however, as the administration in the newly created *Länder* and local authorities was reorganised along western lines.

A number of *Länder* Constitutions, even as originally framed, made provision for petitioning for and holding referendums. In Schleswig-Holstein, changes were made in the constitution to allow such options in the wake of an incident involving the then *Land* Prime Minister Uwe Barschel. The new *Länder* took a similar constitutional path and other western *Länder* followed suit, so that, today, every *Land* has a system of representation that incorporates plebiscitary elements. In political practice, however, direct democracy is less important at *Land* level than in the local authorities. This is due, on the one hand, to quorum levels required and, on the other, to the narrowness of what legislative power remains and to 'excluded' concerns such as, in North Rhine-Westphalia, financial matters, levy-related legislation, and pay-scale arrangements. The foremost referendum in Germany's recent history was held in Bavaria in 1995, when a very large majority voted in favour of establishing more participation-led forms of public petitions and popular decision-making at local level. Since 1990, elements of direct democracy (particularly public petitions and popular decision-making) have taken their lead from Baden-Württemberg and become established practice across Germany.

## 5. INNOVATIVE APPROACHES TO IMPROVING REGIONAL AND LOCAL DEMOCRACY

In practical terms, ordinary citizens have different ways of taking part in local policy-making. These include either representative or direct forms of participation, allowing varying degrees of democratic influence (Roth 1997).

In local council elections, the other *Länder* have adopted the practices of accumulation (that is accumulation of votes on one candidate) and ticket splitting (that is distribution of votes to candidates from different lists), which were originally peculiar to southern Germany. That said, about half of the *Länder* still retain a rigid party list. Southern German experience shows that about 50 per cent of voters use this option. The small number of invalid votes proves that voters evidently do not feel overstretched by the system. Occasionally, this voting system has also been used in efforts to influence the composition of the local council (in Munich, for example, to increase the percentage of women represented). This electoral procedure also makes more of candidates' professional image, how politically well-known they are, or of their economic or social position in the community concerned.

In every *Land*, direct election has strengthened the position of the mayor as head of the administration, at the expense of party influence. Most commentators see this as a democratic plus, tempered, however, by in some cases extremely low turnout. As a result, the image of candidates is also changing, with a tendency towards populist stage management. The plus in terms of wider grass-roots participation is thus debatable given the stronger, executive-style leadership in local politics.

For some time now, most local statutes have made provision for other, somewhat unspectacular forms of grass-roots participation to expand the representative system.

- Citizens' expert in a certain field may take part and sometimes vote in parliamentary committees. This helps to boost expert knowledge as the basis for decision-making, but does little to change the fact that local parliamentarianism is often out of touch with reality.
- Advisory councils, for example for foreigners, help back up the work of parliament and the executive. Low turnout shows, however, that the foreigners concerned see such councils as the second-best option.
- The territorial reorganisations of the 1970s already saw the establishment of directly elected representative bodies in many towns and urban districts. Their remit is, however, very limited.
- Citizens' and residents' assemblies exist in all the federal *Länder*, although no binding decisions are taken at this level. In practice, they allow the administration to state its own case, but also make for more transparency and more appropriate responses.



- Since the 1970s, a whole range of building, planning, and environmental legislation has required grassroots involvement. Many of these provisions came under pressure in the debate on the speeding up of public-approval procedures.
- Citizens and residents may also make application to force the local council to tackle or take a decision on a particular issue within a specified time limit. This tool is now widespread and requires a low quorum.

One central plank of direct democracy that, taking the lead from Baden-Württemberg, has been incorporated into all local statutes since 1990 is public petition and popular decision-making. These options give ordinary citizens the right to raise important local matters in the form of a public petition and then to have the final say in the form of popular decision-making. In most *Länder*, popular decision-making is complemented by a council referendum, which the local representative body can initiate with a qualified majority.

Because of, among other things, high quorums, these are, however, exceptions in the practice of local democracy and can complement only in part the representative system. In Baden-Württemberg, where this system originated, 127 public petitions were raised between 1975 and 1991. In the resulting fifty-nine instances of popular decision-making, thirty-one were successful, mostly relating to building projects and road plans (Roth 1997: 431).

Bavaria, where public petition and popular decision-making were introduced at local levels by referendum in 1995, has the most extensive arrangements. Against the hardened opposition of the conservative *Land* government and the mainly CSU-influenced local-authority associations, a citizens' action group calling itself *Mehr Demokratie in Bayern e.V.* (More Democracy in Bavaria) scored the most spectacular success in the recent history of popular legislation in Germany. The main reason why the draft was rejected by the *Land* parliament and the governing CSU was the lack of a quorum rule for the conclusive popular decision-making provision. The plan was that a simple majority of those voting would be enough for a valid decision. The *Land* parliament, therefore, put forward an alternative bill requiring a 25 per cent quorum. However, this was rejected in a plebiscite by 38.7–57.8 per cent in favour of a quorum-free arrangement (Jung 1996).

It would now appear that the current arrangement with low quorums for public petitions (between 3 and 10 per cent depending on the size of the local authority) and popular decision-making without a quorum and financing proposal has resulted in a strong upswing in new grass-roots commitment. In Bavaria the first five months with the new rule in place saw 170 public petitions brought forward (a figure that Baden-Württemberg, where the scheme originated, took thirty-five years to reach). Within two years, Bavaria had had 390 public petitions and 256 instances of popular decision-making, thereby exceeding the number of known cases in all the other *Länder* that had instituted this reform (Jung 1996). This must of course also be seen as a sign of previously blocked reforms in the local

authorities concerned.

In practice, however, the outcome of the various decisions demonstrates that the new direct democratic forms of participation may well lead to inconsistencies. It is also worth noting that initial opponents of the current arrangement are the very ones now seeking its wider application. New plebiscitary options are thus being also brought into play in the old conflict between parties and political groupings (Roth 1997; Jung 1998).

There is also a whole range of other systematic forms of participation based on informal negotiating arrangements and procedural forms of management (Gessenharter 1996).

One of the jobs of the 'round table' during the period of transformation in eastern Germany was to re-establish the public participation needed to articulate interests and pursue negotiations. While this new form of popular participation was quickly swamped by western-style institutional arrangements, 'round tables' also in some cases made the transition from east to west in matters such as poverty and extreme right-wing violence, which seemed unmanageable to western local authorities.

In environmental conflicts in particular (landfill sites, waste management, Berlin and Frankfurt airports), mediation procedures have become a popular instrument for negotiation and arbitration.

More open forms of participation better designed to pre-empt conflicts include popular forums and what Robert Jung has termed 'future workshops'. These are often brought to bear as an instrument for knowledge and information transfer among regional players to prepare joint projects such as the international building exhibition and the planning of green-belt schemes in cities.

Multistage dialogue as propagated by Gessenharter involves three mutually related stages (look, appraise, act). It starts with random qualitative interviews in the regions concerned. The relevant groups then consider the issues at hand and put forward possible solutions. The final stage is the setting up of a 'planning cell' (P.C. Dienel) in which a randomly selected group of citizens work out proposed solutions ('popular examination'). This method was used to good effect, for example, in Buxtehude in Lower Saxony following outbursts of xenophobic violence. It helped ensure that appropriate action was taken and also improved social harmony in this small town.

The various participatory schemes have different specific advantages, but also blind spots (Eissel 1997). Paucity of public funds also means they are less widespread and not used by policy movers as systematically as might be hoped. Longer-term, systematic participatory projects such as Local Agenda 21 could prove the catalyst for further development.

## 6. SUMMARY AND CONCLUSIONS

The challenges and opportunities of decentralized policy in Germany may be summarized as follows.

A great deal has been achieved at the decentralized level, not least in the transformation of eastern Germany. The political and administrative renewal along western lines is largely complete, making for uniform structures of administration across Germany today. The almost complete adoption of western patterns of organization has, however, also meant that positive approaches in terms of direct, participatory democracy that had emerged during the transition years have again quickly disappeared. The western idea of democracy prevailed in political life. That said, elements of direct democracy did find their way into the newly drafted *Länder* and local-authority constitutions. For the people living in eastern Germany, however, the experience of everyday life is somewhat different. In many places in eastern Germany the persistence of extremely high unemployment—with an average of over 15 per cent—is threatening to turn into political apathy or protest voting (as witnessed at the April 1998 election to the Saxony-Anhalt *Land* parliament in which the extreme right-wing *Deutsche Volksunion* (DVU, German People's Union) secured over 13 per cent of the vote). Nonetheless, it is evidently still local and regional decision-makers who are most likely to enjoy political standing.

The new beginning in eastern Germany was not seen in the West as an opportunity for a critical reappraisal of its own organizational structures and democratic practices. As it is, the multilevel political system of German federalism tends to be marked by inertia and is slower to react to new stimuli than centralized forms of government. Its strengths lie in the fact that it balances out disparities; makes it possible, by exploiting the pattern of rivalry among the federal *Länder*, to test out best practices in a multifaceted, if cautious way. On the other hand, however, current arrangements mean that urgent nationwide reforms, such as reform of the finance system and the action needed to loosen red tape or to tap into grass-roots potential for innovation, are more likely to encounter delay.

It remains to be seen how people in the *Länder* and local authorities deal with the new possibilities for direct democracy. In southern Germany in particular, there is palpable acceptance of, and interest in, new forms of democratic expression, without, as yet any lasting change in the established mechanisms of raising public opinion on politics in terms of parties and administration. Equally unclear is the impact of the direct, presidential-style election of those holding top positions in local government; a practice which has now spread across Germany. The new opportunity for direct elections has, in larger towns and cities especially, been accompanied by an alarming decline in turnout. It is also debatable whether direct elections and the formation of local parliaments on the basis of a more personalised election process—thereby weakening the position of political

parties—really makes for enhanced public influence on decision-making. Such a development might also be a populist sign of an increasingly symbolic way of tackling now overly complex issues, replacing debate on political alternatives by differing elements of style.

Over the past few decades, decentralized levels of government in the Federal Republic have successfully launched reforms mainly on the basis of innovations in subnational politics—the result of (i) clearly defined party political rivalry, (ii) pressure from popular initiatives and new movements, and (iii) impetus from committed experts. The emergence of reform-minded networks from among these three groups of players allowed the *Länder* and local authorities to do much to seek for innovative solutions to social problems. The *Länder* and local authorities developed new fields of action, particularly where multidimensional difficulties necessitated tailor-made answers designed to achieve a number of objectives simultaneously. Over the past fifteen years, for example, new forms of economic and employment policy have been tried out at decentralized level; environmentally sound approaches to energy and waste policy have also been promoted. Successful *Länder* and local authorities are increasingly taking on the role of concept developers and initiators, keeping their eye on the activities of a range of companies and groups and institutions within society.

Compared with territorial units in other European countries, the clear strength of the German *Länder* and local authorities is their dominant position in the decentralized political network. Although in Germany too, some public services are being privatized and outsourced as newly created agencies, this does not always, or necessarily, involve a loss of public control or influence. On the contrary, more flexible forms of organization can help create machinery more able to respond to difficulties.

The German local authorities and regions are well placed to tackle the tasks ahead in an expanded multilevel political system with their existing institutional framework. However, the critical challenges they face in a Europe that is growing ever closer together are still to come. In their current, strained relationship of competition and cooperation, Europe's regions must increasingly work at cross-border, interinstitutional learning. This will require further trials with effective forms of participation in internal affairs if the potential for innovation is to be tapped fully and productively. A prerequisite is the firm establishment both within society and in the economy of a culture of democratic participation.

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## Greece

### 1. HISTORY AND CONCEPT OF DEMOCRACY IN GREECE

#### *1.1. Historical Background*

Greece became part of the Ottoman Empire, along with the rest of the Balkan peninsula, in the fifteenth century. Like the other Balkan peoples, the Greeks lived under Turkish rule for some four centuries. The Greeks were the first of all the Balkan peoples to win partial liberation, with the London Protocol of 7 May 1832, which recognized the independence of a new Greek state, though only for one part of Greece, after the uprising that started in 1821 against the Turkish occupation. With the first Balkan War in 1912, Thessaly, Crete, Macedonia, Epirus, Thrace, the islands of the eastern Aegean and finally the Dodecanese were liberated. The new independent Greek state established a central government and organized a system of local government with 10 prefectures, 42 provinces and 457 municipalities. The new Greek state had a centralized system of government, which meant that important decisions were taken at the centre and that State bodies were responsible for local administration, generally following the instructions of central government.

On independence, the Greek state's surface area consisted of only 36 per cent of the present Greek territory. The remainder was added in a piecemeal way, the most recent addition took place in 1947. This territorial expansion sometimes brought Greece into conflict with neighbours, such as Turkey some of whose politicians made claims on the Aegean Islands and the Dodecanese. It has also acted as a catalyst for a strong governmental authority which, nevertheless, has been hallmarked by institutional and organisational fragility. This has in turn led to intensified clientelistic relations between different levels of government. It also meant that a strong civil society did not develop, but rather one that has been dominated by the political parties. It has also tended to look back to the glorious past of the Hellenic period stressing what made Greece different from the rest of Europe (sometimes called 'Hellenism' or 'Grecianism') (Wenturis, 1997).

The 1833 state adopted the French system of centralized state with power vested in the centre and control exercised over the periphery by a prefectorial system that was thought by nationalists of that period to be the last word in state organization. Thus, the Greek political system has been marked by the concentration of power at the centre.

The development of the concept of democracy in modern Greece must be seen within a context whereby the government was dominated by a ruling elite that saw itself as embodying the values and legitimacy of the nation (Wenturis 1997). This ruling elite tended to view any opposition, even that found in parliament and at the local level, as a threat to the integrity of the nation. Thus a distance developed between government and parliament and between the state and society, with the central organs of the state exercising a tight control over all other levels of administration and politics. The Greek political system of the nineteenth and early twentieth century has been called 'oligarchic parliamentarism' (Mouzelis 1995). A small number of families of notables controlled the parliament and dominated the political parties during this period. The notables had their power bases in specific areas and operated a system of 'decentralized clientelism' (ibid.). However, after the military coup in 1909, the Liberal Party of Eleuthérios Venizelos rose to power, and this broke the grip of the traditional notables over the political system and facilitated the emergence of centralized political parties. Nevertheless, these parties continued to have a particularistic/clientelistic character right up to the 1967-74 military dictatorship (ibid.). The Civil War (1946-49) fought between Communists and anti-Communists left bitter memories and accentuated the suspicion of the conservative ruling elites of any form of dissent. It was only in 1974, after the fall of the colonels' dictatorship that there was some movement toward a democratic system marked by a left/right alternance in government.

### *1.2 Democracy at the Subnational Level*

In the democratic system of ancient Athens, Cleisthenes created the 'deme' (municipality) as a unit of local government. According to Paparrigopoulos, the tradition of local self-government has continued uninterrupted in Greece, and the communities of the Middle Ages were just a variation on the ancient autonomous city-states adapted to the new situation in which Greece found itself. All the occupying powers accepted Greek self-government in many parts of the country, either because they had no choice or in order to reduce administrative costs and more effectively exploit their subjects. The community thus became a small ethnic pocket in which the subject peoples moved and acted freely, helping each other, showing solidarity, maintaining ethnic traditions and self-government and joining forces in the concerted fight for freedom until the great national uprising against the occupying power was launched in 1821.

During the 1821 uprising, and under the three National Assemblies of Epidaurus, Astros, and Trozene (1827) and the first president, Capodistria (1828 and 1830), the country's communities were organized along similar lines and it was decided how the community authorities should be elected. Under a law of 27 December 1933, municipalities were established throughout the country, replacing the communities, and with a wider administrative area. In 1834 a total of



457 municipalities, of which there were three types, were set up under the above-mentioned law. The municipal councillors were directly elected by citizens who are eligible, while mayors were elected by the municipal council. This council elected three candidates, one of whom was appointed mayor by the King or the prefect, depending on the type of municipality.

From 1833 right through to 1912, when the government of Eleutherios Venizelos came to power and a law was passed on the establishment of municipalities and communities (Official Gazette 58/1912), the municipal mayors acquired substantial political influence in their areas, becoming genuine local leaders. According to one interpretation, the basic aim of the Venizelos government at the time was to create a modern, urban state by strengthening the central political system, with particular emphasis on parliamentary government. Local centres of power, the municipal mayors, therefore, had to be weakened. The division into municipalities and communities was formalized in 1912, based on the fact that the administration of rural and municipal areas was organized differently.

The municipal and community authorities are elected by the people. The only exceptions were the period from the establishment of dictatorship in 1936, through the Second World War (1940-4) and the civil war (1945-9); thus municipal and community authorities were elected normally on 11 February 1934 and not again until 15 April 1951. Throughout this time, municipalities and communities were run by authorities appointed by the government in power at the time.

Another exception was the junta period from 1967 to 1974, when the elected municipal and community authorities were replaced by government appointees. The last elections before the dictatorship were held on 5 July 1964, and the first elections after the fall of the junta took place on 30 March 1975. Since then, municipal and community authorities have been directly elected every four years by the local population on the basis of a secret ballot and universal suffrage. Since the foundation of the Greek state, the prefecture has been a tier of local government covering the whole country. Until 1994, prefectures were governed by a prefect appointed by central government.

Another interpretation found in the literature written by Greek historians and social scientists sees Greek local government as having its origins in the administrative system that existed during the Ottoman Empire. According to this view, it has been under the control of local magnates and operated in a clientelistic manner, but controlled by the centre. The right-wing governments that ruled Greece after the Civil War regarded local government with suspicion, as this became a stronghold of the left, especially of the Communists who were on the losing side of the war. During the military dictatorship (1967-74) the colonels abolished the post of elected mayor and replaced it with government appointees. The post of elected mayor was restored with the transition to democracy. Another factor limiting the democratic character of local government is that many of those registered on the electoral rolls of the municipalities live elsewhere in the large

cities. While they vote in local elections they take little direct interest in what happens in their commune (Verney 1997). The intermediate tier of government in Greece is the prefecture. However, this was established primarily as a level of administration headed by a prefect who was appointed by the central government. The prefecture council was, until recently, a purely advisory body most of whose members were appointed by the central government and only some of whom were from the elected municipal councils. Although this has changed in recent years, there is little experience of democratic practice at this level. Until very recently there has been no regional tier of government or administration in Greece and no regionalist movements demanding this. This is true even of large islands such as Crete. In fact, it is unusual in European terms in so far as most European islands are governed by special statutes of autonomy (political, administrative or fiscal) which take account of their insularity. In Greece the pressures of centralization and the threat to the islands from some of Greece's neighbours have meant that regionalism as a political movement, even on the islands, is almost non-existent<sup>1</sup>. Only in recent years, has there been some moves towards regionalisation as a result of Europeanisation, although this has occurred primarily for pragmatic reasons rather than out of concern for improved democratic governance.

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### *2.1 The National Level*

Greece is a parliamentary democracy with a president as head of state. The cornerstone of this system is popular rule. All power flows from the people, serves the people and the state, and is exercised as laid down by the Greek Constitution. This is the system of government set out in Article 1 of the 1975 Constitution, as revised in 1986. The parliament and president of Greece form the legislature. The president and the government form the executive. The courts form the judiciary, and their decisions are carried out on behalf of the Greek people. The president (who is head of state) acts as arbiter of the political system; he or she is elected by parliament for a period of five years and has legislative and executive duties. Parliament has 300 members, who are directly elected on the basis of a secret ballot and universal suffrage for a period of four years by citizens who are legally entitled to vote, i.e. all Greek citizens over the age of 18.

The government consists of the prime minister and ministers, who form the cabinet. The government frames and directs the overall policy of the country, in accordance with its Constitution and laws. The prime minister ensures the unity of the government and directs its actions, as well as those of government services in general so that policy is implemented in accordance with the law. The government exercises executive authority together with the president, each minister being responsible for one area of public administration.

Justice is dispensed by the courts, presided over by professional, independent judges. In exercising their duties, the judges are subject only to the constitution and the law; in no case are they obliged to comply with provisions that have been laid down in breach of the Constitution. The courts rule on administrative, political and criminal matters and are subject to special regulation. Their proceedings are open to the public.

Respect for, and protection of, human dignity are the foremost obligations of the state. In accordance with the generally accepted principles of international law, Greece endeavours to promote peace and justice, as well as the development of friendly relations between peoples and states. All citizens have the right to develop freely and to participate in the country's social, economic and political life, provided they do not infringe the rights of others and do not violate the Constitution or offend standards of decency. Anyone on Greek territory enjoys complete protection of their life, dignity, and freedom, regardless of race, gender, language, and religious or political beliefs. Exceptions may be made in cases provided for under international law.

After the fall of the military dictatorship, the monarchy was abolished by popular referendum held in December 1974, and a new Constitution was promulgated in 1975 (Mahaira-Odoni 1995). Greece became a parliamentary republic whose president is head of state and whose prime minister is the head of government. In June 1986 an amendment to the Constitution curtailed the powers of the president. The political system formally follows that of other western liberal democracies: sovereignty rests with the people, and the executive, legislative and judicial branches of government operate according to the principle of checks and balances. Every adult citizen has the right to participate in the affairs of the country, and the Constitution guarantees the protection of a full range of human rights (*ibid.*). Although there is freedom of religion, the Orthodox Church has a special status and is closely linked to the State. Parliament consists of a unicameral Assembly of 300 deputies. The government consists of the prime minister who appoints ministers and deputy ministers. The latter do not need to be members of the Assembly. The Greek legal system is based on Roman civil law, but is influenced by French and German sources as well as classical Greek philosophy (*ibid.*).

## *2.2 The Regional and Local Levels*

The Greek state was organized on centralised lines, with ministries and central government departments at national level, prefectures at regional level and municipalities and communities at local level. The intermediate level was the province, but this was an administration tier and, until recently, existed primarily as a means by which the prefects exercised power on behalf of the central government. As one author comments: "the concept of popular involvement in

local affairs was remote at best and failed to take any firm root in Greek governance” (Mahaira-Odoni 1995: 213). Until 1994 the prefect acted as a one-member state regional authority with general responsibilities, exercising considerable power within the prefecture; under the laws on decentralized administration, prefects carried out important tasks on their own account and under delegating legal provisions on behalf of most government ministries, with a few exceptions, such as the Finance Ministry, the Foreign Ministry, and the Ministries of Justice, Defence, and Merchant Shipping.

Since 1 January 1995 the prefecture has functioned as the second tier of local government, with legal personality and governed by a prefect and council whom citizens elect directly every four years on the basis of a secret ballot and universal suffrage. The elections take place on the same day as the elections for the mayors and councils of municipalities and for presidents and councils of communities throughout the country.

At local level, public administrative authority lies with the first-tier organs of local government, that is the municipalities and communities. The basic authorities here are the mayor and municipal council in the case of municipalities and the community president and community council in the case of communities. All these bodies are directly elected every four years on the basis of a secret ballot and universal suffrage by the people of each municipality or community.

### *2.2.1 The Region*

Even before Greece joined the European Community, there had been some concern that its lack of regional structures would prevent it from receiving European Regional Development Fund (Verney 1997). As a result, a regional development plan was drawn up just before accession in 1980. In March 1982 the PASOK Government submitted a memorandum to the European Commission requesting special treatment for Greece’s ‘economic peculiarities’. The result was the Integrated Mediterranean Programmes (IMPs) based on an integrated programme approach and the principles of subsidiarity and partnership. The most important consequence for Greece in administrative terms was that, under the terms of the IMP regulation, these programmes necessitated setting up a tier of regional administration that had not existed before. Greece was divided into six geographical areas<sup>2</sup> for purposes of the IMPs and, subsequently, Law 1622/86 created thirteen regions (Papageorgiou and Verney 1992)<sup>3</sup>.

These regions were a decentralized tier of the state administration and not a level of regional government (Council of Europe, 1993). Each region was headed by a regional governor representing the government. He/she was assisted by a regional council responsible for ‘democratic planning’ and made up of representatives of local government. However, the regions had no budgets and no allocated personnel of their own. There is no hierarchical relationship with other

tiers of local government and administration. Nevertheless, despite these limitations, and the fact that the regions have little legitimacy as organs of sub-national democratic practice, they did represent a break with the previous highly centralized Greek tradition and constituted a major innovation (Verney 1997).

With Law 1622/1986 and Presidential Decree 51/87, Greece has since 1987 been divided additionally into thirteen regions. Initially, these were responsible for framing, planning, and coordinating regional development. From 13 July 1994 onwards the regions have also become areas of state administration, each headed by a general secretary. The regional general secretary represents the state and central government in the region. Each region has a regional council with responsibility for democratic planning and regional development. The members of the regional council are elected representatives of first- and second-tier local authorities and of business and professional circles, speaking for all citizens and thus ensuring maximum social consensus in the process of regional development.

In 1997, the Greek parliament passed a law that made the region a devolved administrative entity with its own organization, its own budget, and its own staff. The region will be headed by a general secretary, assisted by a regional council, and it will be assigned new responsibilities as well as those field services already operating within its territory. The regional council is mainly responsible for democratic planning and most of its members are drawn from local government.

### 2.2.2 *The Nomoi*

The *nomoi* (prefectures) are the administrative divisions of Greece. Originally, under Decree 3/15 of April 1833, the country was divided into ten prefectures and forty-two provinces. In 1866, after the Ionian Islands had been reunited with the rest of Greece, another three prefectures and eleven provinces were added. Under an 1899 law the country was divided into twenty-six prefectures. When the rest of Greece was liberated and the new territories annexed, the number of prefectures rose to fifty-one, which is the present number.

The prefectures were each headed by a *nomarch* (governor), who was the principal agent of the central government with responsibility for coordinating the activities of the central departments in his/her territory. In the 1950s there was some administrative decentralization that turned the prefectures into a level of planning and implementation when each prefecture was allocated a separate public works budget (Verney and Papageorgiou 1992). In the 1980s, after Greece's accession to the EC, the prefecture acquired more responsibilities, such as health and education (*ibid.*). However, these attempts at decentralization were generally judged to be a failure as the prefectures were too numerous and too small and, in some areas, hardly functioned at all.

In 1982 the PASOK Government, which had promised to initiate a programme of political devolution before it came to power, enacted Law 1235/1982 on the

Exercise of Government Policy and Establishment of Popular Representation in the Prefectures (Mahaira-Odoni 1995) which relaunched the consultative prefecture councils. The councils remained largely advisory, but were explicitly allocated a role and decision-making powers in the planning process. They were to meet more frequently (at least once a month) and had a stronger representation from local interests. Local government representatives were to make up half the membership. The other half are elected by prefecture-level professional organizations, agricultural co-operatives and chambers of commerce. However, the councils still did not constitute a genuine popularly elected tier of local government, although clearly interest groups now had a greater input into this level of decision-making. Law 1235/1982 explicitly stated that the prefecture councils were a transitional institution to prepare the way for new tiers of local government (ibid.). Law 1622, passed in 1986, did provide for upgraded prefecture councils with 75 per cent of their members to be directly elected and 15-20 per cent to be chosen by interest groups. However, when *Nea Demokratia* (ND, New Democracy) returned to power in 1989, the law was not implemented and they renewed the emphasis on centralization. When PASOK came back to power in 1993, they once again took up the decentralization programme. The key change here was the upgrading of the prefectures to 'second-level territorial authorities' with the direct election of the prefects and the prefecture councils. In October 1994 the prefects were elected for the first time. The prefectures are now run by elected prefects and an elected prefectural council. Greece is the only country with a system of elected prefects, which, according to members of the Greek delegation to the Committee of the Regions, has been a complete success during the first four-year term.

### 2.2.3 *The Local Level (Demes) and (Koinotites)*

Greece was divided into municipalities after unification. In 1834 a total of 457 municipalities were established throughout the country. There were three types of municipalities, according to the size of their population:

- municipalities with a population of over 10,000;
- municipalities with a population of over 2,000;
- municipalities with a population of under 2,000.

In 1912 a basic change took place in local self-government. The municipalities that had existed since 1834 were abolished and a system of *demes* (municipalities) and *koinotites* (communities) was introduced. Urban areas became municipalities and rural areas communities. This system of municipalities and communities came into effect from 1914 and has continued until today.

In practice, the original criteria for distinguishing municipalities and communities have gradually become obsolete. Of the 457 municipalities today,

223 (48.45 per cent) have a population of less than 5,000 inhabitants. Of the 5,318 communities, 4,491 (84.44 per cent) have a population of less than 1,000 inhabitants; 3,164 (59.49 per cent) have a population of less than 500; and 1,995 (37.51 per cent) have a population of less than 300 inhabitants.

TABLE 4.1  
*Size of Greek Local Authorities*

Number of inhabitants	Number of local authorities	% of total number of authorities
Up to 1,000	4,704	79
1,000-5,000	1,201	17
5,000-50,000	74	1.2
10,000-50,000	98	2
50,000-100,000	17	0.3
over 100,000	8	0.1

*Source:* Council of Europe (1993).

Thus, local government in Greece has been extremely fragmented. In 1981 there were around 6,000 local government units for a population of 9.7 million (Verney 1997). There is also a monastic community of around 1,500 monks (in about twenty monasteries) on Mount Athos, which has administrative and economic autonomy. In 1981 there were around 300 municipalities and 5,700 communes. Municipalities were supposed to have a minimum of 10,000 inhabitants and communes a minimum of 1,000. However, over 3,000 communes had less than 500 inhabitants (*ibid.*). It is obvious that these tiny communes could not possibly perform many of the functions allocated to them. Instead, they became completely dependent on the prefecture. Indeed, in constitutional terms, the prefecture exercised an a priori legal control over their actions.

The PASOK reforms of the 1980s curtailed prefectural controls over local government, and the municipalities now send representatives to sit in the prefectural councils. There were also attempts to strengthen democratic processes at the local level (Christofilopoulou 1987). A new proportional electoral law was introduced to allow more representation of minority parties. Neighbourhood councils were elected in Athens, Piraeus, and Salonika, while in the smaller towns municipal councils may decide to hold elections for community councils. These councils are purely advisory and have no resources of their own, but were meant to encourage grass-roots involvement in decision-making. However, the councils have become dominated by the political parties, while the general public has tended to be increasingly absent (*ibid.*). Other attempts have been made to encourage the voluntary amalgamation of some of the tiny communes. This has been largely unsuccessful. However, some new institutions have managed to

establish themselves: *development syndicates* are voluntary associations of municipalities which form in order to obtain a special grant from the Public Investment Programme; *planning contracts* are drawn up between local authorities and public sector bodies with a view to co-ordinating the provision of a service or other aspect of a development programme; *municipal enterprises* are an attempt to develop a more flexible way of providing municipal services jointly with other entrepreneurs and outside the usual bureaucratic controls (ibid.). Although these efforts at reform have been regarded by most commentators as piecemeal and failing to dent the excessive centralization of the Greek political system, one author has commented that 'nonetheless, there is an effort at a progressive democratization and devolution of powers to local councils and a potential for a radical developmental and participatory role of local authorities' (Christofilopoulou 1987: 10). Furthermore, the PASOK decentralization law of 1986 went much further and would have considerably strengthened local democracy and decentralised democratic planning but, unfortunately, was not implemented.

More than ten years of experience with voluntary cooperation between municipalities and communities, which began in the 1980s, was extremely valuable because it made people aware, especially in rural areas, that the problem of strengthening the municipalities must be tackled in a completely different way. In other words, communities and municipalities must be required to merge. Central government legislation in 1997 created strong first-tier local government in Greece by merging municipalities and communities. The 457 municipalities and 5,318 communities are being merged to make 133 municipalities and 900 communities.

There have been no changes in the cities of Athens-Piraeus and Thessaloniki, or in Attica, since a uniform metropolitan administrative system is being set up for these areas.

The 900 municipalities and 133 communities that have been set up under Law 2539/1997 will start to operate from 1 January 1999, when the mayors, municipal councils, community presidents, and community councils will be inaugurated and take office, having been elected in general municipal and community elections on 11 October 1998.

The municipalities and communities that will disappear by being subsumed into a larger municipality are recognized as geographical and administrative subdivisions of the new municipality, or 'municipal districts'. These are decentralized administrative bodies, each of which has an elected local council.



### *2.3 The Role of Political Parties*

The Greek political system is underpinned by political parties. The opinions and philosophies of the political parties that have governed the country are generally also evident in documents concerning local self-government, which is the democratic institution par excellence and is strongly influenced by the country's overall political system.

Thus during the periods of dictatorship or disruption due to external or internal events, there could be no question of democratic institutions being able to function and of local authorities being freely elected by the people.

First-tier local government underwent radical reorganisation under a 1912 law which formally recognized local government.

The basic change that took place at this time was the organizational and functional division of first-tier local government into urban and rural authorities, or municipalities and communities respectively.

This system was a product of the political situation after Venizelos came to power with new policies and views that were liberal for his time.

The First Republic governments in Greece produced the democratic Constitution of 1927, in which the institution of local self-government was established as one of the most important types of administrative system. This Constitution did not remain in effect for a very long time, however, being revoked after the political changes of 1935.

During the period after the Second World War, a special commission drew up a Municipal and Community Code, which came into effect under Legislative Decree 2888/1954 on 11 July 1954. This new code did not establish strong local government institutions, nor did it provide the economic means or resources for local authorities to carry out their duties properly. The code reflected the political climate of the time and was applied, subject to various amendments, until 1980.

After the fall of the junta and the change of political system in 1974, Greece was governed by New Democracy until 1981. A new Constitution came into effect in 1975, which basically contained the same provisions as the 1927 Constitution on local self-government, though these were obviously enhanced and adapted to be appropriate for the period after the seven-year junta. These provisions are still valid today. During the same period a new Municipal and Community Code was drawn up (Law 1065/1980), which improved in certain respects on the 1954 code, but nevertheless was not appropriate to the prevailing situation.

After PASOK came to power in 1981, the new government made important changes to the country's centralized system of government; it succeeded since 1994 in implementing a decentralized administrative system by transferring government responsibilities to second-tier local authorities, that is the prefectures, so that tasks are now carried out by elected autonomous prefectures as opposed to central government (see above).

The remit of the municipalities and communities was broadened at the same time. Changes to the municipal and community electoral system (Law 1270/1982) ensured that all political leanings of the electorate were represented in municipal and local councils and that a viable majority was formed on the political basis of the mayor or president of the community. The same system applies in the prefectures.

Finally, Law 2539/1997 introduced strong municipalities that will be able to take on responsibility for local affairs. This means that the decentralized system is fully implemented.

### 3. THE PRACTICE OF LOCAL DEMOCRACY

According to members of the Greek delegation to the Committee of the Regions, Greece has made great strides in this area over the past few years and, in practice, local democracy is now stronger than it has ever been. Government is no longer centralized. The decentralized system is fully operational at local and prefectural level, with power being exercised by bodies directly elected every four years on the basis of a secret ballot and universal suffrage. These are not central government authorities, but bodies of first-tier (municipalities and communities) and second-tier (prefectures) local government with separate legal personality. State powers at the centre (government and ministries) and in the regions have been restricted; the regions are the only discrete decentralized administrative branches of central government, run by a general secretary who is responsible for implementing government policy on regional issues.

There is no question that under the Greek Constitution (Article 82) the government determines and directs the general policies of the country, in accordance with the Constitution and the laws. Citizens have an absolute right to participate in politics at local and prefectural level. Every four years all citizens who are legally entitled to vote may directly elect, by secret ballot:

- i) mayors,
- ii) members of municipal councils,
- iii) presidents of community councils,
- iv) prefects,
- v) members of prefectural councils.

Any citizen who is eligible to vote and has reached the age of 21 on the date of the election may stand for election and vote for all the above-mentioned offices of first-tier local government. Any citizen who is eligible to vote and has reached the age of 23 on the date of the election may stand for election and vote for the above-mentioned offices of second-tier local government (prefectures).

It is clear from the above that local democracy in Greece has gone from being a

highly centralized system to one that now seems to be changing. This is true at least in a formal sense. However, it usually takes some time for institutional changes to influence political culture and practice. There is little data on citizens' attitudes to territorial government. However, a survey conducted in the early 1990s and published in 1992 does reveal some of the attitudes of political, administrative and other key elites towards the functioning of the prefecture councils (Verney and Papageorgiou 1992). This survey suggested that the role played by councillors in their prefectures was chiefly determined by their other political posts, for example mayor or president of the local labour centre. The councillors themselves did not rate their political influence very highly: 40.3 per cent thought it was 'medium', and 33.1 per cent thought it was 'small'. Those groups that had 'great' or 'very great' influence on the life of the prefecture were: national party leaders (85.1 per cent), government ministers (69.4 per cent), the press (65.6 per cent), the prefect (61.1 per cent), and members of parliament (55.2 per cent). At the lower end of the scale in this category are local party leaders (34.4 per cent), prefecture councillors (18.8 per cent), and senior civil servants at regional, prefecture and local levels (14.2 per cent). However, despite the weak political influence of the prefecture and of prefectural politicians and administrators, 94.8 per cent disagreed that the creation of the prefecture councils had been a mistake. 86 per cent believed this had led to more positive than negative results. However, when asked to point out two successes and two failures of the councils, only 2 per cent indicated 'issues of popular participation and information' among the successes. When asked to list the priorities of the councils only 0.7 per cent thought these were to 'aid individual citizens in dealings with the public administration' while 36.2 per cent thought they were to defend the interests of the prefecture at the national level. These data confirm the picture of a highly centralized system in which sub-national government is dominated by the national political parties and the central government and feels it necessary to defend itself against these rather than to promote grass-roots participation by citizens. It is not surprising, therefore, that there was overwhelming support for decentralization. In almost all policy areas huge majorities favoured giving the prefecture councils greater powers: cultural affairs (95.4 per cent), taxes for local projects (93.2 per cent), small and medium enterprises/artisanry (90.1 per cent), environment (98.8 per cent), agriculture (85 per cent), health (82.4 per cent), public works (82.1 per cent), employment (79.5 per cent), police (78 per cent), transportation (73.7 per cent), and school education (72.4 per cent). Only in a few areas did a minority wish to see greater powers: scientific research (41.9 per cent), exports (40.7 per cent), and university education (32.9 per cent).

#### 4. CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY

Greece is a member of the European Union, which means that like all the EU Member States it is subject to EU law. According to the Greek delegation to the COR, Greece has strengthened the participative process as effectively and as fully as possible, at both the decision-making and the development implementation level. They also claim that the elected municipal and prefectural authorities act as catalysts in the cooperative process between central government, local authorities, and private players.

At the same time, both the regions and the prefectures and municipalities have developed close cooperative ties with their counterparts in the member states of the European Union, and in the rest of south-eastern Europe, in an effort to enhance local government services and activities and to consolidate the maintenance of peace in the sensitive Balkan region, as well as preparing structures in our neighbouring countries with a view to accession to the European Union. As far as 'inter-regional cooperation' is concerned, one example is the Environment Centre of the European Mediterranean Regions, which was set up on 10 March 1995 during the sixth meeting held in Marseilles, of the Inter-Mediterranean Committee at the Conference of Peripheral and Coastal Regions in the European Union. This centre is based in Athens and its founding members include the thirteen regions of Greece together with the Mediterranean regions of Spain, France, Italy, and Portugal. It is also recognized in Greece under Law 2347/1995. The centre is specifically concerned with the quality of the environment in the Mediterranean region, which faces particular ecological problems.

Undoubtedly, the greatest challenge as well as opportunity for regional and local democracy in Greece is Greece's membership of the European Union. This has led to what has been described as an 'uneasy interdependence' (Tsinisizelis and Chrysochoou, 1996). Nevertheless, the application of the Integrated Mediterranean Programmes and their successors has been the direct cause of the establishment of a regional level of administration as mentioned above. The present administrative reforms have a strong element of devolution and decentralization and are closely related to the strengthening of the regional entities, the upgrading of the prefecture councils and the attempts to amalgamate the fragmented system of communes.

There is overwhelming support for increasing the Community's scope and powers as was revealed in the 1993 study quoted above (Verney and Papageorgiou 1992). When asked whether the EC should acquire more functions after 1992, 70 per cent agreed that this should happen in ten out of twelve sectors with over 85 per cent agreeing in nine sectors. The two sectors with only a minority were on promoting integration of immigrants (47 per cent) and financing a European

defence policy (35.1 per cent). These pro-European attitudes were shared across the parties although the parties to the left of the PASOK were somewhat less enthusiastic. Large majorities were also in favour of various forms of 'interregional co-operation' on a range of policy issues: environmental protection (96.7 per cent), culture and tourism (95.5 per cent), applied research (95.4 per cent), creation of a pressure group to lobby the European Commission (78.4 per cent).

However, this enthusiasm for European integration is not matched by an equally positive assessment of the ability of the prefecture councils to meet the challenge. Asked specifically whether their councils were ready for the Single Market programme of 1992, there was no single area, ranging the level of technological innovation in industry to the state of the health service, where a majority thought the prefecture was 'satisfactory' (Verney and Papageorgiou 1992: 133). There was a certain amount of anxiety about the effects of the Single Market programme on their prefectures. Nevertheless, large majorities thought the overall impact would be positive.

## 5. CONCLUSIONS

Greece originally had a centralized system of government, its political institutions dating back to the country's liberation and the setting up of an independent Greek state in 1832 after some four centuries of occupation by the Ottoman Empire. The administrative system was centralized after the country's liberation. This was necessary at the time because the new state was set up from scratch in a country that had been devastated following the Greeks' ten-year war of independence. Within this system, first-tier local government (there effectively being no second tier) was weak and depended heavily on central government.

Greece's administrative system already had strong decentralized features. The regions functioned as discreet local administrative entities of the central government; the prefectures began operating as second-tier local authorities in 1995, and on 11 October 1998, elections were held to choose the representatives for their second term of office, 1999-2002. At the first tier of local government, the new enhanced municipalities, formed by merging smaller municipalities and communities, came into operation on 1 January 1999.

Greece was a highly centralized state whose political institutions date from its foundation as a nation-state in 1833 after several centuries of inclusion in the Ottoman Empire. As in Italy, the Greek political parties are dominant. Political parties, once in power, tended to reinforce centralization and dominated sub-national levels of administration and government. In this system, local government was fragmented, weak and highly dependent on the centre. PASOK introduced political decentralization reforms in the 1980s, but these were only partially

implemented both by the Socialists and also by the conservative *Nea Demokratika* which has generally opposed decentralization.

In recent times, membership of the European Union has had the effect of encouraging the setting up of a regional level of administration and has led to a consciousness of the inadequacies of Greek local government to meet the challenges of membership. Laws currently going through parliament are attempting to redress this situation by strengthening the regional authorities and democratising the prefecture councils. Both prefects and mayors are now directly elected although still on the basis of party lists. They will also compulsorily amalgamate the huge number of fragmented communes. This is being accompanied by administrative reforms that are being drawn up and carried out in conjunction with the European Commission. All of these developments may lead to a strengthening of regional and local democracy in Greece.

#### NOTES

- 1 There are 220 inhabited islands with a surface area of 25,042 sq. km. and 1,384,110 inhabitants (1981 census). This represents 13% of the population and 19% of the territory.
- 2 The Aegean Islands, Attica, Central and Eastern Greece, Crete, Northern Greece, and Western Greece/Peloponnese. A seventh Greek IMP covered the entire national territory (Verney 1997).
- 3 Attica, Central Greece, Central Macedonia, Crete, Eastern Macedonia and Thrace, Epirus, the Ionian Islands, the North Aegean Islands, the Peloponnese, the South Aegean Islands, Thessaly, Western Greece, and Western Macedonia

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## Spain

### 1. HISTORICAL BACKGROUND AND CONCEPT OF DEMOCRACY

In historical terms, Spain is a young democracy, coming into being with the 1978 Constitution. It lacks a liberal past worthy of the name: most of its nineteenth and twentieth century regimes were highly authoritarian and oligarchical, frequently relying on states of emergency and the army to maintain order. Virtually the only exceptions are the 1868–73 period, which culminated in the First Republic, a general political crisis, and army intervention to restore the monarchy, and the Second Republic (1931–6), which came to a tragic end with a military rebellion and bloody civil war, followed by forty years of the authoritarian Franco regime with no representative institutions or freedoms of any kind. As a result, the present-day democracy has adopted many of its institutions from other European constitutions. It represents a full-blown reaction against the past.

#### *1.1. Authoritarianism and Centralism as Constant Factors of the State in Contemporary Spain Prior to the Present Constitution*

Authoritarianism and centralism were two constant factors of the contemporary Spanish state up until the current 1978 Constitution. From the first Constitution of Cadiz (1812) onwards, and following the lengthy absolutist period of Ferdinand VII (1814–33), the liberal Spanish state displayed a number of common characteristics throughout most of the nineteenth and twentieth centuries, because it was dominated by conservative coteries representing a closed economic and social oligarchy. Despite the numerous changes of Constitution and government, most of the period was governed by two similar constitutional texts: the 1845 Constitution, which was in force during the moderate decades (1844–68); and the Constitution of 1876, which presided over the lengthy Restoration period (1875–1931). Each of these Constitutions was inspired by a doctrine that denied national sovereignty and granted substantial powers to the King, and held out against parliamentarianism by restricting or manipulating suffrage and preventing the creation of a party-political system such as those existing elsewhere in West Europe.

On the rare occasions when a truly liberal or democratic process commenced, which conservative groups were unable to control, the army would step in to guarantee the hegemony of oligarchy. This is quite clearly shown by the experience of the First Republic (1873), the Primo de Rivera dictatorship (1923–30) and the Franquist period (1939–75).

This conservative and authoritarian domination resulted in continuity in nearly all components of the state, but above all in its highly centralized power structure: this was crucial during the moderate periods and was extended during periods of authoritarian rule. Centralism guaranteed the domination of the ruling clique, chiefly through the civil governors, the leading government authority in each province, who were in charge of the forces of law and order, coordinated local ministerial offices and had a decisive influence on election results in each province. Predictably, the brief intervening periods of freedom invariably triggered vigorous attempts at decentralization, such as those under the First and Second Republics.

Decentralization in the first part of the nineteenth century focused on reviving municipalities and provinces in the belief that encouraging the vital forces at the local level would help weaken the system of oligarchy and local strong-men that flourished under centralism. However, nationalist movements sprang up in Catalonia, Galicia, and the Basque Country in the late nineteenth and early twentieth centuries, demanding regional self-government and restoration of their traditional languages and law.

None of the various decentralization projects discussed in the early years of the twentieth century met with success, with the exception of Catalonia's embryonic autonomous government, the *Mancomunidad* (1914–23), which brought administrative autonomy to the four Catalan provinces. Primo de Rivera's dictatorship shut down the *Mancomunidad* together, of course, with all other decentralization projects.

The only solid precedent for the present autonomy system was in fact the experience of regional autonomy under the, short-lived, Second Republic (1931–6). The only autonomous institutions that actually worked under the Republic were the Catalan ones, since the Basque Statute was adopted in July 1936, days after the civil war had broken out, and the Galician Statute was put to a referendum, but was never endorsed by the *Cortes* (national parliament); and clearly, autonomy could not be expected to work in a country cut in two by civil war.

### *1.2 Autonomy during the Transition to Democracy and the Constituent Parliament*

Forty years of Francoism took state centralism to such extremes that restoring democracy necessarily entailed drastic changes to the territorial organization of power. For Catalonia and the Basque Country in particular, but also to a lesser

extent for other regions, democracy could only be consolidated if accompanied by substantial autonomy in one form or another.

Demands for autonomy spread throughout the country after the first democratic elections of June 1977, either on account of a general desire for self-government to offset the economic imbalances caused by centralism, or with the aim of bringing the institutions closer to the grass roots. In practice, this was formalized in two very different, but ultimately complementary, ways: the immediate establishment of provisional, or 'pre-autonomy', arrangements; and the drafting of a new Constitution, which was to define the territorial structure of the state.

The Adolfo Suárez Government, which emerged from the first democratic elections of 1977, was immediately faced with the need to devise a practical form of autonomy, in order to respond to the demands of the Catalan and Basque majorities and to halt the spread of the decentralization movement throughout Spain. Against this backdrop, the Suárez Government undertook a highly ambitious initiative: to enter into an agreement with Josep Tarradellas, then living in exile in France as the president of the Republican *Generalitat* (autonomous Catalan government), to restore autonomy to Catalonia on a provisional basis, pending its definitive inclusion in the new Constitution. Introducing this republican and pro-autonomy element into the new monarchy presented a major challenge, but it succeeded in defusing autonomist demands by postponing the decision on its final shape until the future Constitution was drawn up and by wresting the initiative away from the political opposition, which had won the elections in Catalonia. Autonomy was provisionally restored to Catalonia by the Decree of 29 September 1977 and was progressively extended to other regions, resulting in a total of fourteen pro-autonomy arrangements. In spite of its provisional nature, this structure had a definite and strong influence on the subsequent development of the *autonomous communities* or self-governing regions.

The Constituent Parliament tackled all the main problems to be resolved by the new Constitution in a spirit of consensus: in other words, basic agreement was sought between political forces so as to avoid having to settle them by strict application of the majority rule. It is fair to claim that several historical taboos were thus broken, for example the polarisation of pro-monarchy v. pro-republic and religious v. secular positions. Consensus was of special importance, however, in determining the territorial structure of power and organizing the autonomous communities, since the positions of the parties, and popular aspirations, varied widely from region to region.

### *1.3 The Current Concept of Democracy*

The weak tradition of liberalism and the recent arrival of democracy explain why there is no guiding idea that structures every aspect of democracy in Spain. A

wide-ranging declaration of citizens' rights, embracing economic and social as well as individual freedoms, representative institutions (at three levels: central, autonomous regional, and local), and the intrinsic importance of self-government are most probably the elements shared by the differing conceptions of democracy.

The exemplary way in which the transition from Francoism to democracy was accomplished, culminating in the adoption of the Constitution with the agreement of all parties, has given the Constitution itself a very special place in Spain. This view has been strengthened by the work of the Constitutional Court which, in many and very different cases, has brought the Constitution directly to bear in opposition to government decisions and laws, in order to safeguard democratic criteria. In the past, Spanish constitutions were always of a party-political and programmatic (that is not directly applicable) nature: the universally agreed and directly applicable nature of the present Constitution confers particular prestige upon it. In the absence of a strong notion of democracy, confidence in the Constitution has perhaps been the most prominent trait.

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### 2.1 *State (National) Level*

In Spain the words 'national' and 'state' have two meanings, which have to be made clear each time they are used: 'nation' may refer either to Spain as a whole, or to Catalonia, Galicia, the Basque Country, etc., which also consider themselves to be 'nations' or 'nationalities'. 'State' is sometimes used to describe the institutions as a whole, including the autonomous communities, but on other occasions means the central institutions only, especially as distinct from the autonomous communities. It should also be pointed out that since the Constitution is a young one, most general state institutions are regulated by it and have not undergone substantial change through custom or constitutional convention. Moreover, there has been only one constitutional reform, incorporating the right of EU citizens to stand for election in accordance with the Maastricht Treaty.

The King is head of state and is regarded explicitly by constitutional law as a parliamentary monarch without independent political powers: these belong to the government or parliament. He is the symbol of the country's unity and permanence, and he represents Spain at the highest level in international relations. Constitutional law has framed the present monarchy along the lines used in the countries of northern Europe, and this approach has been scrupulously adhered to by the King, in clear contrast with the Spanish tradition of disruptive political interference by monarchs.

The *Cortes Generales*, or parliament, comprises two chambers, the Congress of Deputies and the Senate, the latter having far fewer powers. The Congress, which comprises 350 deputies, is elected under the D'Hondt proportional-representation

system. The Senate has 207 representatives elected representing the provinces and islands, together with another fifty or so appointed by the autonomous communities' parliaments (one for each community plus one more for each million of population). The parliamentary groups, which correspond to the political parties, have the decisive say in how it is organized and works. An outstanding feature of the legislative function is the wide variety of types of law, which are classified by subject matter and by the severity of the adoption procedures. Fundamental rights, the electoral system, and other particularly important subjects, for example, must be enshrined in *organic laws*, which, unlike ordinary laws, must be approved by an absolute majority of the Congress of Deputies in a comprehensive vote on the law as a whole.

The prime minister (*presidente del gobierno*) is the key figure in the executive and the entire institutional system, corresponding to the British prime minister or German chancellor. He/she is elected by the Congress of Deputies by either an absolute majority in the first vote, or by a simple majority in the second. This allows minority governments to be formed. He/she is empowered to dissolve the *Cortes* and to call for a vote of confidence, although the motion of censure is 'constructive', on the German model; in other words, if it is to be supported, there must be a majority in Congress for an alternative candidate. In any case, the prime minister's considerable power is based on his/her freedom to appoint and dismiss ministers and the on fact that he/she is generally also the leader of the largest party in the Congress of Deputies.

The Constitution set up two bodies that were new to Spain: the General Council of the Judiciary, which approves most government decisions on judges and courts, and the Constitutional Court, which may annul laws, settle disputes between the central state and the autonomous communities, and, ultimately, protect citizens' fundamental rights. The Constitutional Court, which had a short-lived predecessor during the Second Republic, not only possesses many important powers, but has also exercised them vigorously, especially during the early years of democracy. It comprises twelve judges, who may be professors and legal experts and are elected by Congress (4), the Senate (4), the government (2) and the General Council of the Judiciary (2), for a nine-year term of office.

## 2.2 *The Autonomous Communities*

The present Spanish Constitution grants autonomy to the ‘nationalities and regions’ (Art. 2), but this dual denomination has no *direct* legal consequences, since all subsequent rules and regulations use the official term autonomous communities. Title VIII of the Constitution enshrines the general principles, procedures and limits that must be observed both in creating autonomous communities and in their subsequent day-to-day working, but the Constitution did not draw up a ‘map’ of possible autonomous communities, nor specify a definitive model for a new type of state. This has allowed the autonomous communities themselves to decide upon their responsibilities and institutions when approving their statutes, in accordance with the route to autonomy chosen by each of them—either the ordinary or the reinforced procedure.

By 1983, following adoption of all the autonomy statutes, two groups of autonomous communities, or self-governing regions, had emerged, distinguished by level of authority: seven were on the higher tier and the remaining ten on the lower, but all possessed similar institutions and enjoyed a single constitutional status. These definitions, which were presupposed by the Constitution but not put in explicit form, were the result of the first autonomy pacts of 1981, which were signed by the two largest parties in the *Cortes* at that time, the governing *Unión de Centro Democrático* (UCD, Centre Democratic Union) and the opposition *Partido Socialista Obrero Español* (PSOE, Spanish Socialist Workers’ Party).

### 2.2.1 *The Components of Federal-Type Autonomy*

Once the autonomous communities had been organized in their final form, they presented a number of aspects comparable to those displayed by the German *Länder* or the federal states, together with other more specific ones. Prominent among the former are the following features.

- *The constitutional guarantee of autonomy and the function of the statutes as the constitution of each autonomous community.* Constitutional recognition is decisive in insulating autonomy from changing parliamentary majorities. There is no room for ambiguity over this in Spain, as the situation is set out in Article 2 and the entire Title VIII of the Constitution: consequently, self-government cannot be cut back by any central law. The autonomy statute of each region is of a secondary constitutional nature, as acknowledged by the Constitutional Court, and may only be amended by procedures determined by itself, prevailing over the laws the central state and the autonomous community, both of which would be acting unconstitutionally if they were to contravene it.
- *The division of powers between the state and the autonomous communities, and the settlement of disputes by the Constitutional Court.* The division of powers

can be accomplished by means of various legal techniques, as all federal constitutions show. The outcome is currently a distinction between exclusive state powers, concurrent powers (framework legislation by the state and secondary legislation by the autonomous communities), shared powers (legislation by the state and direct implementation by the autonomous communities), and exclusive autonomous-community powers. In the event of discrepancies between the faculties of the state and the autonomous communities, the Constitutional Court decides.

The basic institutions of the autonomous communities have common features, required by Article 152 of the Constitution: a democratically-elected parliament under proportional representation, the president of the community and of the government to be appointed by the parliament, with the government to be nominated by the president, with the relations between them reflecting what the Constitutional Court has described as 'rationalised parliamentarianism'. Their composition and titles are stipulated by the autonomy statute of each autonomous community. The institutions of the autonomous community reflect the approach of the majority as expressed in the community's elections, with no hierarchical dependence upon central institutions. The autonomous presidents represent the head of state within their regional territories. The varying political orientations followed by the autonomous governments in recent years bear witness to this independence (Table 5.1).

The autonomous communities are financed in two different ways: the Basque Country and Navarre have a special system rooted in their historical rights, while general arrangements apply to all the others. In Navarre the regional government regulates and collects almost all taxes and transfers a part of the total revenues to the central government, equivalent to the amount of state expenditure on the autonomous community. In the Basque Country the same legal and management powers for taxation are vested in each of the three provincial administrations (Vizcaya, Alava, and Guipúzcoa), which also transfer portions of the revenues to the Basque government and to the central government to offset expenditure on the tasks they perform. Both systems, which in practice produce greater resources than the average for the other self-governing regions, are regulated by two special laws, the *Agreement* and the *Covenant*, entered into by the central government and the regional bodies and ratified by the *Cortes*.

The general funding system, known in Spanish as the *Ley Orgánica de Financiación de las Comunidades Autónomas* (LOFCA, Organic Law on the Financing of the Autonomous Communities), draws on three sources: tax revenues raised by the autonomous communities; a share of central-state resources; and income from solidarity funds, either at national (Interterritorial Compensation Fund) or EC level, the latter being of particular importance in recent years for certain regions. The bulk of resources is generated by distributing central-state

revenue, which since the 1993 and 1996 reforms is done by drawing on the proceeds of personal income tax within the autonomous community in question. The reforms have not been accepted by all the regions, and the dispute has been taken to the Constitutional Court.

Under both systems, the autonomous communities enjoy considerable spending powers, and the central state has progressively transferred to them the subsidies for devolved services (education, social services, etc.), since the Constitutional Court has expressed the view that the central state does not have US-style spending authority, and cannot maintain subsidies in areas that are the responsibility of the autonomous regions, without involving them.

TABLE 5.1. *Autonomous governments 1983–95: parties, majorities and coalitions*

Region	Year			
	1983	1987	1991	1995
Andalusia	PSOE	PSOE	PSOE	PSOE+PA
Aragon	PSOE	PAR	PAR+PP PSOE	PP+PAR
Asturias	PSOE	PSOE	PSOE	PP
Canary Islands	PSOE	CDS+AIC+AP CDS+AIC	AIC+PSOE CC	CC+PP
Cantabria	AP AP	AP PSOE+PP+ PRC+CDS	UPCA	PP+PRC
Castile-Leon	PSOE	AP	PP	PP
Castile-La Mancha	PSOE	PSOE	PSOE	PSOE
Catalonia	CiU	CiU	CiU	CiU
Community of Valencia	PSOE	PSOE	PSOE	PP+UV
Extremadura	PSOE	PSOE	PSOE	PSOE
Galicia	AP	CP PSOE+CG+ PNG	PP	PP
Bearic Islands	AP	AP+UM	PP/UM	PP
La Rioja	PSOE	AP PSOE	PSOE	PP
Madrid	PSOE	PSOE	PSOE	PP
Murcia	PSOE	PSOE	PSOE	PP
Navarre	PSOE	PSOE	UPN (PP)	CDN+PSOE+ EA
Basque Country	PNV	PNV+PSOE	PNV+EA+EE PNV+PSE+EE	PNV+PSE+ EA



*Notes:* **Bold:** absolute majority; Roman: largest single group; +: post-electoral pact; /: pre-electoral pact.

AIC: *Agrupación Independiente de Canarias* (Independent Group of the Canary Islands); AP: *Alianza Popular* (Popular Alliance); BNG: *Bloque Nacionalista Galego* (Galician Nationalist Bloc); CC: *Coalición Canaria* (Canary Islands Coalition); CDN: *Convergencia de Demócratas de Navarra* (Navarre Democrats' Grouping); CDS: *Centro Democrático y Social* (Democratic and Social Centre); CG: *Coalición Galega* (Galician Coalition); CiU: *Convergència i Unió* (Convergency and Union); CP: *Coalición Popular* (Popular Coalition); EA: *Eusko Alkartasuna* (Basque Solidarity); EE: *Euskadiko Ezkerra* (Basque Left); PA: *Partido Andalucista* (Andalusian Party); PAR: *Partido Aragonés Regionalista* (Aragonese Regionalist Party); PNV: *Partido Nacionalista Vasco* (Basque Nationalist Party); PP: *Partido Popular* (Popular Party); PRC: *Partido Regionalista de Cantabria* (Cantabrian Regionalist Party); PSOE: *Partido Socialista Obrero Español* (Spanish Socialist Party); UM: *Unión Mallorquina* (Mallorcan Union); UPCA: *Unió para el progreso de Cantabria* (Union for Cantabrian Progress); UPN: *Unión del Pueblo Navarro* (Union of the People of Navarre); UV: *Unión Valenciana* (Valencian Union).

Relations among the autonomous communities, by means of formal agreements or other horizontal cooperation instruments, are relatively undeveloped; and although region–state relations are far more intensive, the entire field of intergovernmental relations (especially sectoral conferences) is regulated on a rather shaky basis, because of the absence of an explicit constitutional foundation and of the predominance of bilateral relations between the different governments.

### 2.2.2 *The 'differentiating factors'*

In addition to this initial, two-tier system of responsibility, the Constitution introduced other, far more qualitative criteria to distinguish the autonomous communities themselves on the basis of history, law, and language and allowed the autonomy statutes to express these in practical form.

Article 3.2 of the Spanish Constitution accepts that some languages can have joint official status within the relevant autonomous communities. This is the case in the Basque Country, Catalonia, Galicia, the Community of Valencia, and the Balearic Islands. The continuation of regional, historical charter-based, or special civil law in certain regions is directly accepted by Article 149.1.8 of the Constitution, under which the 'conservation, amendment, and development' of such law may be established as an exclusive power of the relevant autonomous regions (Navarre, Catalonia, etc.) by their statutes. The First Additional Provision (by which the Constitution safeguards and complies with the historic rights of the regional privileges or charters) underpins the Basque Country's and Navarre's differing financial and tax system. The economic and tax arrangements of the Canary Islands are also given special treatment in the Constitution. Finally, there are certain issues of outstanding political importance that fall within the remit of

certain autonomous communities only, such as the ability of the Basque Country, Galicia, Navarre, and Catalonia to set up their own police forces.

These special features of some autonomous communities are generally known as ‘differentiating factors’; their immense political importance stems first from the fact that they closely reflect the underlying causes of the respective popular demands for autonomy and second that they impact upon a wide range of areas of responsibility. In Catalonia, for example, the language is the principal issue historically justifying the claim for autonomy. It is a vital element in the Catalan people’s sense of identity, and it affects the way the Catalan authorities discharge their functions in areas like education, culture, public administration, etc. It even has an impact on central-state responsibilities such as justice, since individuals are entitled to speak Catalan in court.

TABLE 5.2. *Summary of differentiating factors*

Region	Factors				
	Language	Civil law	Special funding arrangement	Intermediate institutions	Autonomous police force
Aragon	ω	ω			
Canary Islands			ω	ω	
Catalonia	ω	ω			ω
Community of Valencia	ω	ω			
Galicia	ω	ω			
Balearic Islands	ω	ω		ω	
Navarre	ω	ω	ω		ω
Basque Country	ω	ω	ω	ω	ω

In short, the autonomous communities share some features with other European federal systems—although this term is never used—to the extent that they are ultimately regulated by an autonomy statute, they possess powers that cannot be altered by law, they have institutions that answer only to the directives of their own electorates (with no hierarchical obligations towards the central government), they are financed through an objective system that cannot be tampered with, and their disputes with the government are resolved by the, central, Constitutional Court. Furthermore, some autonomous communities have special faculties that are incorporated as ‘differentiating factors’, which set them apart from the traditional equality of states and *Länder* in European federal systems.

### 2.3 Local Powers

The Constitution also triggered decisive changes at the local level, essentially by introducing elections for the membership of all local-government bodies, by removing the political controls that central-state bodies exercised over their local counterparts, and by certain forms of safeguard for their autonomy, even in the face of laws. However, local authorities have had something of a 'Cinderella' role in contrast with the strong development of the autonomous communities, and many of their long-standing problems remain unresolved. This is clearly illustrated by comparing the growth of economic resources at the two levels (Table 5.3).

TABLE 5.3. *Public expenditure trends, by tier of administration (as a percentage of the total)*

Year	Central government	Autonomous communities	Local authorities
1981	87.33	2.9	9.72
1985	73.15	14.12	12.73
1990	65.78	20.21	14.01
1995	65.01	23.12	11.87
1996	62.58	24.73	12.68
1997	61.10	25.93	12.98

The main local body is certainly the municipality, which is the first tier at which the popular will is expressed as well as a public administration responsible for providing services. Its governing body, the *ayuntamiento* (municipal council), consists of councillors directly elected by the local population, also under the D'Hondt proportional system, and of the mayor, who is in turn elected by the councillors. In some cases, there are also an executive committee and other sectoral committees.

The traditional intermediate link is the province, covering a number of municipalities and having a governing body, the *Diputación*, which is indirectly elected from among municipal councillors. This tier does not, however, exist in the single-province autonomous communities (Asturias, Cantabria, La Rioja, Navarre, and Madrid), in the islands, which each have an individual governing council (called *Consejos* in the Balearics and *Cabildos* in the Canaries), or in the Basque Country, where each of the three provinces is organized as a *Historic Territory* with its own highly robust institutions and resources.

The basic problem of municipalities in Spain lies in their geographic fragmentation and their highly diverse circumstances, which do not easily fit under a single set of rules and arrangements. It is worth recalling that there are more than

8,000 municipalities in Spain, 86 per cent of which have less than 5,000 inhabitants and account for only 16 per cent of the total population. At the other end of the spectrum, 42 per cent of the population is concentrated in only 54 municipalities with populations of more than 100,000. Such diversity results in glaring inequalities between municipalities in terms of provision of services and local-government efficiency.

TABLE 5.4. *Number of municipalities by population band and by autonomous community, with Ceuta and Melilla*

Community	Population						Total municipalities
	less than 5,000	5,000–20,000	20,001–50,000	50,001–100,000	100,001–500,000	500,000 or more	
Andalusia	531	176	42	9	8	2	768
Aragon	709	17	2	—	—	1	729
Asturias	45	25	3	3	2	—	78
Balearic Islands	40	20	6	—	1	—	67
Canary Islands	28	44	11	1	3	—	87
Cantabria	85	14	1	1	1	—	102
Castile-La Mancha	854	48	7	5	1	—	915
Castile-Leon	2,211	35	4	4	4	—	2,248
Catalonia	797	103	24	9	8	1	942
Extremadura	337	36	5	1	1	—	380
Galicia	179	117	10	4	3	—	313
Madrid	139	19	9	5	6	1	179
Murcia	10	24	8	1	2	—	45
Navarre	253	13	1	—	1	—	268
Basque Country	184	45	9	5	4	—	247
La Rioja	167	6	—	—	1	—	174
Community of Valencia	409	88	33	5	3	1	539
Ceuta and Melilla	—	—	—	2	—	—	2
Total	6,968	829	176	55	49	6	8,083

Source: Directorate-General for the Legal Structure, Ministry for Public Administration

In Spain, local authorities' organization, responsibilities, funding, etc. are regulated partly by the central state, partly by the autonomous communities. The central state may adopt framework legislation (Law 7/1985 regulating the bases of local government), and the autonomous community may adopt secondary

legislation as well as holding the relevant regulatory and management powers. However, in addition to direct legislation concerning local authorities, a whole range of sectoral laws emanating from both the state and the autonomous communities also come into play, further complicating the picture. This plurality of systems is reflected in the various intermediate tiers (districts, provinces, etc.), although less so at the municipal level. Despite the differences of scale, they are largely governed by the same rules, which fail to cater for the widely differing problems of large cities, metropolitan areas, rural and tourist municipalities, etc.

#### 2.4 Nationwide and Autonomous Community-Based Political Parties

There have been two major parties on the right and the left in Spain since the inception of democracy (first, Unión de Centro Democrático (UCD, Union of the Democratic Centre) and PSOE; subsequently PSOE and *Partido Popular* (PP, Popular Party)), as well as the smaller *Partido Comunista de España* (Communist Party of Spain), which, in recent years, has combined with other forces of the Left to make up the current *Izquierda Unida* (United Left). A small party—the *Centro Democrático y Social* (Democratic and Social Centre), founded by Suárez after the break-up of the UCD—was on the scene for a few years.

TABLE 5.5. *Political parties represented in the congress of deputies (1996 results)*

Party	% votes	No. seats
<i>Partido Popular</i> (Popular Party)	38.6	156
<i>Partido Socialista Obrero Español</i> (Spanish Socialist Party)	37.4	141
<i>Izquierda Unida</i> (United Left)	10.5	21

These parties have equivalents in other European countries. The main distinguishing feature of the Spanish party system, however, is the presence of political parties who operate only in the autonomous communities and do not extend beyond them (although certain Basque parties are represented to some degree in Navarre).

Most of these parties are nationalist or regionalist, in the sense that over and above any other ideological aspect, their declared primary aim is to defend the interests and political standing of their respective autonomous communities (in order to avoid frequent repetition of the expression ‘nationalist and regionalist parties’, and because there are numerous differences between them, the more neutral term ‘autonomous-community-based parties’ (ACBPs) will generally be used henceforth).

The ACBPs’ importance stems initially from their strength within the

autonomous communities. *Convergència i Unió* (CiU, Convergence and Union) and the *Partido Nacionalista Vasco* (PNV, Basque Nationalist Party) have headed their respective regional governments ever since the first elections in 1980. More recent parties are now achieving comparable scores. The *Coalición Canaria* (CC, Canary Island Coalition) has been in government for more than five years, holding the presidency since before the latest elections, although it now rules in a coalition with the Popular Party. The *Bloque Nacionalista Galego* (BNG, Galician Nationalist Bloc) has been the main opposition party since the 1997 elections, overtaking the PSOE. The *Partido Aragonés Regionalista* (PAR, Aragonese Regionalist Party) took the presidency of its region in 1987 and is now a junior party in a government headed by the Popular Party. The *Unión del Pueblo Navarro* (UPN, Union of the People of Navarre), which merged with the Popular Party, is the biggest party in Navarre. Other, smaller parties play an important role in their autonomous communities, either because larger parties need them in order to form a government or because, despite their small size, they can tip the balance in electing presidents or ensuring absolute majorities within the autonomous community. More parties than might be expected are in this position.

Table 5.6 describes the main ACBPs on the basis of the last regional election results.

TABLE 5.6. *Principal autonomous-community-based parties* (percentages of votes obtained in the 1995 regional elections)

Region	Party (% votes)
Andalusia <sup>a</sup>	<b>PA</b> (5.8)
Aragon	<b>PAR</b> (20.3), Chunta Aragon (5)
Asturia	Partido Asturias (3.3)
Balearic Islands	PSM-EN (12.5), UM (5.3)
Basque Country <sup>b</sup>	<b>PNV</b> (29.8), HB (16.3), EA (10.3), UA (2.7)
Canary Islands	<b>CC</b> (32.9)
Cantabria	UPCA (16.5), <b>PRC</b> (14.4)
Catalonia	<b>CiU</b> (40.8), ERC (9.5)
Community of Valencia	<b>UV</b> (7)
Extremadura	CE (3.8)
Galicia <sup>c</sup>	<b>BNG</b> (24.7)
Navarre	<b>UPN</b> (31.1), CDN (18.4), HB (11.3), EA (4.5)
La Rioja	<b>PR</b> (6.7)

a 1996

b 1994

c 1997

Notes: **Bold**: ACBP in regional government.

BNG: *Bloque Nacionalista Galego* (Galician Nationalist Bloc); CC: *Coalición Canaria* (Canary Islands Coalition); CE: *Coalición Extremeña*; CDN: *Convergencia de Demócratas de Navarra*

(Navarre Democrats' Grouping); CiU: *Convergència i Unió* (Convergency and Union); EA: *Eusko Alkartasuna* (Basque Solidarity); ERC: *Esquerra Republicana de Catalunya* (Catalan Republican Left); HB: *Herri Batasuna* (People's Unity); PA: *Partido Andalucista* (Andalusian Party); PAR: *Partido Aragonés Regionalista* (Aragonese Regionalist Party); PNV: *Partido Nacionalista Vasco* (Basque Nationalist Party); PR: *Partido Riojano*; PRC: *Partido Regionalista de Cantabria* (Cantabrian Regionalist Party); PSM-EN: *Partido Socialista de Mallorca-Entesa* (Socialist Party of Mallorca-Agreement); UA: *Unidad Alavesa* (Alavesan Unity); UM: *Unión Mallorquina* (Mallorcan Union); UPCA: *Unió para el progreso de Cantabria* (Union for Cantabrian Progress); UPN: *Unión del Pueblo Navarro* (Union of the People of Navarre); UV: *Unión Valenciana* (Valencian Union).

The ACBPs do not only contest autonomous-community elections, but regularly stand for national and European parliamentary elections. Some ACBPs have a significant presence in the *Cortes*, being assisted by the territorial concentration of votes. The number of seats won in the Congress of Deputies by the ACBPs in the 1996 elections are set out in Table 5.7.

TABLE 5.7 *ACBP representation in the Congress of Deputies*

Party	No. seats
<i>Convergència i Unió</i> (Convergency and Union)	16
<i>Partido Nacionalista Vasco</i> (Basque Nationalist Party)	5
<i>Coalición Canaria</i> (Canary Islands Coalition)	4
<i>Bloque Nacionalista Galego</i> (Galician Nationalist Bloc)	2
<i>Herri Batasuna</i> (People's Unity)	2
<i>Esquerra Republicana de Catalunya</i> (Catalan Republican Left)	1
<i>Eusko Alkartasuna</i> (Basque Solidarity)	1
<i>Unión Valenciana</i> (Valencian Union)	1

Using their presence in the Congress of Deputies, the CiU, PNV, and CC have played an important role in central government, by pledging their votes to the socialist and Popular Party governments (1993–6 and 1996 to present, respectively) and holding the balance of power at national level.

### 2.5 *Autonomous-Community Developments and the Major Themes for Discussion in Recent Years*

The initial difference in the powers of the two groups of autonomous communities, the higher tier and the lower tier, was seen by some as a reflection of historical and political differences, summed up in the 'nationalities and regions' dichotomy of Article 2 of the Constitution. However, this did not apply to the seven autonomous

communities of the first group, and it appeared more appropriate to view the more modest powers of the second group simply as a 'running-in' stage, which the Constitution would allow to be extended after the first five years of autonomy. At the end of the 1980s some autonomous communities (Castile-Leon, the Balearics, etc.) did indeed begin to call for reform of their statutes to give them greater powers. In the end, the argument over extending their remit was settled by a series of new autonomy pacts between the Socialist Government and the Popular Party in February 1992. Organic Law 9/1992 on the transfer of powers to autonomous communities provided a rapid solution, with ten more autonomy statutes being reformed in the same way in 1994 (the Canary Islands' statute was adopted two years later).

Without going into details, all the statutes may now be said to contain equivalent substantial powers, except for the health sector, due to the management and financial problems it raises.

With this one exception, the autonomous communities' powers in areas directly affecting citizens are identical for practical purposes. In contrast, the most important differences of substance lie in the specific historical, legal, and linguistic aspects of some autonomous communities, and these do not apply across the board. The first set of powers, which are applicable to all, may therefore be described as substantial, while the second set might be termed 'specific' or inherent to the 'differentiating factors'.

The reaction of many nationalist parties to this 'levelling-up' has been to demand further powers. In 1998 in particular, and following *Euzkadi ta Azkatasuma's* (ETA's) ceasefire declaration, a series of proposals for major political reforms (including the right to self-determination, the creation of a confederation, etc.) has generated debate at a level such that it is hard to predict what direction the autonomy arrangements will eventually take, or to predict the final balance between what makes the autonomous communities similar and what makes them different.

### 3. LOCAL DEMOCRACY IN PRACTICE

#### *3.1 Critiques of Regional and Local Democracy*

The serious problem of excessively small municipalities—86 per cent of Spain's 8,000 municipalities have populations of less than 5,000—is a practical barrier to any general or sectoral policy that is strongly decentralized and based on local administration. The result is strong centralization within the autonomous communities. A policy of encouraging mergers or groupings of municipalities, or even of compulsorily redrawing the municipal map, is indeed a primary duty of the autonomous communities, but to date they have simply offered mild encouragement for setting up voluntary joint associations.



Structures at the tier above municipalities are relatively undefined. Some autonomous communities clearly support the role of the provinces, while others seek to empty them of any real substance and prefer to back other institutions instead, such as districts in the case of Catalonia. The result is a general tendency to view the provincial, or equivalent, level as a support measure for municipalities, providing assistance and cooperation and filling gaps in their services, but on a scale that varies widely from region to region. In the vast majority of cases, the provincial or district levels are organized through a system of indirect representation, with the exception of the Basque provinces and the islands. This serves to diminish their credibility and social acceptability, as they are operated in purely party-political interests.

In practice, municipalities enjoy a very low level of organizational independence, since the powers of the municipal assembly, the executive committee, and the mayor are strictly bound by basic state legislation. The few areas in which local authorities have some modest scope for devising their own solutions are their advisory information committees, popular participation, and internal devolution within the municipality. Municipal authorities usually set up parallel bodies to provide certain services and functions: these frequently take the form of bodies established by private law.

As pointed out earlier, neither the Constitution, nor the autonomy statutes, nor the law governing the bases of local government guarantee any specific powers to municipalities. All the law does is to draw up a list of public services that municipalities must provide to the local population, in line with their size. It is, therefore, up to the central or regional legislator, depending on the subject in question, to assign specific powers to local authorities.

The prevailing conception of local autonomy, enshrined in the local-government law and constitutional case law, would suggest that recognition of local authorities' right to take part in running affairs of concern to them, particularly those listed in the local-government law, is sufficient. In practice, this means that the laws governing these areas do not usually grant full public decision-making powers to municipalities for entire sectors of activity. The local authorities possess virtually no exclusive powers; in many areas in which they should, according to the local-government law, enjoy some powers, they are only allowed to act on a subordinate and non-decision-making basis: they can only involve themselves in procedures that are ultimately decided by the autonomous community or the central state.

Dissatisfaction with this state of affairs is evident in all municipalities that have a minimum of operational capacity, since they cannot implement their own policies in important sectors of popular demand, such as housing, social services, education, etc. As a result, a movement has emerged from the confederation of local authorities, demanding a 'local pact' with central and regional governments, seeking an undertaking that they will be granted more powers.

The system of local law in Spain has opted to make all supervision of local-authority business subject to decision by the courts: both the central state and the autonomous communities are specifically empowered to bring local agreements that they deem to be unlawful, or to infringe their powers, before an administrative court, and they can apply for a court order obliging a local authority to annul an agreement. Local agreements can only be rendered ineffective by the administrative courts, apart from in highly exceptional circumstances that seriously threaten Spanish national interests.

A wide range of circumstances, however, still exists in which sectoral legislation requires prior authorization or subsequent endorsement of local agreements by the central state or the autonomous communities. This is constitutionally permissible only in so far as they do not constitute general controls, but occur in specific cases in which interests at a level higher than the purely local, which may be affected by a municipal decision, can be demonstrated. These are in fact situations where powers are shared between the local authority and the next level of administration, in areas where coordinated, consistent action is required (urban planning offers a multitude of instances). The latter offers a way of restoring what amount to regulation in areas where, legally, this is not possible.

The Constitution does not specifically acknowledge the principle of financial autonomy for local authorities, as this is considered to be part of their general political autonomy, but the principle of adequate resources is explicitly guaranteed. Nevertheless, the current legal system, largely in the form of the 1988 Local Finance Act, does not allow either principle to be fully upheld.

Municipal tax revenues derive essentially from property and business taxes, both of which are highly inflexible. Local authorities also levy charges and special contributions for works and services. Overall receipts from Spanish municipalities' own sources provide about 40 per cent of their total income. The remainder is made up of a share of national taxes, through various state economic-cooperation programmes, either in the form of unconditional general subsidies under multi-annual programmes, or specific conditional investment subsidies provided by either the state or the autonomous community. Finally, borrowing accounts for nearly 25 per cent of local budgets, which has a considerable impact on how local finances are balanced.

Some autonomous communities have created their own funds or economic-cooperation programmes with municipalities. This boosts local resources and increases local autonomy by reducing the proportion of overall local financing derived from conditional subsidies.

Local-authority spending represents 14 per cent of total public spending in Spain: the corresponding figures for the autonomous communities and the state are 22 per cent and 64 per cent respectively. More than 30 per cent of municipal expenditure is spent on general services and pensions.

The autonomous cities of Ceuta and Melilla (Spanish enclaves in North Africa)

are special cases. While being cities, they enjoy autonomy statutes conferring powers far greater than those of any mainland city, falling not far short of the autonomous communities' (non-legislative) management powers. They differ institutionally, and enjoy certain financial advantages.

### 3.2 Citizens' Attitudes

Democracy is quite firmly established in Spain today, and there is little opposition to the democratic system and little nostalgia for the previous authoritarian regime of Franco. Attitude surveys of the *Centro de Investigación Sociológica* (CIS) show a consistent pattern of support for the democratic transition. In 1995, 79 per cent of Spaniards thought that the form and manner of the transition to democracy was a source of pride (Estudio CES 2201, December 1995). Seventy-nine per cent thought that democracy was preferable to any other political system, against 9 per cent who thought that an authoritarian system was better, and 8 per cent who felt that there was little difference between the two systems (*ibid.*). However, although a very high percentage were happy with the democratic system, fewer were satisfied with the way in which the actual system functions (approx. 50 per cent). Forty-six per cent wished to see reforms, while 33 per cent wished to maintain the status quo. With regard to the form of the Spanish state, the system of autonomous communities, there was a great deal of satisfaction. Only a tiny and declining minority wished to see a unitary state: 9 per cent in November 1984, 7 per cent in December 1990, and 3 per cent in March 1996. Majorities were in favour of the autonomic system: 51 per cent in November 1984, 60 per cent in December 1990, and 69 per cent in March 1996. However, this last category contained sizeable minorities that wished the autonomous communities to have more powers than they do at present. Small minorities wished to see the possibility of independence for the autonomous communities, although, in March 1996, 40 per cent thought that they had contributed to the development of separatism. In this same poll, 61 per cent thought that the autonomous arrangements had brought public administration closer to the citizens. It is sometimes claimed that there is a high degree of apathy among Spanish citizens. Indeed a CIS survey taken in March, April, and May 1996 showed that only 24 per cent were interested (highly or quite) in politics; 36 per cent were only slightly interested and 37 per cent not at all interested. On the other hand, another poll taken at the same time showed 87 per cent of the electorate always or nearly always use their votes. In terms of the political level of greatest interest to citizens, 62 per cent were interested (highly or quite) in the activities of the local authority (*ayuntamiento*), 49 per cent in those of the autonomous government, and 48 per cent in the activities of the national government. Only 29 per cent were interested in the discussions of the national parliament.

## 4. NEW CHALLENGES AND OPPORTUNITIES

### *4.1 Some General Issues of Democracy Concerning the Central State, the Autonomous Communities, and Local Authorities*

The *political parties* were developed—to some extent artificially—during the early years of democracy, to compensate for their weakness after forty years of prohibition. They were granted significant public funding accordingly (as parties, as parliamentary groups, and as electoral candidates) as well as free, large-scale access to the mass media during election campaigns. Moreover, party management was strengthened by the introduction of the fixed, closed-list electoral system, which allows all candidates to be screened. However, both the lack of a democratic tradition, reflected in authoritarian attitudes to any expression of dissent, and the uncovering of a number of corruption scandals have brought serious discredit upon the political parties. As a result, reforms to both parliamentary regulations and legislation are in the pipeline.

A recent attempt at renovation is represented by the ‘primary’ elections held by the PSOE among its members (thus not ‘primaries’ in the American sense) to choose candidates for the main mayorships, regional presidencies, and the prime ministership. A turning point came when the PSOE’s Secretary General, entirely unexpectedly, lost to a candidate who enjoyed great popularity within the party, but had been kept at arm’s length by its centres of power. J. Borrell will now be the next socialist candidate for the post of prime minister in the general elections. Official candidates were also defeated in a number of autonomous communities and major municipalities, such as Madrid; these events have raised an expectation of renewal that is beginning to spread to other parties.

The autonomy arrangements present a paradox: while the autonomous communities’ position has been consolidated, the state as a whole appears much weaker. There is no official body integrating the political ambitions of the autonomous communities (no progress has been made on reform of the Senate, although agreement was reached in 1994), and relations between the autonomous communities themselves and with the central state are not stable. This is at a time when ever greater efficiency is required in intergovernmental relations in general. Furthermore, the Spanish autonomy arrangements have been challenged in recent years, primarily by initiatives stemming from governing nationalist parties in the autonomous communities. This is especially the case with the PNV and CiU, which have raised the issue of recognition of the right of self-determination, joint sovereignty, and even confederation. The Northern Ireland peace agreement has had a considerable impact, particularly in the Basque Country.

Autonomous-community involvement in the European Union enjoys important two-way recognition, through the Conference for EU-related affairs, bringing together all the autonomous communities and the central government, and through

the establishment of autonomous-community offices—recognized by the Constitutional Court—in Brussels, in addition, of course, to the forum provided by the Committee of the Regions. In 1998 a further agreement was reached under which the autonomous communities would be represented within the Spanish delegation to the EU Council of Ministers.

#### *4.2 Trends Affecting Regional and Local Authorities*

One of the universally recognized shortcomings facing municipalities is the absence of guarantees for their autonomy and, more generally, the scarcity of the resources available to them, in terms of both powers and finance. A local pact between the state, the autonomous communities, and municipalities to remedy this problem has been under discussion for years: in 1998 the central government eventually submitted a bill introducing various reforms, one of the main features of which is the ability of municipalities to go to the Constitutional Court to defend their independence. However, the autonomous communities, which possess powers in most areas of local demand, seem reluctant to engage in any further decentralization.

‘Semi-direct’ forms of democracy (referendums and popular legislative initiatives in particular) are regarded with great suspicion by the Constitution, and this attitude has been transmitted to the other institutions. Referendums can only be held in the autonomous communities to reform certain autonomy statutes, and municipal authorities hardly ever take advantage of their greater legal opportunities to conduct popular consultations. Even when they do so, the consultation is conducted informally as an opinion poll, not in the official, legally established form. Good examples of this are the consultations carried out in the Treviño area, to gauge whether the population would prefer to be included in the Basque Country or to remain within Castile-Leon, and in Palamós, on the plan to build a housing estate on a beach outside the municipality (El Castell).

Almost all the autonomous communities provide for popular legislative initiatives, but regard them with mistrust (as at national level), and they are rarely employed. Of the more than forty initiatives submitted during these years in the seventeen autonomous communities as a whole, only five have been adopted. Most of the autonomy statutes allow a cluster of municipalities to submit proposals for legislation to the regional parliament: this faculty has scarcely been used either.

Forms of democratic participation, in contrast, appear to have a brighter future, although they are as yet at an early stage. The most widespread of these—probably because it is expressly sanctioned by the Constitution—is the involvement of individual citizens and relevant associations in drafting government regulations. Virtually all the autonomous communities have made official provision for this procedure, and the idea that regulations drawn up without such involvement are

invalid is gaining ground. The involvement of relevant associations in drafting legislation, on the other hand, is at a far more embryonic stage of development, although the Asturian and Andalusian Parliaments have recently introduced this option.

### 4.3 *Autonomous-Community Initiatives for Social Integration*

A wide range of sectoral advisory committees have been set up in nearly all the autonomous communities, facilitating negotiations between economic operators and the regional authorities. This presupposes a certain amount of lobbying, which is permitted under law. The regional government-promoted economic and social pacts between trade unions and employers' bodies are generally of greater importance, especially in years when comparable national pacts at national level have broken down. The economic and social councils set up in most autonomous communities, bringing together workers, employers, and the authorities themselves, put this dialogue onto an even more developed institutional level.

Other innovative experiments are still too rudimentary or recent to be evaluated. For example, the Catalan Parliament, with the support of a foundation, has launched a programme (*Parlament Obert*, Open Parliament) to disseminate news of its activities and to draw in citizens (initiatives, suggestions, opinions, etc.) through the Internet. The government of Castile has begun to draw up 'citizens' rights charters', which might help narrow the gap between citizens and their institutions, and possibly even offer a more active role for regional government in exercising citizens' rights; something that is not usually seen as a primary function of the autonomous communities.

## 5. INNOVATIVE APPROACHES TO IMPROVING REGIONAL AND LOCAL DEMOCRACY

There are no clear and specific rules for large metropolitan areas; the autonomous communities, which might have some powers in this regard, have not adopted any positive policies to address the issue. As a result, an initiative has emerged from among the larger municipalities, aiming to introduce specific legislation covering the biggest cities, which would herald a shift away from the traditional legislative uniformity that has been a feature of local-government organization in Spain.

At present, mayors are elected by municipal councils, but discussion is beginning to focus on the idea of officially enabling the direct election of mayors by the general electorate; a procedure that is explicitly permitted by Article 140 of the Constitution. This would match the current legislative trend to reinforce the position of the mayor, which has also benefited from the 1991 reform of the electoral law, designed to boost local-government stability by limiting the scope

for motions of censure directed against mayors.

The most recent forms of democracy have included the experiments with the *Núcleos de Intervención Participativa* (NIPs, local teams seeking to stimulate popular involvement). These were put into action by some local authorities, such as Rubí in Catalonia and, on a larger scale, in the Basque Country, as a means of sounding out public opinion on possible public decisions. In the area of immigration, another issue of growing sensitivity over recent years, some municipalities are beginning to set up 'forums' or participatory consultation bodies. These bodies are important, because non-EU foreigners do not have voting rights and are generally subject to fairly harsh general laws. In another, very different, area, there are several projects to enhance communication between local councils and inhabitants, such as the Barcelona grouping that is running the *Local-red* ('Local network') programme, or Valencia's 'Infoville' programme, aiming to equip every household with a terminal, in the belief that providing Internet access should be considered as a basic, statutory service.

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## France

### 1. HISTORY AND CONCEPT OF DEMOCRACY IN FRANCE

France has been a model of state organization that has been copied time and again<sup>1</sup>. Many of the countries mentioned in this study were inspired by the French system and imported the French departmental model. It has embodied a republican vision of the nation state, which promotes the equal treatment of citizens as well as of territory. Until recently, the French state was among the most centralized in Europe and was built on the famous Jacobin notion of 'the one and indivisible Republic'. This was interpreted in the past and to some extent is interpreted to this day as meaning uniformity. However, the French politico-administrative system has also incorporated the periphery into the centre through systems such as the *cumul des mandats* (multiple holding of offices) and representation in the Senate. Furthermore, the decentralization reforms of the 1980s have modified the excessive administrative centralization by changing the role of the prefects and creating new bodies such as elected regional councils (see below).

#### 1.1 French-Style Democracy

The French state was gradually built up by the Capetians whose power was centred on the Ile-de-France. By the end of the eighteenth century the monarchy controlled a territory whose boundaries corresponded almost completely with modern France. The monarchy was overthrown during the French Revolution, which laid the foundations of modern France as well as developing the concept of the nation state. This is the key to understanding French democracy: it is a state wherein the Republic is in essence the nation. On the eve of the Revolution, the Kingdom of France boasted an efficient public administration, parts of which have survived to this day. Decisions were taken in Paris, the state was absolutist, the army and the navy were considerably improved under Louis XVI, the centralized road network was the best in the world, and the police system was the envy of Jeremy Bentham. Colbertism had laid the foundations for a state-controlled economy, with a number of royal factories building ships and also producing carpets and porcelain, etc.

Meanwhile, alongside the centralized administrative and police machinery, there was an equally powerful network of counterbalances. There was no single

judicial structure; France had two different legal systems: Germanic common law north of the Loire, and written Roman law in the south. The high judicial courts (*parlements*) were independent and guarded their autonomy jealously. Local government existed in diverse forms with powers varying from one area to another. Likewise, there were several systems of weights and measures, varying between regions and even towns. The Kingdom was divided into provinces, some tiny (such as Bigorre) others much bigger (such as Normandy), the size of the present-day regions. Most were governed from Paris. A sizeable minority were *pays d'Etats* (provinces), which had provincial assemblies, some with tax-raising powers. Each of these early regional councils had a specific and unique status. Meanwhile, power at *commune* (municipal) level was even more diverse and varied. Titles—*maire, mayeur, syndic, jurat, consul, échevin*—varied from one place to another. The same was true of the form and degree of participation, which, while ranging from oligarchy to representation and even democracy, was widespread.

The changes wrought by the Revolution centred on reducing that far-reaching and supposedly feudal diversity. For the senior civil servants in the royal government, the streamlining effected by the Revolution was a dream come true, and many of them played an active role behind the scenes. The Revolution continued the authoritarian tradition and achieved the objectives of the royal government, breaking through the barriers of tradition and local customs that were an obstacle to the reforming zeal of the lawyers and administrators of the Enlightenment. The objective of state rationality was achieved at every level and across the board. Every level was affected, as the past was swept away—a true revolution—and rebuilt from scratch. The reformers targeted the complex structure and tangled networks of jurisdictions, provinces, *bailliages, prévôtés*, elections, and other *parlements*. The country was divided into *départements* (departments), which Saint-Just wanted to be exactly equal in size and demarcated by meridians and parallels. The *constituants* preferred geography as a criterion of pure geometry. Roads and distances were taken into account, in order to ensure that it was possible for an administrator to get to the capital of the department and home again in a horse-drawn carriage within one day.

In the Republican tradition, public authorities were rationalised across the board, since in a sense, according to Pierre Rosenvallon, the government determined the social set-up. During the Third Republic (1870–1940) the state took responsibility for national education, relegating the Church to the private sector: education was made free, secular, and compulsory, the same for everyone everywhere—at least in principle—and in one language (French). The government also established a new social order by abolishing the old intermediate tiers and bringing itself face to face with the individual, the citizen of the Republic, the ‘subject’ during the days of the two empires and Vichy France. As a result, the nation became synonymous with the population, governed by the state within its

territory. Sovereignty is vested in the nation and the nation is indivisible. At the European elections, France is therefore a single constituency and each elected member to the European Parliament represents the nation rather than the constituency from which he/she is elected.

Only technical considerations related to distance—applying to the *Départements d'Outre Mer* (DOM, overseas departments) and *Territoires d'Outre Mer* (TOM, overseas territories) and to a lesser degree Corsica—can justify special status for local government, but only the national government can legislate. The local authorities—*régions*, *départements*, *communes* (municipalities)—operate under the control of the central state and its representatives, although since the Defferre laws on decentralization (1981–2), the regional and general (*département*) councils and mayors enjoy wide-ranging powers. The state established the nation, and the nation is, in a sense, incarnated by the Republic. The Republic is the cornerstone of French democracy and can be defined by three concepts: secularism, equality, and representative democracy.

### 1.2 Democracy at the Regional and Local Levels

As a consequence of what has been said above, democracy differs between the national level on the one hand, and the local and regional levels on the other. Republican democracy appears to be essentially monistic, as all power emanates from the nation. However, although the separation of powers is the rule, the powers (legislative, executive, and judicial) are not equal among themselves. Historically, the judiciary has been subordinate: the Third Republic, for example, had no problem with overruling judges, and it is only recently that the latter have begun to assert themselves and they have begun to have somewhat greater freedom. The relationship between central government and local territorial authorities can be summed up neatly as follows: political democracy is exercised primarily at the national level, at the local level there is primarily administration.

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

Until 1981, when the new Socialist Government introduced the decentralization reforms, France, as stated above, was one of the most centralized countries of the European Union. At least this was true in a formal and constitutional sense, since, in theory, everything was decided in the Paris ministries and implemented through a hierarchical system of field services. Napoleon had set up the prefectural system as a way of representing the central state and of ensuring that the activities of the field services but also of the local authorities followed the rules of Republican legality.

In practice, the situation was rather more complicated, and sociological work in the 1960s and 1970s showed that central–local relations in France were governed

by a complex system of relationships between the prefect and his administrators and *les notables* (the local politicians) (Crozier and Thoenig 1975; Grémion 1976). This was a two-way process through which the local political system functioned as a system of mediation between the local society and the state. The *notables* ensured the loyalty of the local populations while the state ensured that resources were channelled through them to the locality. The prefect, in turn, represented his territory as much as he did the state (Machin 1977). This system of interlocking relationships between the centre and the local level was reinforced by the *cumul des mandats*, whereby national politicians hold several political posts at the national and local levels simultaneously.

The 1981 decentralization reforms in some ways were *le sacre des notables* (a consecration of the notables) (Rondin 1985; Mény 1992). In some respects their power has been reinforced by the transfer of competencies from the prefect to the presidents of the *Conseil général* (departmental council) and the *Conseil régional* (regional council), positions occupied by the *grands notables*. In fact, there is now, according to Mabileau, a new hierarchy of *notables*: the *grands notables* (usually the mayors of the large cities) at the summit; next the *barons intermédiaires* (those holding the position of *député* and, at the same time, mayor of a medium-sized town, for example); and, at the bottom of the hierarchy, the *vassaux* (ordinary local politicians who operate as a clientele of the middle group) (Mabileau 1997). However, the reforms did introduce some significant changes as well (Loughlin and Mazey 1995). Regions have been given a new status<sup>2</sup> and have a new democratic legitimacy following the first elections of the regional councils in 1986. But the most important change resulting from the decentralization reforms has been the fragmentation of the French politico-administrative system at the local level (Mabileau 1997). There is now less planning at the central level, and the state has to some extent disengaged from public policy areas, leaving a situation of competition and even chaos (*démarche chaotique et bricolage institutionnel*), according to Mabileau) among the different levels of local government. The levels that have gained most from the reforms are the big cities and the departments, since they have acquired new functions and also the resources to meet them. The regions have not gained as much as regionalists had hoped and are weak bodies compared to the Spanish Autonomous Communities or the Italian regions. Nevertheless, they do exist, and this has added an extra layer of complexity to the administrative and political system along with the thousands of small communes. It is doubtful whether decentralization has, in practice, reinforced regional and local democracy in France, rather than simply strengthening the power of the notables.

## 2.1 The National Level

Although France may be regarded as the founder of the concept of the nation state, at the time of the French Revolution, it has had enormous difficulties in adopting a political regime that gives political and institutional expression to this concept. Since the Revolution, it has tried several systems, each one succeeding the other by either a revolution or a regime crisis: two Empires, two constitutional monarchies, and five Republics of which the present regime is the Fifth. There has been a tendency to swing between an authoritarian plebiscitary democracy along Napoleonic lines and a fragmented and unstable parliamentary system as during the Third and Fourth Republics. The current Fifth Republic was designed by De Gaulle to stress the plebiscitary approach. In 1962 there was a referendum changing the Constitution to permit the direct election of the president of the Republic and the 'taming' of parliament. Under the Constitution of the Fifth Republic, it is the president who is both head of state and government and who nominates the prime minister. He is also responsible for several policy issues, including foreign affairs. However, each succeeding president has tempered this aspect and there has been an increasing acceptance of the role of parliament and the importance of the opposition. This has finally resulted in the situation of cohabitation whereby we have seen a Socialist president (Mitterrand) govern alongside a prime minister from the right (Chirac), and a right-wing president (Chirac) alongside a Socialist prime minister (Jospin). Thus, the current French political system may be categorised as 'semi-presidential' (Duhamel 1993). After the election of the Socialists to power in 1981, after 23 years in opposition, France has also seen the development of a Westminster-style polarisation in which there has been an alternation of government power between two party 'blocs' on the left and right of the political spectrum.

The French Parliament is composed of two houses: the lower house is the *Assemblée Nationale* (National Assembly) and the upper house is the *Sénat* (Senate). The National Assembly has 577 *députés* (which might be translated into English as 'delegates') elected by universal suffrage (Stevens 1996). Elections are held under a constituency-based two round system. If a candidate receives 50 per cent of the valid votes cast in the first round, he/she is elected. However, more often, there is a run-off to the second round when the candidate who wins a simple majority of the votes is elected. In 1986 a system of proportional representation was introduced by the Socialist Government, apparently to try to stave off electoral defeat (Stevens 1996). However, this did not prevent a right-wing government being elected who then reverted to the original electoral system.

The Senate consists of 321 members representing France's local authorities: each electoral constituency consists of one *département* (department) and its electoral college is made up of the deputies, the *conseillers généraux* (departmental councillors), the mayors, and the *conseillers municipaux* (town

councillors) of that department. The Senate is important from the point of view of local democracy (or at least from that of the representation of the locality by its *grands notables*) as it represents the interests of the local authorities (around one third of its members in 1995 were also mayors), and it is able to influence legislation even if it cannot block this completely.

## 2.2 *The Local Level*

Local democracy in France consists of elements of government assigned to territorial communities and managed by elected members, whom the state provides with resources. The Jacobin system did not rule out elections: mayors and municipal, district, and departmental councillors were elected and the *commissaires de la République*—who were later replaced by prefects—represented the nation. The principle of election extended even to judges and prosecutors. In short, this was centralized democracy, which Napoleon was to convert into an authoritarian regime, replacing elected representatives with officials. The prefect, with greater powers, managed the *département*, the sub-prefect managed the *arrondissement* (district), and the mayor managed the municipality. They were advised by *notables* (local politicians) appointed by the state. The monarchy of July 1830 reintroduced the election of municipal councillors, and the Third Republic set up the *conseils généraux*—elected departmental councils—and restored the election of the mayor by municipal councils.

### 2.2.1 *The Commune*

The basic unit of local government in metropolitan France is the *commune* (municipality), of which there are 36,750. These entities were the parishes and communities of the Middle Ages, and French people have shown a great attachment to them. This explains the survival of so many. However, the vast majority of them are tiny and completely unviable, from a technocratic point of view of their capacity to carry out the tasks of modern government. Twenty-two thousand have less than 500 inhabitants, and 10,000 have between 500 and 2,000 inhabitants (Stevens 1996). Half of the population of 57 million in metropolitan France live in the 2 per cent of communes with over 10,000 inhabitants while thirty-six communes are cities of over 100,000 people (*ibid.*).

*Communes* have two aspects: they are both levels of state administration obliged to carry out tasks assigned to them by the state and they are also institutions of representative government entitled to exercise competencies not specifically forbidden by law. The *conseil municipal* (municipal council) is the legislative organ of the commune while the *maire* (mayor) is its executive. In *communes* of more than 3,500 inhabitants, councils are elected by a list system in

two rounds whereby the list that obtains an absolute majority in the first round or a simple majority in the second receives half of the seats; the other half are distributed proportionately among the winning list and the other lists. The municipal council administers the affairs of the *commune*<sup>3</sup> as well as voting its budget and administering its finances<sup>4</sup>. The key figure in the commune is the mayor. One commentator describes him/her as ‘the gentle autocrat of the commune, its principal arbitration officer, its father confessor and the guardian of its interests’ (Wright 1983). The mayor has two tasks: first, he/she is the representative of the state in the commune responsible for implementing legislation emanating from Paris and for public safety within the commune; second, he/she is the executive officer of the municipal council. Indeed, it has been remarked that the principal task of the almost half a million local councillors in France is to elect the mayors. Under the system of *cumul des mandats*, many mayors hold other positions at prefectural, regional, and national level. Many are also members of the government, and usually the president and the prime minister are also mayors of sometimes tiny villages. Many national political figures have been, and are, identified as mayors of large cities: Defferre in Marseille, Chaban-Delmas in Bordeaux, Lecanuet in Rouen, Mauroy in Lille, etc. Several attempts have been made to reduce the number of offices that any one politician may hold. At present, he or she may not hold more than two positions, one at national and one at the local level. Prime Minister Jospin has also requested the ministers of his government to give up the position of mayor should they hold that position.

### 2.2.2 *The Prefecture and the Conseil Général*

The French departments were set up in 1790 during the French Revolution and were conceived as a ‘rational’ organization of the territory to break from the system of the *Ancien Régime* with its great variety of customs and regimes. The size of the department was determined by the distance covered in a day’s horse ride to reach its principal city. However, despite the vast demographic and socio-economic changes that have taken place in France over the last 200 years, the boundaries of the departments remain largely the same today as they were then although the number has slightly increased<sup>5</sup>. Napoleon retained the departmental structure, but instituted the system of prefects to ensure central control of this territory.

Before 1871 there was an appointed *conseil général* (advisory council), but after 1871 this was changed into a unit of local democracy through direct elections with the cantons (subdepartmental territorial units) as the constituencies. However, the prefect remained the executive of the council and was responsible for drawing up the agenda of meetings, for controlling the budget, and for executing the decisions of the council. This remained the case until the 1982–3 decentralization

reforms that transferred these functions to the council president (Loughlin and Mazey 1995).

The departmental system is closely identified with the Jacobin conception of the state as the one and indivisible Republic, and those French people who cherish this conception are reluctant to see it changed. This explains why the decentralization reforms left this system untouched while at the same time setting up the new regions. In practice, the departments are in a much stronger position than the regions given the range of functions they perform<sup>6</sup>, the budgets for which they are responsible, and the number of staff which they employ<sup>7</sup>.

### 2.2.3 *The Region*

The regions are the 'poor relations' of the local-government system<sup>8</sup>. Each region is headed by a *conseil régional* (regional council), elected by universal suffrage using proportional representation. The president of the region is chosen by the council and he/she appoints the executive. However, 'regionalism' has fitted uneasily into the French politico-administrative system and was for a long time seen as contrary to the principles of the Jacobin state. After the Second World War, regionalism did develop but was primarily concerned with cultural and economic issues and less with the political organization of the state. In the 1950s there was some regionalisation of the national plan, and functional regions were set up in the 1970s with a responsibility for economic development and some administrative functions. The 1981–2 reforms did strengthen the regions by upgrading their juridical status and setting up directly elected regional councils (Loughlin and Mazey 1995). However, the implementation of the regional aspects of the reforms was delayed by the Socialist Government for political reasons, and elections were not held until 1986. Furthermore, the elections were held on the same day as the parliamentary elections, and this diluted the importance of the region. In general, although all of the main political parties in France now accept the regions, central governments of both left and right have been reluctant to strengthen them. To a large extent this problem is related to the continuing influence of the departmental system. The original regions were designed to be mainly a union of departments without territories of their own. This idea was retained in the electoral arrangements of the new regions. These arrangements are still based on the departmental constituencies (Nay 1998).

Nevertheless, the regions do exist and they are now part of the French politico-administrative system changed by the decentralization programme of the 1980s. Their functions are still mainly related to economic development, which is achieved through agreements signed by them and the central state in the form of *contrats de plan Etat-Région* (Balme and Bonnet 1995). However, they have also acquired a number of other functions for which they are either solely responsible



or share responsibility with the central state<sup>9</sup>. There is today a wide variety among French regions in their capacity to assert themselves on the national and international scenes. Some, such as Rhône-Alpes, have considerable economic clout and are active on the European scene through organizations such as the 'Four Motors' group (which also includes Baden-Württemberg, Catalonia, and Lombardy). Some have also developed cross-border programmes such as between Aquitaine and the Basque Country or the West Mediterranean Euro-region (including Languedoc-Roussillon, Midi-Pyrénées, Catalonia). In general, the French regions have tried to develop an orientation towards Europe, although the central state still acts as a brake on these activities (Mazey 1995).

#### 2.2.4 *Special Status Regions and Cities*

A number of cities and regions have been given a special status either because of their size or for cultural and geographical reasons.

The city of Paris is both a *commune* and a *département*, and its mayor is an important national figure (until recently and for many years the post was held by the current French president, Jacques Chirac). Paris, Lyons, and Marseille are divided into *arrondissements*, each of which has an elected mayor and council.

Corsica is an island with a strong cultural specificity and has experienced serious political disorder and violence since the 1960s (Loughlin 1989). In 1982 under the decentralization reforms, it received a *statut particulier* (special statute) that was meant to give the islanders a greater amount of autonomy than the other French regions and to take into account their cultural and geographical specificity. However, this arrangement failed to work and, in 1991, it was given a new statute drawn up under the Minister of the Interior, Pierre Joxe (Hintjens, Loughlin, and Olivesi 1995). This transformed Corsica into a *collectivité territoriale*, which has greater powers than the regional councils of the mainland. The *collectivité territoriale* also differs in that it has both an assembly and an executive, each of which is headed by a president. It is the president of the executive who is the effective head of the *collectivité*. However, the Joxe bill also contained a recognition of the *peuple corse*, a demand of the autonomists and nationalists on the island. The French Parliament accepted this clause, but it was struck down as unconstitutional by the *Conseil constitutionnel*, which ruled that there is only one people, *le peuple français*, and only one language, *la langue française*.

The four *Départements d'Outre Mer* (DOM, overseas departments) are almost identical to the metropolitan departments except that they may develop *mesures d'adaptation* (special measures that take into account their situation). Each DOM is also a region, but the *Conseil constitutionnel* did not permit a single council for each DOM, but insisted instead that there be separate departmental and regional councils. The paradox is that Corsica now benefits from a statute that gives a much greater degree of specificity than the distant DOM (Duhamel 1993).

The *Territories d'Outre Mer* (TOM, overseas territories) are in a completely different situation from Corsica or the DOM. The French Constitution recognizes a distinction between the French people and the overseas peoples who have a right to self-determination. The latter category includes some archipelagos in the Pacific, New Caledonia, French Polynesia, and Wallis and Futuna. These territories have a high degree of autonomy, have their own assemblies, and participate in the legislative process since they must be consulted by parliament if their interests are affected. They may accede to independence if they so desire.

### 2.3 *The Role of Parties*

Political parties are virtually non-existent in small localities and are only active in the 2 per cent of towns with more than 10,000 inhabitants; those towns do of course account for half of the population of France. However, partly owing to the electoral system, the lists are based on cross-party coalitions, including a number of independent candidates. It is only in towns of over 30,000 inhabitants that the national parties exert real control over those coalitions and that applies more to the left wing than to the right wing.

Decentralization has involved a transfer of real power and resources to French local authorities. As a result, there has been a colonisation of these levels of government by the political parties. However, this has involved less a 'localisation' or 'regionalisation' of the national parties than a 'nationalisation' of the local and regional (Mabileau 1997). French politicians have traditionally tried to build a support base at the local level through the system of *cumul des mandats*. However, in recent years there has occurred a tendency for the party apparatuses to develop at the local level, to organize local and regional elections, and to choose the candidates for these elections (*ibid.*). The regions especially have become important arenas of political activity for the opposition, which may attempt to win them as an important base from which to attack the government. The right-wing parties (*Rassemblement pour la République*, RPR, and the *Union pour la Démocratie Française*, UDF) had largely opposed the 1981–2 decentralization reforms, but quickly came to accept them and, following the 1986 regional elections, won majorities in twenty out of the then twenty-two councils.

However, the parties still continue to see the department and the big cities, rather than the region or the myriad of small communes, as the primary foci of political activity. It was significant that, when a law was passed limiting the number of offices that may be held under the *cumul des mandats*, most national politicians chose to retain their presidency of the departmental council rather than the presidency of the regional council. This continuing 'departmentalism', as well as the system of proportional representation, have caused problems for the regional councils, since they have led to fragmentation and unstable coalition majorities (Nay 1998). The difficulty of forming stable majorities is compounded

by the fact that the elected regional councillors have a primary loyalty to the department for which they were elected rather than to the party to which they belong.

### 3. THE PRACTICE OF LOCAL DEMOCRACY

#### 3.1 *The Role of Policy Networks and Pressure Groups in Local Government*

The French political tradition has tended to be suspicious towards 'pressure groups' or 'intermediary associations'. In drawing up the Constitution of the Fifth Republic, Michel Debré wished to eliminate them from any influence over either politics or policy-making. De Gaulle, on the other hand, wished to see them excluded from politics, but was willing to allow them a role in policy-making (Wright 1983). However, unlike the countries of North Europe, interest groups in France, such as trade unions, business associations, farmers' organizations, or student organizations, have tended to be fragmented and fractious. As a result it has proved difficult to bring them into the policy-making system (*ibid.*).

This has also been true at the local level, although at this level there is a certain imbrication of political and business elites through the *notable* system outlined above. These may sit together in the *sociétés d'économie mixte* (semi-state bodies), which are responsible for areas such as urban planning and housing. There are also the various chambers, such as the *Chambres de Commerce et d'Industrie*, the *Chambres d'Agriculture*, and the *Chambres de Métiers*, that exist at the regional and departmental levels and in the large towns. Little research has been carried out on the power and influence of these bodies, but some studies have suggested that through them powerful local (or national) interests may have a strong influence, such as the Chamber of Commerce in Rennes that made possible the building of a giant Citroën car plant near the town (Wright 1983).

#### 3.2 *Critiques of Local Democracy in France*

The most severe critique of the French system of democracy is that it existed in a purely formal sense and was based on the abstract notions of citizenship and the state, which existed in a direct relationship with each other. The attempt to destroy the intermediary bodies between the citizen and the state led, in practice, to an excessive centralization of power. This excessive centralization was expressed graphically in the title of the book by the French geographer Jean-François Gravier, *Paris et le Désert Français*. The local political system existed primarily to administer the decisions decided in Paris. Relations between the centre and the periphery were mediated by the *notables* as outlined above. While, from the time of the Third Republic onwards, elections were held at both the departmental and communal levels, and from 1986 onwards, at the regional level, it has been argued

that this simply was the legitimation of the exercise of power by the *notables* rather than the expression of the will of the people. There have been many critiques of the French system. These multiplied from the 1960s onwards, especially after May 1968. Groups such as the *Parti Socialiste Unifié* of Michel Rocard promoted the notions of *autogestion* (autonomy) to be applied at different levels of society (in factories and schools but also on the territorial level). There was also an upsurge of regionalist movements in regions such as Brittany, Corsica, and Occitanie, demanding the liberation of the *forces vives* of local societies through a restructuring of the centralized state. Some of these themes were later incorporated into the programme of government of the Left (Anarchist Party, *Parti Communiste Français* (French Communist Party), and *Parti Radical de Gauche* (Radical Party of the Left)) in 1981 and can be found in the *110 Propositions du candidat Mitterrand*. Although the more radical of these proposals were watered down after the Left came to power, some of them, such as a special statute for Corsica, did come to fruition in the 1981–2 decentralization programme. In fact, the programme itself was a fruit of this way of thinking and was justified as way of strengthening democracy in general.

However, it has since been claimed that decentralization did not fully realize this goal. Mabileau (1997) argues that, ‘il faut bien admettre que la décentralisation s’est effectuée sans la démocratie locale’ (one must admit that we have had decentralization, but without local democracy). Many commentators note that decentralization has, in fact, simply consecrated the notable system (Rondin 1985; Meny 1992). Nevertheless, it could be argued that the *système notabiliaire* itself has changed and that decentralization has effected a transformation of the French politico-administrative system. To some extent, it is up to the people themselves to seize the opportunity that this presents to improve their local democratic practices.

### 3.3 Citizens’ Attitudes to Local Government in France

French people are among those most rooted in their locality and who show a marked reluctance to move out of it. In 1963, 80 per cent of French people lived in the region they were born in, and in 1990 this figure stood at 70 per cent (Percheron 1992). This characteristic is a probable explanation for the degrees of identification with local levels of government rather than with the state: 90 per cent of the population feel close to the *commune*, 76 per cent to the department, 63 per cent to the region, and only 22 per cent with the state (ibid.). They also believe that a certain number of services are better delivered by local authorities, including the regions, than by the state<sup>10</sup>. However, they are more concerned that services be provided than with the government level that provides them.

### 3.3.1 Attitudes towards Decentralization, Regionalisation, and Europe

With regard to the decentralization reforms, a poll conducted in 1991 showed that 65 per cent of French were favourable towards them (SOFRES, *Institut de la décentralisation*, quoted in Mabileau 1997). Furthermore, despite the limited nature of the regional dimension of the reform, there has been a very positive attitude towards the regions, increasing as time has gone on (Percheron 1992). Since the 1986 regional elections, the majority of citizens regard the region rather than the department as the political and administrative entity of the future: in 1986, 59 per cent thought this of the region and 26 per cent of the department; in 1991 the figures were 70 per cent for the region and 20 per cent for the department. These opinions were true of all social categories, political orientations, and residential situations (from small communes to the Parisian conglomeration). When asked why they place such confidence in the region, respondents answered that it is not because of regional identity (only 12 per cent thought this), but because they viewed the region in functional terms. For some, generally those from lower social and educational backgrounds, it was an extra source of state subsidies. For those of higher social and educational background, it was viewed favourably because of its European dimension (*ibid.*).

However, this positive attitude toward the region does not mean that French people wish the departments to disappear. On the contrary. Seventy-eight per cent wish to maintain the status quo in this regard (*ibid.*). On the other hand, 65 per cent are in favour of amalgamating the *communes*. There seems to be, however, a certain amount of confusion in French people's minds with regard to the region. An opinion poll conducted in 1997 showed that 54 per cent of those polled thought there were too many levels of government. When asked a further question as to which level ought to be removed, 38 per cent thought it should be the region, 32 per cent the department, 15 per cent the commune, and 15 per cent did not know (*Le Monde*, 27 February 1997). In this same poll, respondents were asked to judge which centre of decision-making was most important today and which would be the most important in twenty years time. With regard to the current most important centre, 44 per cent thought it was the state, 30 per cent thought it was Europe, and 21 per cent local authorities. Sixty-eight per cent of the population think that, in twenty years time, it will be Europe, 15 per cent the state, and 7 per cent local authorities.

### 3.3.2 Attitudes towards Local Politicians

Fifty-five per cent of French people think that decentralization has enhanced the role of local politicians, 7 per cent think it has reduced it, while 28 per cent think it has left it unchanged (*Le Monde*, 27 February 1997). Forty-eight per cent thought it had had a positive effect on the effectiveness of local politicians, while 13 per cent thought it had not. When asked which of their politicians they trusted most, a huge majority (68 per cent) chose the mayor. The prefect came next (26 per cent), followed by the deputy (23 per cent), the president of the *conseil général* (23 per cent), the president of the *conseil régional* (16 per cent), the senator (6 per cent), while only 6 per cent trusted none of these (*ibid.*). There was generally a positive attitude toward local politicians, although a slight majority (51 per cent) thought they were not close to the people. A majority (50 per cent) also felt that local bureaucrats were competent.

## 4. CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY

### 4.1 The European Challenge

France is one of the founding members of the European Community and, with Germany, has been the driving force behind European integration. However, this has been principally the prerogative of the central state and, in particular, of the president of the Republic who works also with the prime minister. Subnational levels of government have been, until recent years, largely excluded from the European scene. This is true even within the field of EU regional policy, where the *Délégation à l'aménagement du territoire et à l'action régionale* (DATAR) has been more important than the regions in drawing up and implementing the Community Support Frameworks (CFS). Nevertheless, decentralization has given the French regions an opportunity to act on the European level, while the notion of a 'Europe of the Regions' has provided further justification for this (Delcamp 1992; Mazey 1995). First, French regions, like other European regions, have established offices in Brussels that act as information-gathering centres. Second, a number of regions have established cross-border associations. Third, French regions are members of, and indeed, sometimes are the driving forces behind interregional associations such as the Conference of Peripheral Maritime Regions (including the Atlantic Arc and the Latin Arc) and the Assembly of European Regions. Within this context of extraterritorial activity, Rhône-Alpes is a part of the Four Motors group (see above, 2.2.3). Finally, French local politicians have been active in the Committee of the Regions, whose first president was Jacques Blanc, the president of the Languedoc-Rousillon region.

The close result in France of the referendum on the Treaty on European Union shows there is still a certain apprehension with regard to European integration. Nevertheless, the results of the opinion poll quoted above (3.3.1) show that most French people think that Europeanisation is inevitable. The task and opportunity, therefore, is to ensure that it strengthens democratic governance at the regional and local levels rather than the inverse. In many ways it remains an affair of the political elites, including the local elites who are clearly using Europe as a means of consolidating their hold on local society. Nevertheless, the growing importance of Europe has widened the horizons of French citizens beyond the 'Hexagon' and opened them up to other political experiences.

#### *4.2 Socio-Economic and Demographic Changes*

France has undergone a dramatic transformation since the Second World War. At the end of the Second World War it was still a country with a large population engaged in agriculture and where traditional social values still dominated life, even in the towns. Since then, there has been a massive exodus from the countryside and a corresponding growth in the towns and cities. However, France still retains the political and administrative system inherited from the nineteenth century with the addition of the new regions. Basically, the large number of *communes* and the size of the departments do not correspond with the changed socio-economic and demographic realities. The vast majority of the communes are too small to be viable, while the existence of both the department and the region means there is probably one layer of government too much.

There is clearly a need for a rationalization of this system. The profound attachment of French people to their commune has made this difficult. However, beginning in the 1950s, there have been some attempts at voluntary amalgamation of *communes*, using a variety of arrangements (Mabileau 1997)<sup>11</sup>.

#### *4.3 Strengthening Local Democracy in the 1980s and 1990s*

One of the purposes of the decentralization reforms of the 1980s was to strengthen democracy in the French state as a whole by bringing government and administration closer to the people. It might be remarked that this aim has been largely achieved. However, it is less evident that it has brought the people closer to the state in the sense that they are no less *administrés* rather than active and participatory citizens.

According to Mabileau (1997), the attempt to achieve true local democracy (that is participatory rather than representative democracy) by decentralization has been diluted by the introduction of other less-radical approaches. These include the search for *transparence* ('openness'), better communications, allowing citizens easier access to local government, institutionalizing negotiation and concertation,

opinion surveys, rebuilding local citizenship. The 1992 Act on 'the territorial administration of the Republic' contained a chapter on 'local democracy' and the Pasqua Act of 1995 attempted to involve citizens more fully in the form of popular initiatives with regard to planning questions. However, the attempt to build a participatory democracy in France, as elsewhere, has foundered on the rock of massive citizen indifference.

## 5. CONCLUSIONS

France has inherited from the nineteenth century a political system whose chief feature was its highly centralized character. Democracy was seen in abstract terms as involving the exercise of one's citizenship, which was interpreted in an abstract manner as the exercise of certain rights and the possibility of voting in elections. The state dominated everything, and local societies were seen as the recipients of state administration rather than as autonomous self-governing communities as in the Anglo-Saxon and Germanic traditions, even if French people remain profoundly attached to their locality and are reluctant to see the communal system reformed. In the 1980s the position of the state changed with the decentralization laws that caused a profound upheaval of the French politico-administration system. The state is no longer the omnipresent and omnipotent state of the past, but is more fragmented and dispersed. There has been a real transfer of power to local governments, and regions have been enhanced. The nature of policy-making has also changed from a vertical and hierarchical approach to one that is more characterized by horizontal networks of decision-makers operating across administrative boundaries. However, although decentralization is viewed positively by French citizens, it has not made it easier for them to participate in decision-making, which still remains the affair of either central or local elites. In other words, the *notable* system has remained intact.

## NOTES

- 1 The Benelux countries and the countries of South Europe, Portugal, Spain, Italy and Greece.
- 2 Previously they existed as *établissements publics*, whereas, following the 1982 reforms, they are now *collectivités territoriales* with the same juridical status as the *départements* and the *communes*.
- 3 It administers the common grounds (*le domaine communal*); decides on public works; creates and organises public services, including compulsory primary education; and is responsible for town and country planning and building permits (Duhamel 1993).
- 4 Its financial resources come largely from the central government in the form of *Dotations globales de fonctionnement* (DGF); *Dotations globales d'équipement* (DGE); and *Dotations globales de décentralisation* (DGD).



- 5 There were originally eighty-nine departments, a number that was later increased to ninety; however, today there are ninety-six in metropolitan France, following the division of Paris into five departments in 1966 and the division of Corsica into two in 1976. There are also four overseas departments (DOM): Guadeloupe, Martinique, French Guyana, and Réunion.
- 6 These functions include various social-welfare services, some health services, responsibility for most roads and some bridges and ports, building and maintenance of *collèges* (secondary schools for pupils between the ages of 11 and 16), and some cultural activities.
- 7 In 1990 there were 142, 264 people employed by departments compared to 4, 490 employed by regions.
- 8 Until 1991 they included Corsica, but with the new Joxe Statute of that year, the island became a *collectivité territoriale* with a different (and more powerful) legal status than the other regions.
- 9 For example, they can now fund research and technology programmes, have responsibility for the building and maintenance of *lycées* (upper-level secondary schools), and have subsidised university development.
- 10 An opinion poll taken in 1991 showed that majorities thought that decisions concerning large infrastructural works would best be made by the state: for example TGV routes (45%) and motorways (32%). Decisions with regard to other issues would be best made by regions: creation of universities (35%), training (31%), creation of industrial zones (30%). Communes were best suited to decision-making with regard to rural development (36%), local economic activity (37%), or housing (58%).
- 11 *Syndicats intercommunaux à vocation multiple* (SIVOM) were set up in 1959; *districts urbains* were set up in 1959 and *districts ruraux* in 1970; *communautés urbaines* were set up in the large cities in 1966; *communautés de communes* and *communautés de villes* were set up by the 1992 law on the territorial administration of the Republic. The Pasqua law of 1995 introduced 'an organization of territory based on the notion of the *pays*' to devise local development plans. According to Mabileau (1997), this might be interpreted as a new form of centralism given the role of state officials such as the sub-prefect in this organization.

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## Ireland

### 1. THE HISTORY AND CONCEPT OF DEMOCRACY IN IRELAND

#### 1.1 *Historical Background*

The entire island of Ireland, consisting of thirty-two counties, used to form part of the United Kingdom of Great Britain and Ireland, and constituted one of its four nations. In 1921, after a long campaign for Home Rule in the nineteenth century and a War of Independence between 1916 and 1920, the island was partitioned. Six of the nine northern counties of Ulster became Northern Ireland and remained within the United Kingdom. The other twenty-six became independent as the Irish Free State within the British Commonwealth. In 1949 the Free State declared itself a Republic and left the Commonwealth. It is this history of being part of the United Kingdom and then separating from it to form an independent state that has shaped the institutions and political culture of modern Ireland.

Although Ireland has developed a distinctive political culture of its own, its political and administrative institutions have their origins in the period before independence. There was an Irish Parliament for the entire island in the eighteenth century, in which the Protestant minority were represented. This was abolished in 1800 and the Act of Union was subsequently passed in 1801, the founding date of the 'first' United Kingdom. Ireland was then administered from Dublin Castle in a quasi-colonial manner. Throughout the nineteenth century, the pattern of democratization was the same as in the rest of the UK: a series of Victorian legislative acts, culminating in the 1898 Local Government (Ireland) Act, resulted in a two-tier structure of authorities elected on a wide franchise. The upper tier consisted of county-level authorities in the form of county councils and county boroughs (cities). The second tier consisted of rural district councils and, in the smaller towns, non-rating town commissioners. These acts were passed by the British Parliament at Westminster and, until the Local Government Act 1991, formed the legislative basis for Irish local government. Although Ireland, unlike the UK, has a written Constitution, local government follows the British approach and has a *statutory* (that is based on Acts of Parliament) rather than a constitutional basis (that is based on a written constitution). The same *ultra vires* rule applied to Irish local government as it does to British local government: the *Oireachtas* (the Irish Parliament) defines the areas of competence of local government that did not possess a general competence. This rule was changed by

the Local Government Act 1991 (see below), but the political culture of dependence on the centre that it engendered has taken longer to change (Collins and Haslam 1997; Quinn 1998).

A number of features differentiate the history and understanding of democracy in Ireland from that in Great Britain. Unlike Britain, which underwent rapid industrialisation in the nineteenth century, most of Ireland (with the exception of the north-east corner around Belfast) remained rural and agricultural. The majority of Irish land-dwellers were small tenant farmers who were penalized if they improved their holdings. These farmers lived in great insecurity; and there were several famines in the country, the most serious being in 1845–52 when about one million people died and another million emigrated (Lyons 1971). These events had enormous consequences for the political development of the island and led to an intense conflict about the issue of land ownership and its reform.

Related to this was the problem of religion: the small minority who possessed the bulk of the land were the Protestant Anglo-Irish gentry, while those who possessed little land or none at all were mostly Catholic. Furthermore, Catholics were penalized in a number of ways until the middle of the nineteenth century. Even though these penalties were lifted by the Emancipation Act of 1832, power still lay in the hands of the Protestant ruling classes supported by the considerable numbers of Protestant tenant farmers in the North of Ireland. In this situation, the Catholic Church and the small Catholic middle class assumed important roles as the leaders of the people. Indeed, the Catholic clergy were largely drawn from this class.

The conflict over land and religion became bound up with another cleavage: nationality. Most Catholics were nationalists of one kind or another who sought to change Ireland's relationship with Great Britain, either through greater autonomy (Home Rule) within the UK or through complete independence (Republicanism). Although many of the leaders of Irish nationalism were Protestant aristocrats, most Protestants, especially in the North, were unionists; that is they opposed any change and wished to remain within the United Kingdom. Although class was not absent from these conflicts, it was not a primary issue and both communities within Ireland tended to form interclass alliances.

Thus, nineteenth century Ireland experienced intense conflict around three issues: land, religion, and nationality; while in Great Britain the basic political cleavages were much more related to social class. They also led to continual political unrest and violence on a scale much greater than in Great Britain. The conflicts involving the Nationalists, Unionists, and the British led to the partition of the island following the Anglo-Irish Treaty of 1921. This led to a division in nationalist ranks and a Civil War in the South (1921–3) fought between those who supported and those who rejected the Treaty settlement. It is this conflict that has dominated, at least until very recently, the politics of Ireland with the two major

parties (*Fianna Fáil* and *Fine Gael*) being the inheritors of the opposing sides in the conflict.

## *1.2 Democracy at the Subnational Level*

What is important is that in the latter half of the nineteenth century, when democratic institutions were being set up, the cleavages concerning land, religion, and nationality became fixed, as it were, and continued to dominate the political life of the island and to condition the nature of democracy itself throughout the twentieth century. They have done so in a number of ways. First, most Irish Catholics became alienated from the political system and distrusted the central government, whether in London or in Dublin. Irish MPs, the majority of them Nationalists, did sit in the Westminster Parliament, but felt impotent to influence affairs in Ireland. With the democratization of local government in the 1890s, the latter became a base from which to build either nationalism (in the Catholic parts of Ireland) or unionism (in the Protestant parts). The second important effect was the high degree of centralization in Ireland. Because of the quasi-colonial nature of Ireland's relationship with Britain and the continual unrest throughout the island, Dublin Castle, the centre of Irish administration, became the focus for a system of control over the entire island. This was reinforced by the political violence that accompanied the foundation of the new state when the government in power felt it had to impose a system of strict control over the country. Finally, the rural character of much of Ireland encouraged a system of patronage or clientelism especially at local government level. In fact, it could be argued that this system was necessary given the weakness of Irish democracy at the level of Dublin and the distance of these rural communities from Westminster. It was also necessary given the chronic insecurity, whether caused by economic reasons or by political violence, that was endemic in the countryside.

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY IN IRELAND

### *2.1 The National Level*

Ireland is a parliamentary democracy that follows the Westminster pattern, although, unlike the United Kingdom, it has a written Constitution. Elections take place to the *Dáil* (Lower House of Parliament) at least once every five years. There are other elections: the president is elected every seven years, elections to the European Parliament every five years, and referendums on amendments to the Constitution. Elections to local authorities are held at the discretion of central government, but never less than five years apart and the interval can be as great as nine<sup>1</sup>. The electoral system is proportional representation by means of a single transferable vote (PR-STV). All resident Irish citizens over 18 are entitled to vote

in all of these elections. Britain and Ireland have had a Common Travel Area since the foundation of the Irish state, and British citizens resident in Ireland may vote at *Dáil*, European, and local elections (as Irish citizens may so vote in Britain). EU citizens may vote at European and local elections and all residents, regardless of citizenship, may vote at local elections. There are sixty members in the *Seanad* (Upper House of Parliament). Eleven are nominated directly by the incoming prime minister, six are elected to represent the universities, while the remaining forty-three are elected on a restricted franchise that mainly consists of the 883 county and city councillors in the state.

## 2.2 The Local Level

The basis of political organization at the local level and important reference points of identity for Irish citizens are the twenty-six counties.

At present, there are twenty-nine county councils (CCs)—twenty-four of the twenty-six counties have one council, Tipperary has two councils, Dublin has three—and five county borough corporations (CBCs) that cover the five largest cities in the state. These thirty-four authorities have the same powers and form the core of the local administrative system (Coyle 1996). There is, however, no uniform system of subcounty administration and different systems exist in different parts of the country: there are five borough corporations, forty-nine urban district councils, and twenty-six boards of town commissioners.

TABLE 7.1. *Subnational government in Ireland*

Type of authority	Number of authorities	Membership
County councils	29	20–48
County borough (city) corporations	5	15–52
Borough corporations	5	12
Urban district councils	49	9–12
Town commissioners	26	9
Total	114	1,627

Source: DoE (1996b: app. 1).

### 2.2.1 Functions and Finances of the CCs and CBCs

Functions that are carried out by local authorities in other European countries, even in a (until recently) highly centralized country like the United Kingdom, such as education, police, and social welfare, are the responsibility of central departments in Ireland, with the exception of some minor contributions by local

authorities. In 1980 and 1990, Ireland ranked lowest among the twelve EU countries for the level of local government spending as a percentage of national output (DoE 1996a). Local authorities are responsible only for functions that fall into two basic categories: (i) planning and development, and (ii) environmental management and control (Coyle 1996). These cover: housing and building, road transportation and safety, water supply and sewerage, development incentives and controls, environmental protection, recreation and amenity, and miscellaneous services.

Irish local authorities have a very weak financial base. Almost all of capital spending (35 per cent of the total) is funded by state grants and is spent on roads, water and sanitary-services facilities, and much of the housing-construction programme. Current expenditure (65 per cent of the total) has traditionally been financed from state grants, local rates, fees, charges, rents, and services provided by the local authorities. The financing of Irish local government has been controversial since the abolition of household rates in 1978, made following a commitment given in a national election campaign. Attempts by local authorities to make good the deficiency by levying charges for household water supply met with resistance and threatened political upsets in the large cities. In 1996 these charges were also abolished, and a new system was set up whereby local motor tax revenues previously directed to the national exchequer would now be made available for local spending. This was boosted in March 1998 with the announcement that a dedicated slice of national revenue (index-linked) in addition to the revenue from motor taxation would be made available for distribution to the local authorities. This promises a buoyant and predictable supply of funds albeit a highly centralized one. The only discretionary local funding sources are rates on commercial premises and a miscellany of charges for services.

### *2.3 The Role of Political Parties*

Despite the limited political and policy-making role of Irish local authorities, the political parties and the electorate take local elections very seriously. There is something of a paradox here in that the tendency of central government to delay local elections never provokes a public outcry, despite the seriousness with which they are taken. Elections are usually held midway through the life of the *Dáil* and are often seen as tests of the government's popularity. Furthermore, county councillors, although they have a weak democratic base in the councils and despite the truncated nature of their functions, serve as conduits between the locality and the centre<sup>2</sup>. There is also a small number of non-party councillors. Electoral turnout is quite high and stood at 55.7 per cent in the last local elections for the larger authorities (councils and county borough councils) held in 1991<sup>3</sup> (Donnelly 1992). The highest turnouts were in Leitrim (79.4 per cent) and Roscommon (73 per cent), while the lowest were in the Dublin area—Dublin

South (41.4 per cent), Dun Laoghaire (42.1 per cent), Dublin Fingal (48.8 per cent)—in Kildare (48.5 per cent), and Galway Corporation (49 per cent). All the others were above 50 per cent (*ibid.*). These results are important as they show that, while local elections are taken seriously in the rural parts of Ireland, there is a certain amount of disaffection in the urban areas, especially in the Dublin area.

TABLE 7.2. *Party vote in the 1985 and 1991 local elections (counties and county boroughs)*

Party	1985			1991			% change	No. of seats changed
	No. of candidates	No. of seats	% of votes	No. of candidates	No. of seats	% of votes		
FF	687	437	45.49	644	357	37.9	-7.59	-80
FG	572	283	29.82	471	270	26.4	-3.43	-13
Lab	227	58	7.7	201	90	10.63	2.92	32
PD	0	0	0	125	37	5.05	5.05	37
WP	81	20	3.19	82	24	3.66	0.48	4
GP	34	0	0.55	60	13	2.36	1.81	13
SF	77	10	0.3	61	7	2.04	-0.96	-3
NP	280	75	10.25	329	85	11.96	1.71	10
Total	1,958	883		1,973	883			

FF = *Fianna Fáil*, FG = *Fine Gael*, Lab = Labour Party, PD = Progressive Democrats, WP = Workers' Party, GP = Green Party, SF = *Sinn Féin*, NP = Non Party

Source: Donnelly (1992).

The results of the last two elections, held in 1985 and 1991 (Table 7.2), show that local politics reflects party politics at the national level and is dominated by the two big parties, *Fianna Fáil* and *Fine Gael*, but with the former holding a predominant position in terms of the percentage of the vote and the number of seats. The Labour Party is the third party at this level. The two main parties both lost seats and dropped in percentage points, but this is largely explained by the appearance of a new party, the Progressive Democrats, formed in 1985, as a result of a split from *Fianna Fáil*.

### 2.3.1 Description of Councillors

The largest category of councillors elected in 1991 were farmers (18 per cent) followed by *Teachta Dála* (TDs, members of parliament—12 per cent), teachers (10.5 per cent), and business persons (7.8 per cent); there were very few workers or employees. Most councillors are male, but a noteworthy feature of the 1991 elections was the increase in the number of women elected: 103 compared to 74 in



1985, a 39 per cent increase (Donnelly 1992). Dublin councils have the largest proportion of women councillors: Dublin South (30.8 per cent), Dublin Fingal (29.2 per cent), and Dun Laoghaire (28.6 per cent) (ibid.).

#### *2.4 The 'Regional' Level: Údarás na Gaeltachta and the Shannon Development Authority*

There is no level of regional government in Ireland although a regional level of administration has been in existence since 1994 (see below). The Irish language community in Ireland has its own authority, *Údarás na Gaeltachta*, which exists to promote economic development as well as community, cultural, and language-development activities. This does not cover a single region, but represents the various Irish-language communities dispersed throughout the country<sup>4</sup>. There are thirteen members on the board, seven of whom are directly elected by the electorate of the Gaeltacht, the other six being appointed by the Minister of Arts, Heritage, Gaeltacht and the Islands. The Shannon Development Authority is an economic development agency in the west of the country that started in relation to the development of Shannon Airport, but with a wide brief to promote sustainable regional development in the entire region.

### 3. THE PRACTICE OF LOCAL DEMOCRACY

#### *3.1 The Role of Policy Networks and Pressure Groups in Local Government*

These have tended to be less well-developed in Ireland compared to other European countries, possibly because of the weakness of the powers of Irish local authorities and the clientelistic nature of local politics. Mediation between the centre and the locality usually occurred through personal contacts with politicians who were present in both national and local politics. Furthermore, the community-development sector (outlined below), which is seen as a new form of local governance that has developed in Ireland in the past several years, has grown up largely outside the traditional system of local government (Sabel 1996).

#### *3.2 Critiques of Local Democracy in Ireland*

Harvey (1997) summarizes the weaknesses of Irish local government as follows:

- restricted ability to raise its own revenue;
- limited powers and functions;
- the small number of councillors per head of population.

This has attracted a great deal of criticism, and government reports have suggested changes, although Ireland, unlike most other Western states, has, until recently, resisted change in this regard. As Coyle comments: 'Ireland is almost unique among its European neighbours in not having implemented any major reform of local government in the post-war years' (1996: 282). In 1993, Barrington commented that 'here in the South [of Ireland] we now have by far the most centralised state in Western or Middle Europe. We are fifty per cent more centralised than the European norm, and over three times as centralised as the leading local democracy, Denmark' (Barrington, quoted in Quinn 1998).

### *3.2.1 The County Manager System*

The county and city manager system was introduced into Ireland in 1929 under the influence of city management models in the United States (Collins and Haslam 1997). The Manager is a full-time chief executive with a supporting administrative staff. The key to the system is the division of functions into 'reserved' and 'executive'. Reserved functions are the responsibility of the elected councillors and cover important matters of policy and principle: financial affairs, development plans, passing of by-laws. All other functions are 'executive' and automatically come under the authority of the manager. In theory, the elected members have powers to oversee the managers, and the latter have a duty to assist the elected members. It is generally recognized that the managers, as quasi-permanent<sup>5</sup>, professional, and salaried officials, are in a stronger position than the elected councillors, who are unpaid, part-time, and often transient (Coyle 1996). The manager's position is further enhanced by the fact that his/her appointment is the responsibility of the Local Appointments Commission, a national agency. However he/she may only be dismissed by the Minister for the Environment and Local Government. Elected councillors may, after a two-thirds majority vote, only suspend him/her for incompetence or misconduct and must request the Minister for the Environment to remove him/her from office (Coyle and Sinnott 1992: 75). A survey of regional and local elites from both the private and public sectors, published in 1992, showed that 73 per cent thought that the county managers wielded power in the county, second to, and almost as much as, government ministers (74 per cent), and more than national party leaders (69 per cent) (Coyle and Sinnott 1992: 92). Although county managers have undoubtedly contributed to the effective and efficient running of local-authority affairs, there is little doubt that this has tended to undermine the role of the councillors and, therefore, of the system of representative democracy at the local level.

### 3.2.2 Elected Councillors and Clientelism

It has been generally recognized by scholars and commentators that political culture in Ireland, especially at the local level, is characterized by a system of patronage (Collins and Haslam 1997). One of the most important roles of politicians is to secure benefits for either individuals or territories. Most politicians hold a dual mandate: 73 per cent of the TDs who were elected at the 1992 General Election were also members of a local authority, and 90 per cent had been a local councillor at some stage in their political careers (Gallagher and Komito, quoted in Coyle 1996: 294). Unlike the French system of *cumul des mandats*, which elevates local concerns to the national level, the Irish system completely subordinates local politics to the national. This system of central–local relations has, therefore, tended to reinforce rather than reduce the political culture of clientelism. With the emasculation of the political power of local authorities, local communities tend to look to their TD to represent their interests. There, thus, has developed a system of ‘brokerage’ whereby politicians went straight to the top in Dublin. This in turn reinforced the centralized nature of the Irish system.

### 3.2.3 Irish Local Government and Local Development

Writing for the Community Directors’ Forum, a body concerned with local development, Harvey (1997) points out that:

- local authorities have been unwilling or unable to adopt a developmental role, with negative social consequences;
- the powers given to the local authorities to work with local communities through approved local councils, as given in a 1941 act, fell into disuse;
- local government has not addressed social or economic disadvantage in a strategic way;
- relationships with local authorities have frequently been poor.

### 3.3 Citizens’ Attitudes to Local Government in Ireland

According to the 1996 *Eurobarometer* results, Irish people have a strong sense of identity with their town and village (92 per cent) although they have an even stronger attachment to their country (97 per cent) (*Eurobarometer*, no. 44, 1996). There is also a strong attachment to the county for sporting purposes. However, there is little direct data on citizens’ attitudes toward local government, nor the degree to which they participate in local government. Nevertheless, the electoral turnout figures quoted above (section 2.3) indicate that turnout for local elections is much higher in rural Ireland than it is in the area around Dublin. This suggests that people living in rural Ireland are more attached to local government than

those living in the Dublin conurbation. These findings are borne out by an unpublished survey carried out for the Devolution Commission by Lansdowne Market Research<sup>6</sup>. This survey also found that active community involvement is at relatively low ebb. Only one quarter of the respondents expressed an interest in local politics, and about two-thirds had had no contact with the local council in the previous twelve months. A majority rejected the idea of becoming involved in the local community themselves, with one in five stating that nothing would encourage them to participate. A majority said they knew 'just a little' about their own council and most felt the council did not keep them well informed about its services. Most people felt their own opinions had little or no influence on council decisions. Nevertheless, despite these negative findings, the majority were satisfied with the working of democracy in their area and a majority wished to see councils have more powers.

#### 4. CHALLENGES AND OPPORTUNITIES FOR LOCAL GOVERNMENT IN IRELAND

The major challenge facing Irish local government in the period since independence has been the transformation of the Irish economy and society since the 1980s. Ireland has gone through a number of phases of economic development. As an independent state, it inherited a legacy of economic underdevelopment and backwardness. First, there was a period of economic nationalism and autarky, which lasted until the late 1950s, characterized by protectionism and attempts at developing native industry as well as farming. However, this failed to bring economic prosperity and was followed by a change of models and a period of free trade between Britain and other countries and Ireland's entry into the EEC in 1973. The emphasis during this period was on the encouragement of foreign direct investment by multinational companies through tax incentives and the provision of infrastructure (Baker 1987). However, this approach also failed to bring about the sought-after prosperity and was accompanied by a rural exodus, the uneven growth of the area around Dublin, and continuing unemployment and emigration. During all of these phases, local government was marginalized or seen simply from a centralist perspective.

##### *4.1 Attempts at Economic Modernization (1958–)*

The Irish government, from 1958 onwards, attempted to 'catch up', economically and socially, with other European nations by way of several programmes of economic expansion (Baker 1987). These programmes had implications for the politico-administrative system, including a degree of regionalisation (in the sense of a top-down approach to regional planning). The approach adopted in Ireland in the 1960s was based on the Keynesian model of macro-economic management,

indicative planning, and welfare statism. Economic development was based on the 'growth pole' idea, which meant choosing a region or city as a centre of growth in which investment would be concentrated with the expectation that its growth would have spin-off effects on the surrounding area (Loughlin 1996). This implies a certain amount of economic 'decentralization'. However, in the Irish context two points should be noted. First, the process of distribution remained firmly in the hands of central departments such as the Department of Finance or centrally-controlled agencies (known in Ireland as 'semi-state' bodies) such as the Industrial Development Agency (IDA). The local population had little say in the decisions that were taken. Second, the 'growth-pole' idea was modified with a concern by government ministers to achieve a 'balanced' growth. What this meant in practice was that the old clientelistic system would not be disrupted too much and that different 'clients' (and not just 'growth poles') would receive the benefits of industrialisation. Whichever approach was emphasized, it is clear that they did not serve to enhance the quality of local democracy, as key decisions affecting the local societies continued to be taken centrally by politicians or bureaucrats in Dublin.

In the 1960s there was a gradual regionalisation of Irish planning (in the sense of top-down regional policies designed by the centre) (Laffan 1995). In 1963 the Local Government (Planning and Development) Act was passed. In 1964 the Minister for the Environment designated planning regions. In the same year *An Foras Forbartha* (The National Institute for Physical Planning and Construction Research) was established (and has since been disbanded). Regional development organisations (RDOs) were also established during this period. Another development was the setting up of regional administrative units such as the regional health authorities. In the 1970s and 1980s several reports recommended local government reform (*Local Government Reorganisation White Paper*, 1971; *More Local Government*, Institute of Public Administration, 1971; *Local Government Discussion Document*, 1973; *Local Government Reform*, 1985; *Towards a New Democracy: Implications of Local Government Reform*, Muintir na Tire, 1985). However, the regionalisation of planning and administration did little to change the pre-existing system. On the contrary, the counties remained the key levels of government even in the RDOs, and central government continued to play the predominant role in final decision-making. In the 1980s, with changes in the local taxation system, local government lost much of its financial resource base and became even more dependent on central government block grants. The reports were, for the most part, ignored by central government, and regionalisation continued to be largely cosmetic and uncoordinated (Coyle and Sinnott 1992).

## 4.2 Ireland and the European Community

Ireland's entry, alongside the UK and Denmark, into the EEC in 1973 did not significantly modify this state of affairs. Indeed, the centrally managed development programmes of the 1960s were to a large extent designed to prepare for Ireland's entry (Baker 1987). Ireland benefited enormously from membership through the Common Agricultural Policy (CAP) as well as through the European Regional Development Fund (ERDF), which began operation in 1975 (to a large extent as a result of the 1973 enlargement). The early 'project' based approach of the ERDF (whereby the Commission distributed discrete funds to national governments who then used them for individual projects) was ideally suited to the Irish political culture of clientelism. The 1985 and 1988 reforms of the ERDF that upgraded the role of subnational authorities and moved from a project to a programme-based approach did not radically alter the situation. In fact, they enhanced the centralized nature of the Irish system by declaring Ireland to be a single objective 1 priority region. It was argued by the Irish government that this was necessary given the smallness of both the territory and the Irish population, which did not justify a further subdivision into regions. In effect, the National Development Plans were drawn up by the Department of Finance with very little input from any level of local government. Arguably, this was economically beneficial in an earlier period when it was necessary for central government to engage in major economic programmes to build the basic infrastructure for further economic growth.

## 4.3 Regionalisation

The highly centralized Irish approach to EU regional policy attracted a great deal of criticism from the European Commission as well as the European Parliament. John Hume, MEP for Northern Ireland and a committed European federalist, drew up a report for the parliament in which he was highly critical of the lack of a regional level of government in Ireland (European Communities and European Parliament 1987). Within Ireland, too, there was a growing regionalist lobby. This manifested its displeasure in the *Barrington Report* (1991), which recommended a number of government reforms including the setting up of eight indirectly elected regional authorities. The government accepted this recommendation and gave effect to it in the Local Government Act (1991). The new regional authorities came into existence on 1 January 1994. These are statutory bodies (that is they are established by acts of parliament) and are composed entirely of local councillors selected by the local authorities within the region. The main tasks of the regional authorities are to:

- promote the coordination of the provision of public services in the region;

- promote the consultation between local authorities and other organizations in the region, relating service provision;
- promote the coordination of plans and programmes of government in the region;
- promote consideration of public authorities of the implications of their decisions, activities, and services on the region as a whole;
- review the overall needs and development requirements of the region;
- review and advise on the implementation of EU Structural and Cohesion Funds in the region;
- review the development plans of the local authorities and, where relevant, the development plans of local authorities in adjoining regions;
- prepare a regional report concerning the above every five years.

Some commentators have dismissed the new regional structures as purely cosmetic and have pointed out that the counties still jealously guard their prerogatives. Quinn, however, comments that ‘the implementing structures have been more successful and the consultative process for preparation of the second National Development Plan [submitted to obtain Structural Funds] was more extensive and purposeful’ (1988: 11). In general, it seems that the EU has been a factor encouraging a greater input from the local and regional levels in decision-making in Ireland. Some further recognition to the role of the regional authorities was granted in an amendment to the Order establishing the regional authorities (1991) allowing county councillors appointed to the Committee of the Regions to become members of the authorities<sup>7</sup>. In the same amendment it was stated that, in the appointment of members and alternate members of the Committee of the Regions, there should be an appropriate measure of gender and territorial balance.

#### *4.4 Changes in the Irish State and Society*

Ireland has been undergoing extensive and radical change since the 1980s. It has the fastest growing GDP in the EU and its economic success shows no signs yet of slowing down. These changes are due to a number of factors: successful implementation of EU regional funds; a young, dynamic, and well-educated population; a heavy investment in education and training; and a successful exploitation of the development of new technologies such as computer software. However, according to an OECD Report, drawn up by Charles Sabel (1996), a major factor in this success has been the development of an approach to policy-making at the national level based on ‘partnership’. This approach to economic and social planning involves the government and the ‘social partners’ (business and trade unions).

However, the benefits of Ireland’s undoubted economic success are unevenly distributed and mask the continuing unemployment and high levels of poverty for

a significant minority of the population. Much of this poverty is concentrated in rural areas and in some districts of Irish towns and cities including Dublin. Some authors have claimed that the local authorities have been unable to tackle the problem with great success (Harvey 1997). They also claim that this has led to the growth of successful local development organizations called area-based partnerships (ABPs), which involve a range of actors in planning in a strategic way to tackle some of these problems, as well as by partnerships working on the EU-funded LEADER programme (Sabel 1996; see case studies below). This approach has been encouraged by central government, especially the Office of the *Taoiseach* (prime minister), which has sought to apply the partnership approach, successful at the national level, to the local level (Quinn 1998). The European Commission has also encouraged this approach in the LEADER programme. According to the OECD Report written by Sabel (1996), this approach, which he terms 'democratic experimentalism' has been highly successful and innovative. The approach adopted by the ABPs is very similar to, and to a large extent modelled on, new approaches to economic development adopted by large firms, that is based on horizontal linkages, teamwork, creative use of knowledge, and the continual redesigning of objectives in terms of continual change. This has led to problems with relating it to traditional local government, as it has developed to a large extent outside the structures and institutions of representative democracy. It is also only fair to point out that traditional local governments operate in a regulatory environment. For example, local authorities have to manage or monitor traffic, construction and land use, and industrial discharges to the environment; and thus they are obliged to constrain the activities of some groups in the community. This, of course, contrasts with the relatively unconstrained activities of the partnership groups. It is also true that county development officers facilitate incoming industries to find a path through various regulatory processes. Finally, it remains the case that the partnership groups are non-elected and therefore non-accountable. Our evaluation of the activities of the local authorities compared with those of the partnerships should therefore be nuanced in this way. Furthermore, in the Lansdowne Market Research survey commissioned by the Devolution Commission (see above), very few local residents had heard of these organizations.

Nevertheless, the Irish government has responded very positively to the community-development model and in a number of measures proposes to reform local government by integrating the local-development bodies into a wider system of local planning. In 1992, county enterprise boards were established involving representatives from the local authorities and the community-development sector. In June 1996 the Department of the Environment, which has responsibility for local government, issued a document, *The Financing of Local Government in Ireland*, which also noted these trends and recommended that community-development functions be devolved to local authorities. The Devolution



Commission, which had been set up by the government in 1995, made a strong recommendation in its *Interim Report* that decision-making be further decentralized and that there be improved linkages between the community development groups and local government (Devolution Commission 1996). The government responded by affirming that the role of elected members of local authorities be enhanced in setting policy for local services and giving political leadership to socio-economic development at the local level. It also affirmed that local authorities will be encouraged to develop 'a more structured relationship' with the ABPs and the LEADER groups. The government further issued a White Paper, *Better Local Government—A Programme for Change*, in December 1996, which represents current thinking on the question. The White Paper outlines four core principles of better local government:

- serving the customer better;
- developing efficiency;
- proper resources;
- enhancing democracy.

The last point basically affirms the link between local authorities and community development and expresses the desire to strengthen representative democracy by the involvement of local people in devising new approaches to meet community needs. It recommends that this be institutionalized by setting up between two and five strategic policy committees (SPCs) in each local authority, each under a programme manager. SPCs are to be made up of councillors and local interests (for at least a third). One SPC will be the Community and Enterprise Development Group, of which half the membership will be made up of local-development bodies (Harvey 1997). Finally, the White Paper argues for greater integration, simplification, and reorganization, because of the multiplicity of groups operating at the local level. These reforms will come into effect from 1 January 2000.

Undoubtedly, these developments represent the most ambitious and promising programme of reform of local government in Ireland for decades and, if implemented, should enhance the quality of local democracy. However, the integration of the two streams of local government and community development (ABPs and LEADER) may not be easy. Local government is based on a certain type of organization that is hierarchical, bureaucratic, and traditionally rule-based, while the new community-development organizations are based on an approach that is horizontal, non-bureaucratic, innovative, and creative (Sabel 1996). One of the fears of the community-development protagonists is that the reforms, especially those influenced by the Department of the Environment, will be simply a means by which traditional local government will take control (and emasculate) the creative community-development stream (Harvey 1997). On the other hand many county councillors look askance at the community-development groups as

unelected and, therefore, lacking in political legitimacy, which the councillors alone possess as a result of their election through the ballot box.

## 5. INNOVATIVE APPROACHES TO LOCAL DEMOCRACY CASE-STUDIES THE PARTNERSHIP APPROACH<sup>8</sup>

### 5.1 *Area-Based Partnerships (ABPs)*

- formed in 1991 as limited companies subject to the Companies Act (1991);
- typically a board of directors of eighteen members drawn from:
  - \* statutory agencies (including national government bureaux);
  - \* social partners (trade unions, farmers, business associations);
  - \* the community sector (groups active in matters such as welfare and tenants' rights or crime-fighting).
- outside the traditional system of representative local government.

### 5.2 *The Pilot Area Programme for Integrated Rural Development (IRD)*

- covered the years 1988–90;
- organized by the Department of Agriculture to raise income levels in rural areas;
- based on a local coordinator facilitating a core group of (8–10 members) of representatives of voluntary organizations;
- developed the aim of policy learning and coordination among otherwise isolated groups;
- met with some success in the areas covered.

### 5.3 *The EU LEADER Programme*

- there is considerable continuity between this and the IRD;
- part of an EU-wide programme that led, in Ireland, to setting up sixteen local-development 'companies' with a budget of Ir£2–3 million each;
- local actors invited to form partnership companies that were legal companies and not just loose groupings (several of the groups had participated in the IRD, some had existed before IRD, and some were created in response to LEADER).

### 5.4 *County Enterprise Boards*

- these were created under the mantle of the Ministry of Enterprise and Employment as locally controlled companies;
- but the ministry exercises greater control over them;

- the board must include representatives from local authorities (which is not the case with the ABPs or LEADER groups).
5. *Operational Programme for Local Urban and Rural Development (1994–9) and County Strategy Groups (CSGs)*
- Operational Programme co-funded by the European Commission and the Irish government;
  - creation of county strategy groups (CSGs) as instruments of coordination and consisting of chairs of the CEB's, ABP's, LEADER companies, County Tourism Committees, county managers, and, perhaps eventually, elected local councillors;
  - appointment of a Minister for Local Development who is also responsible for European Affairs.

## 6. CONCLUSIONS

Local government in Ireland has been traditionally very weak with local authorities exercising few functions, with a limited financial base, and a low level of democratic legitimacy of elected councillors. Ireland has been highly centralized and local government subordinated to the central government. Political culture at the local level has also tended to be clientelistic, and local politics was largely a conduit by which national politicians could have a local base and channel funds or resources to their clients. However, the past ten years have seen a transformation of Irish society, the economy, the development of a new political culture, and a new self-confidence on the part of Irish people. A new policy-making style, based on the partnership approach, has been highly successful at the national level and is being applied now, with the encouragement of central government, at the local level. There has been a growth of community-development organizations, called area-based partnerships, and also of groups involved in the EU LEADER initiative, which have quite successfully applied the partnership approach to local community development. However, these new groups have developed outside the traditional local-authority system and have not involved local councillors very much. The Irish government wishes to change this and to integrate the two streams in such a way as to enhance representative democracy at the local level. It has embodied these aspirations in a legislative programme that promises to effect real local-government reform for the first time in decades.

## NOTES

- 1 This constitutes a serious democratic deficit as local elections may be postponed by central government for purely political reasons.
- 2 This is what is meant by 'clientelism' referred to above.
- 3 The next elections for all local authorities will be held in June 1999.
- 4 The Gaeltacht covers parts of counties Donegal, Mayo, Galway, Kerry, Cork, Meath, and Waterford with an Irish-speaking population of 86,000, all of whom also speak English.
- 5 Until 1991 the county managers were appointed on a permanent basis, but after that date they have been appointed to seven-year terms; nevertheless, this contrasts with the transitory nature of the elected councillors.
- 6 The Department of the Environment has kindly allowed the author access to this report and has given permission to quote the main findings, but not the detailed results.
- 7 Statutory Instrument 1998, no. 1.
- 8 The following draws on Sabel (1996).

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# Italy

## 1. HISTORY AND CONCEPT OF DEMOCRACY IN ITALY

### *1.1 Historical Background*

Italy was a relative newcomer to the club of nation states in the nineteenth century, being created only between 1860 and 1870 as a union of many 'Italies': the economically developed North with its great cities and political traditions close to those of northern Europe; the backward South characterized by a feudal-type system of great landowners and non-politicised peasants with traditions of patronage and clientelism; and the Centre, once dominated by the Papal States and, like the South, with little experience of liberal constitutional democracy. The Piedmontese elites who created the new state saw as their primary task to weld these very different territories and societies into a single territorial unit. Only a very small percentage of the population of Italy spoke the Italian language while the majority spoke dialects that were mutually incomprehensible (Putnam, Leonardi, and Nanetti 1993: 18).

The political regime chosen for the new Italy was a monarchy with a centralized state administration modelled on the French Jacobin state. In the debate leading up to unification, some public figures, such as Cattaneo and other figures of the Risorgimento, had advocated a federal design for the new state. However, an alliance of Piedmontese industrial and political elites and of the great landowners of the South thought that federalism would encourage the centrifugal tendencies of the new Italy while Jacobinism would better hold the different parts together. This uncomfortable alliance between North and South gave rise to the major political, social, and economic problem of Italy since its foundation: the glaring disparities between the North (including the Centre), which, in terms of economic development and democratic practice, is relatively modernized and developed, and the South, which is more backward economically and whose social and political system is marked by clientelism and institutional incapacity (Putnam, Leonardi, and Nanetti 1993). The crucial problem in the South was the failure of a new entrepreneurial middle class to emerge. This allowed the state to become omnipresent as a substitute. This overbearing state was used by the southern elites to protect themselves in a situation of acute social conflict and to use the already existing divisions in southern cities to establish their hegemony. This eventually

led to collusion with the Mafia and the encouragement of further division (Davis 1996).

The Italian state went through three historical experiences each of which profoundly affected the nature of its democratic system: (i) unification, (ii) Fascism, and (iii) resistance and reconstruction (Hine 1993).

At the time of unification (1860–70), and in the subsequent period of Liberal Italy (until the Fascist period that began in 1922), democratic practice in the form of political parties and parliamentary politics was very rudimentary. The country continued to be divided along North–South lines, with the state lacking legitimacy for the southern peasants, but also along secular–religious lines as the Catholic Church at first refused to recognize the new state. Liberal Italy was ill-equipped to cope with the arrival of mass politics and was opposed by the three most important political movements that emerged during this period: socialism, clericalism, and nationalism (Hine 1993). In 1912 manhood suffrage with a system of proportional representation was adopted, and this gave a voice and a power to these movements thus threatening the Liberal rulers. Unable to control the political and social unrest after the First World War, the Liberal leaders asked Mussolini to assume the office of prime minister. He soon dismantled the liberal-democratic state and installed the Fascist state. This, however, was far from totalitarian, but rather ‘a shambling, inefficient, inordinately corrupt and multi-centred state bureaucracy’ (Hine 1993: 20).

The reconstruction of the Italian state that took place immediately after the Second World War was carried out by the Committee of National Liberation (CNL), which consisted of six parties of which four would survive into the contemporary period. These were the Christian Democrats (DC) and the Italian Liberal Party (PLI) on the centre-right of the political spectrum and, on the left, the Socialists (PSI) and the Communists (PCI). These parties were responsible for restoring democracy after the Second World War when the monarchy was abolished in a referendum and a new Constitution adopted in 1948 that turned Italy into a republic. In constitutional terms Italy is a liberal democracy, like other western states, while economically it is one of the advanced industrial societies. However, the nature of Italy’s political institutions and of its economic features is rather different from other western democracies and has a number of special characteristics.

### *1.2 Democracy at the Subnational Level: Regional and Local*

Despite the creation of an Italian nation state that is now over one hundred years old, Italians remain more attached to, and identify more fully with, the local rather than the national level. However, there is no specific tradition of democracy at the local level that is different from what occurs at the national. Both levels have tended to be dominated by the parties even if the provincial and regional party



organizations have tended to behave in an autonomous manner. Central–local relations in Italy have been conflictual, with the central state showing a great reluctance to cede extensive powers to the subnational levels of government (Dente 1985). A somewhat distinctive style of politics has developed at the regional level at least in the regions of the North and Centre, after the ‘ordinary’ regions were established in 1970 (Putnam, Leonardi, and Nanetti 1993).

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### 2.1 *The National Level*

Italy is a parliamentary democracy that, until 1993–4, used a system of proportional representation for its elections. In comparison with other European states, the legislature is relatively powerful *vis-à-vis* the executive, thanks to the powerful role of parties in the system (Hine 1993). The parliament is based on bicameralism with the Senate and the Chamber of Deputies performing identical functions (*ibid.*). However, the parliament is constrained by the judiciary, the constitutional court, and the use of referendums by the electorate. Referendums may be used to repeal both constitutional and ordinary legislation and have been used forty-five times since 1974 (Donovan 1998).

### 2.2 *The Regional and Local Levels*

The position and powers of regional and local government (the provinces and the municipalities) are entrenched in the Constitution (Arts. 114–33) and not simply by legislation. This means they cannot be abolished or altered except through constitutional change, which must follow strict rules. However, the constitutional description of regional and local powers does not exactly correspond with the realities, especially since the financial relations are not laid out in constitutional form. Important reforms of local government were passed in 1990 and 1993 (see below).

#### 2.2.1 *The Region*

The 1948 Constitution provided for the setting up of regions as ‘autonomous territorial bodies with their own powers and functions’ (Art. 115). The Constitution distinguished between the fifteen ‘ordinary’ regions and five regions with special statutes: Sicily, Sardinia, Trentino-Alto Adige (South Tyrol), Val d’Aosta, and Friuli-Venezia Giulia. Four of the special regions came into existence immediately in 1948, while Friuli-Venezia Giulia was set up only in 1964. The nature of the statute accorded to Trentino-Alto Adige changed over time because of agitation by the German-speaking minority who were supported by the

Austrian government (Lapidoth 1996)<sup>1</sup>. The fifteen ordinary regions only began functioning after direct elections in 1970<sup>2</sup>, as a result of political pressure from the left, which had been excluded from power and which saw regional government as an arena where it could exercise influence (Putnam, Leonardi, and Nanetti 1993). Nevertheless, despite their late start and the, especially financial, limitations imposed by the central state and the party system, the regions, especially those in the North and the Centre, have managed to acquire an important position in the Italian politico-administrative landscape (Putnam, Leonardi, and Nanetti 1993). They are represented in national policy-making through the *Conferenza permanente stato-regioni*.

Regions are organized along the same lines as central government. Each region has an Assembly that, until 1995, was elected every five years by proportional representation (PR). After 1995 a new electoral system based on a combination of PR and a 'bonus' system to encourage the formation of majorities was adopted. The Assembly passes regional legislation and elects an *giunta* (executive) consisting of a president and *assessori* (ministers) to implement the legislation. A number of committees cover different policy sectors<sup>3</sup>.

### 2.2.2 The Province

The province dates from the Piedmontese state and is the equivalent of the French *département*, performing a similar role as the basic unit of field administration. It has a *giunta* (council) elected (since 1993) by a system based on a combination of proportional representation and a 'bonus' system and a president elected by means of a double-ballot system. The province has few functions and, in the 1980s, there was some talk of abolishing it. However, there has been a tendency for regional governments to devolve some policy functions to the provinces (Hine 1993).

### 2.2.3 The Municipality

The *comune* (municipality) has a directly elected council whose members vary between fifteen and eighty in number, and an *giunta comunale* (executive) whose members are known as *assessori*. *Assessori* head particular departments. The *sindaco* (mayor) heads both the council and the *giunta*. Mayors have two principal roles: (i) they are the political heads of the coalition running the municipality, and (ii) they are the administrative representatives of the government (Hine 1993). Mayors of the big cities such as Milan and Rome are also important figures at the national level. Since the local government reforms of the 1990s, mayors are now directly elected and appoint the executive (see below). Municipalities have been gaining strength in terms of power and influence at the expense of the regions, which have been badly affected by the anti-corruption drive.

### 2.3 *The Role of Political Parties*

The party domination that operates at the national level is also to be found at the subnational level. The vast majority of councillors have traditionally belonged to a political party (Dente 1985: 98). This has led to a tendency towards centralization and nationalisation of local politics. Tarrow, comparing the role of French and Italian mayors in the 1970s, noted that the French mayor obtained resources for his/her commune through the state administrative institutions, while his/her Italian counterpart did so through party channels (quoted in Dente 1985). However, subsequent studies have somewhat modified this picture of central-party control over the local level. To some extent, these would suggest a rather complex set of central–local relationships in which the parties were more an alternative system for channelling resources between the centre and the periphery.

It is generally recognized that the setting up of the regions in 1970 has somewhat modified the traditional party system by allowing the parties of the left a role in the political system from which they had been excluded (Dente 1985; Putnam, Leonardi, and Nanetti 1993). On the one hand these parties, for a long time excluded from national government, were able to pursue at the regional level distinct policies.

There are also a number of regionalist parties some of which also participate in national elections. The most important of these are: *Partito Sardo d’Azione* (PSdA, Sardinian Action Party), the *Südtiroler Volkspartei* (South Tyrolean People’s Party), and the *Lista Valle d’Aosta* (List Aosta Valley). We might also add the *Lega Nord* (North League), which, in some senses, may be regarded as a regionalist party. These parties have gained seats at the national level.

## 3. THE PRACTICE OF LOCAL DEMOCRACY

### 3.1 *The Role of Policy Networks and Pressure Groups in Local Government*

The form that policy networks and pressure groups has tended to take in the Italian case is clientelism (Dente 1985: 105). Clientelism is not unique to Italy and exists in different European countries, such as France, the United Kingdom, and Ireland. Furthermore, the Italian politico-administrative system is also marked by rational bureaucratic and professional-technocratic features (ibid.). Nevertheless, what distinguishes clientelism in Italy is its widespread nature and the role of the party system in its perpetuation (Graziano, 1980). The Italian political parties gradually adopted a clientelistic approach between themselves and specific social groups as a method of exchange whereby they provided resources for these groups and in return received electoral support. Some authors have claimed that this system was not ‘corrupt’ as such, but simply another way of democratic government—the

specifically Italian method (LaPalombara 1987). However, as the *mani pulite* ('clean hands') investigations have demonstrated in recent years, the thin line between clientelism and corruption, sometimes involving links with organized crime, disappeared in the 1980s. These features of the Italian system were also present at the subnational level and, in the early 1990s, many regions found themselves leaderless as regional politicians were incriminated in the anti-corruption drive (Dente 1997).

### 3.2 Critiques of Regional and Local Democracy in Italy

The critique of democracy at the regional and local levels in Italy must be placed within the critique of the general political system in Italy, which gathered pace in the 1980s (Bull and Rhodes 1997). Comparing attitudes surveys taken in 1967 and 1980, it can be seen that there was a sharp decline in confidence in the government: in 1967, 32.8 per cent of the general population thought the Italian government did not act with *serietà e onestà* (seriousness and honesty) and 21.8 per cent thought it lacked *capacità e competenza* (ability and competence); in 1980 these figures had risen to 84.8 per cent and 69.4 per cent respectively (quoted in Mannheimer 1991: 27). Italians became increasingly dissatisfied with the functioning of their democratic system, although an opinion poll, comparing attitudes in Italy with those in other European states reported in 1993, shows that a higher percentage of Italians remain attached to a party (Table 8.1).

TABLE 8.1. *Attitudes on the functioning of democracy in four European countries (percentages)*

	Italy	France	Great Britain	Germany
Satisfied with functioning of democracy	28.4	56.8	61.3	75.7
Interested in politics	32.2	51.3	59.8	62.4
Close to a party	37.7	22.4	28.6	27.6

*Source:* Biorcio (1993: 44).

In the 1990s the Italian political system entered a state of crisis in which the old system of parties came under attack (led by certain magistrates who led the *mani pulite* investigations) both for its corruption and its inefficiency.

This crisis was engendered by changes both within Italian society that affected the support base of the parties and by the geo-political changes that accompanied the collapse of the Soviet Union and the end of the cold war (Mannheimer 1991; Biorcio 1991). The internal changes were related to the rapid secularisation of

Italian society that saw the old Catholic tradition diminish in importance. The external changes brought about changes within the Communist tradition as a result of the ending of the cold war, although Italian Communism had already begun to distance itself from the Soviet Union even before this. Nevertheless, the events of 1989–90 completed this process, and the Communist tradition no longer had a reference point in the struggle against capitalism. It also meant that the Christian Democrats and those within the Catholic tradition were deprived of the enemy, which had been a means of reinforcing their solidarity with each other (Mannheimer 1991). In the 1980s the old certitudes of Italian politics and the left–right divide had considerably weakened, and this allowed the development of either simple abstentionism or the emergence of new political forces such as ecologists, feminists, the new regionalists such as the northern autonomist leagues, and new anti-corruption parties such as *La Rete*, founded by a former Christian Democratic mayor from the South. A series of referendums on issues such as the public financing of political parties and on the electoral system, from the late 1970s onwards, gave the general public an opportunity to express their discontent with the Italian political system and to initiate the process of change (Pasquino 1993). In the 1992 general elections these forces came to fruition, and, as Pasquino remarks, they mark the end of the post-war political regime based on the political parties (ibid.). The 1994 elections confirmed these trends, and as some authors remarked, ‘the Italian earthquake rumbled on’ (Bull and Newell 1995).

### 3.4 *Citizens’ Attitudes to Territorial Government*

There is a certain paradox evident in citizens’ attitudes to territorial government in Italy. Despite the collapse in confidence in central government and in the national political system, there has been a growing identification on the part of young people with Italy as a country. In the 1980s almost half of all young Italians between the ages of 15 and 24 identified primarily with their locality while just over a quarter identified with Italy as a whole (Table 8.2). Barely 10 per cent chose the region and 13.5 per cent ‘the world/Europe’ as their primary identification. By 1992 these perceptions had changed. While identification with the locality dropped to just over a third, that with Italy had risen to about the same figure. There was a slight increase in support for the region (12.4 per cent) and a somewhat larger increase for the world/Europe (17.4 per cent). Support for the region was highest in the North (15.1 per cent). The importance of identifying with Italy was borne out in another national survey which indicated that 71.9 per cent were *molto orgoglioso* (very proud) to be ‘Italian’ (Limes 1994: 17). In the same survey, 66.4 per cent indicated they were very proud to be ‘Europeans/citizens of the world’, 62.4 per cent were very proud to be members of their region, and 50.9 per cent very proud to be members of their city.

TABLE 8.2. *Feelings of belonging among young people (between 15 and 24 years old) (percentages)*

Feeling of belonging to	Place of residence			
	The North	The Centre	The South & the Islands	Total
1986				
the locality	46.9	53.7	52.3	49.6
the region	11.4	7.1	9.9	10.3
Italy	28.2	26.8	23.8	26.5
the world/Europe	13.5	12.4	14	13.5
1992				
the locality	31.5	34.9	38.8	35
the region	15.1	8.6	11.5	12.4
Italy	35.3	37.8	33.7	35.2
the world/Europe	18.1	18.8	16.1	17.4

*Source:* Sondaggi IARD 1986 and 1991 (quoted in Biorcio 1997: 122)

While the majority of Italians have a sense of national pride as reported above, they are evenly divided with regard to the future structures of the Italian state. Around one third (34.9 per cent) wish to maintain the status quo, but around two thirds seek a more or less radical decentralization of the state along either regionalist/localist (33.5 per cent) or federalist (31.6 per cent) lines. Among those who advocated some kind of federalist structure, 6.7 per cent would like to see a federal Italy with three large macroregions (the North, the Centre, and the South), 4.9 per cent a confederation with the possibility of independence for the three macroregions, and 20.9 per cent a federal state with the present regions as the subfederal entities with increased powers (Limes 1996). These findings are consistent with another survey, which indicated that 78 per cent of Italians would like to see the municipalities have greater powers in the economic and social fields, 71 per cent thought these powers ought to increase for the regions, and only 44 per cent wished to see the central state have an increase in powers in these areas (Limes 1994).

## 4. CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY

### 4.1 *The Crisis of the Italian State*

The most serious challenge to, but also the greatest opportunities for, regional and local democracy in Italy comes from the crisis of the Italian state itself (Bull and Rhodes 1997). According to D'Alimonte and Bartolini (1997: 110), there have been "four fundamental changes with respect to the past: (1) a new vitality in the field of electoral reform, entailing significant changes to all electoral laws apart from those regulating European elections; (2) a high turnover of political and parliamentary elites with a distancing of many (but not all) sectors from the influence of the parties and pre-1994 governments; (3) a reorganisation of the old centre parties, substituted by new formations or presented under new names, winning minimal shares of the vote and split into different groups; (4) a radical realignment of electoral coalitions and of the experimental coalitions of 1994 to 1996—the most innovative element of which was the entry into government of the two parties which historically had been excluded from power, namely the Democratic Party of the Left (PDS)—the former Italian Communist Party (PCI)—and National Alliance (AN), the former Italian Social Movement".

This has been described as a transition from the old democratic system known as the *partitocrazia*, which was based on the power (and, eventually, the corruption) of the old political parties, to another democratic system less dependent on the parties and more grounded on institutions and institutional leaderships (Pasquino 1997). A Bicameral Constitutional Committee was set up in 1997 with four subcommittees, each of which was to tackle four questions: (i) the nature of the state; (ii) the form of government; (iii) the type of parliament; and (iv) the 'system of guarantees', that is the judicial system. With regard to the form of government the options are: presidential, semi-presidential, neo-parliamentary, classical parliamentary. With regard to the form of the state the issue is whether it ought to be federalist or otherwise and, if federalist, what kind of federalist structure (ibid.). Some of the opinions of Italian citizens on these questions have been outlined above (3.4).

#### 4.1.1 *The Transformation of the Italian Parties*

With the 1994 elections, a new configuration of parties had come into existence with most of the older parties transformed. Competition for government now focuses on electoral alliances. There are over forty parties in parliament, defined as being in receipt of state funding, and about eleven parliamentary groups. The right-wing alliance, the *Polo della Libertà* (Freedom Pole), comprises primarily: *Forza Italia* (Berlusconi), the *Alleanza Nazionale* (National Alliance, formerly the

neo-fascist MSI), and the *Centro Cristiano Democratico* (Christian Democratic Centre, conservative former Christian Democrats). The Northern League was briefly a member of this alliance in 1994. The centre-left is now organized around *L'Ulivo* (the Olive Tree) alliance; it comprises primarily: the *Democratici di Sinistra* (Left Democrats—ex-PDS, formerly PCI) with minor left-wing allies, the *Partito Popolare Italiano* (Italian People's Party, centre-left former Christian Democrats), and *Rinnovamento Italiano* (Italian Renewal, a movement of reformist technocrats led by L. Dini). The Olive Tree has formed a minority government and is supported by *Rifondazione Comunista* (Communist Refoundation—the more orthodox successor to the PCI).

The impetus for initiating reform did not come from the government or parliament, but instead from an Electoral Referendum Movement that, in two referendums (1991 and 1993) succeeded in changing the electoral system in such a way as to reduce the element of proportionality (Pasquino 1997: 44). This has had the effect of creating two large political blocs of the left and the right that might alternate in the exercise of government, rather than the previous system of the same parties exercising power in an endless variety of coalitions while permanently excluding the left and the extreme right. However, while the old party system has been largely destroyed and the *partitocrazia* will not reappear, its replacement with a more adequate system of democracy has so far largely eluded the decision-makers in the government, and the crisis of the system continues to lurch onwards: 'the Italian transition is still mid-stream and all its political actors and institutions are under stress' (Pasquino 1997: 51).

#### 4.2 *Central–Local Relations and Strengthening Local Democracy in the 1990s*

The territorial question is at the heart of these developments in the Italian political system. First, the challenge from the Northern League has called into question the North–South relationship that is the very foundation of the Italian state. Many of the grass-roots movements of reform originated at the local and regional level: the leagues in the North (especially in the regions of Piedmont, Lombardy, and Veneto), *La Rete* in the South. Second, the constitutional overhaul of the Italian political system also involves changes at the regional and local levels, the kind of changes depending on whether the overhaul consists in strengthening the regional level, a federal or a confederal approach. It is more likely that change will occur along regionalist rather than along federal lines, at least according to the wishes of the electorate mentioned above and of the political parties (Dente 1997: 182).



#### 4.2.1 *The Reform of the Laws Governing Local Authorities and Provinces*

Law 142 was adopted in 1990, and through it a series of transfers of powers occurred: powers were transferred from the *consiglio comunale e consiglio provinciale* (municipal and provincial councils) to the *giunta* (executive), from political organizations to the administration, from the organizations of local government to external agencies (such as *le società per azioni a capitale pubblico locale incaricate della gestione di pubblici servizi*), and from local government to either individual citizens or citizens' groups (through different mechanisms such as local referendums, petitions, popular action) (Pitruzzella 1994).

In 1993, Law 81 introduced a system of direct election of mayors and of the presidents of the provincial councils in two rounds of voting, with only the first two candidates going to the second ballot. The members of the executive are appointed directly by the mayor (Dente 1997: 184). In effect, this means that the leadership of these levels of local government has ceased to be so dependent on the political parties and the position of mayor especially has been strengthened. The result of these changes was a complete renewal of municipal politicians after 1993, with the election of mayors completely new to politics (as in Turin, Genoa, Trieste, and Bari) or different from the usual politicians (as in Venice, Rome, Palermo, and Catania) (Dente 1997). Many of these new leaders were re-elected in 1997.

#### 4.3 *The Impact of Europeanisation*

Italy is a founder member of the European Community and has generally tended to be one of the states whose citizens are most favourable to European integration (Desideri and Santantonio 1996). However, relations with the European institutions and with other member states have tended to pass by the Ministry of Foreign Affairs. The Constitutional Court adopted an extremely restrictive definition of what constituted 'international relations', and, as a result, there was little development of direct contacts between subnational levels of government with Brussels or with other subnational authorities. In general, the Italian regions remained within their national boundaries (*ibid.*). This began to change in the 1990s, under pressure from the regions, and the constitutional court defined international relations as involving cases where the state's 'external power' was exercised (principally through signing of treaties). After this, regions could engage in 'promotional activities abroad' and 'activities merely of international significance' (*ibid.*). This allowed regions to engage more fully at the EC level. In a presidential decree of 31 March 1994, a distinction was made between international relations and activities within the EC. With regard to the latter, regions can establish direct relations without requiring the approval of the government. This is also formalized by the participation of Italian subnational

authorities in the Committee of the Regions. Italian regions have also been involved since the 1970s in interregional associations: Arge-Alp (involving Lombardy, the provinces of Bolzano and Trento, and a number of German and Austrian *Länder* and Swiss cantons), Alpe Adria (involving authorities from Italy, Austria, Slovenia, Croatia, and Hungary), and Cotrao (involving Piedmont, Valle d'Aosta, and authorities from France and Switzerland). Lombardy is also involved in the 'Four Motors of Europe' association (which also includes Rhône-Alpes, Catalonia, and Baden-Württemberg), and regions along the Ligurian coast are members of the Latin Arc.

However, perhaps the most important impact of the European Union on the Italian political system is the attempt by Italy to be part of the first wave of entrants into the Single European Currency group. This has involved considerable reform of Italian economic policies and the acceptance of the necessity of reforming the large and inefficient Italian administrative system.

#### *4.4 The 'Federalisation' of the Italian State*

The subcommittee of the Bicameral Constitutional Commission dealing with the reform of the state (see above 4.1) presented a set of proposals to parliament, which were accepted on 30 April 1998. These proposals were as follows:

- the Republic will now consist of local authorities, provinces, metropolitan cities (that is of at least one million inhabitants)<sup>4</sup>, regions, and the state;
- the fifteen ordinary regions can acquire special-region status by negotiation with parliament following regional referendums, and the institutional 'model' for each region need not be uniform;
- the state retains exclusive legislative competence in the following ten areas (but will specify the legislative framework in twelve others):
  - \* foreign policy, international relations and immigration;
  - \* defence and the armed forces;
  - \* currency, competition policy, and taxation;
  - \* public order and security;
  - \* justice and civil and criminal law;
  - \* culture and the environment;
  - \* electoral laws for all levels of the state and referendums;
  - \* the institutional forms of local government;
  - \* weights and measures, statistics, and information on public administration;
  - \* the indication of the minimum levels of social rights (for example health and education);
- the regional elections of 2000 will see the direct election of regional presidents, which conforms to the trend toward directly elected executive authorities;

- the Senate will be elected on a regional basis and, when a regional council falls, with early elections, there will also be an election for the relevant Senate constituency.

These proposals are subject to referendum. In effect, they transform the nature of the Italian state into something similar to the Spanish autonomic state, which seems to have influenced the proposal to allow ordinary regions to achieve special status following a referendum in the region.

## 5. CONCLUSIONS

Although Italy shares with other western states similar institutions of liberal democracy, the exercise of democracy in this country has taken a particular form. This is largely a consequence of the continuing existence of the North–South divide and the development of the party system known as the *partitocrazia*. In the 1990s the Italian political system entered into a state of crisis with ordinary Italians rejecting the national party system. Many politicians, including ministers and party leaders, were removed from public life, because of their involvement in corruption and bribe taking. There were popular movements that rejected the party state and changes instituted in the system through a series of referendums which changed the national and sub-national electoral systems and the mode of financing of parties. By the mid-1990s the old party system had collapsed but without a fully consolidated new system being put in its place. Italy might be said, therefore, to be still in the midst of a regime transition, the outcome of which is still unclear.

These aspects of the Italian democratic system have also affected subnational government. Provincial and municipal government have tended to be dominated by the party system and centralization remains strong. The regional system, although guaranteed by the 1948 Constitution, was applied in a gradual and piecemeal manner and, with the exception of some of the regions of the North and Centre, has tended to follow the same pattern as the national system. Research has indicated that some of these regions were able to develop a different style of politics, although many of the regional leaders were also caught up in the anti-corruption drive of the 1980s and 1990s.

Law 59/97, passed in March 1997, provided, among other things, for the delegation of a number of administrative functions to the regions and the local authorities. The law emanating from the Bicameral Constitutional Commission on the reform of the state does advance a kind of ‘federal’ solution. Nevertheless, this reform could be seen as a strengthening of the regionalist system rather than the inauguration of a truly federal system. The central government still retains control over many policy areas that are the responsibility of subfederal authorities in other federal systems. The second significant reform is the direct election of mayors, which has led to what has been dubbed ‘the mayors’ movement’. This has led to

the emergence of a new political class at the municipal level. This new group of politicians is reform minded and likely to push forward a new type of democratic politics at the local level.

#### NOTES

- 1 Mussolini had tried to Italianise the region by measures that disadvantaged the German-speaking population. The problem was solved by creating German-speaking and Italian-speaking provinces, each with extensive powers.
- 2 It was not until the late 1970s that the regions began exercising most of their powers.
- 3 Art. 117 of the Constitution specifies the areas for which the region may legislate: municipal boundaries; urban and rural police forces; fairs and markets; public charities; hospital assistance and health; vocational training and financial assistance

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## Luxembourg

### 1. THE CONTEXT OF SUBNATIONAL DEMOCRACY

Luxembourg is a unitary state with a single legislative chamber and a single tier of subnational, ("commune") government (consisting of 118 municipalities). Below, subnational/commune democracy in Luxembourg is described in the context of the central-state structure.

#### *1.1 The History of the State*

In 1815, at the Congress of Vienna, the territories of present-day Belgium and Luxembourg were united with the Kingdom of the Netherlands in order to create a buffer state against France. Belgium gained independence in 1830. Luxembourg became independent nine years later, even though the personal union between Luxembourg and the Dutch crown ended only in 1890. In that year the Dutch King William III died without leaving a male heir and succession passed to the present Luxembourg dynasty. This furthered the eastward orientation of Luxembourg, which had been boosted earlier by the inclusion of Luxembourg in the German *Zollverein* (Customs Union) in 1842, which lasted until 1918.

Notwithstanding the unmistakable eastward orientation, Luxembourg has always made an effort to create and strengthen economic and political ties in all directions. Luxembourg has joined an economic and monetary union with Belgium and institutionalised its relations with the Netherlands and Belgium under the Benelux treaty. It has wholeheartedly supported cooperation with other European countries in the context of the European integration process.

#### *1.2 Luxembourg: the Local State*

Luxembourg covers only 2,586 square kilometers and has only approximately 415,000 inhabitants (Statec 1996). Thus, local/regional democracy in Luxembourg can only be understood in terms of central government. Central government in Luxembourg is after all in many ways close to local and regional government.

Luxembourg is a representative democracy as well as a constitutional monarchy. The role played by the Grand Duke is not purely ceremonial. The Grand Duke is head of state. Together with the government he forms the constitutional arm of the executive. All of the Grand Duke's governmental acts

require the countersignature of a responsible minister. Within the limits set by representative democracy, the Grand Duke has substantial room for manoeuvre. He has the right of initiative in legislative matters, and no bill can be enacted and become binding unless he signifies his assent to it and orders it to be promulgated and carried into effect (Thill and Frieden 1993: 453). The Constitution allows him a maximum of three months within which to sanction a bill after the final vote is taken in the Chamber. However, the right of sanction, after having passed over the years through various stages of effectiveness, is steadily becoming more and more of a formality (Majerus and Goerens 1995: 13–20). The Grand Duke may still adjourn the Chamber, but for a maximum period of one month. He is allowed to make the regulations and orders necessary for putting laws into effect (but he may at no time suspend the laws themselves or dispense with their enforcement). He is also authorized to organise and supervise administrative services, including the army, the *gendarmerie*, and the police. His role in public administration must, however, always be linked with the executive power.

The government of Luxembourg is, in theory, chosen by the Grand Duke. In practice, he only chooses the prime minister, who in turn selects the other members. Constitutionally speaking, the Grand Duke is the most prominent figure in the Luxembourg government, but in fact it is the prime minister. The other members of government must enjoy the confidence of the Grand Duke, but also, as could be expected in a parliamentary democracy, of the Chamber of Deputies. In theory, the Grand Duke can dissolve government at any moment, but in practice he only dissolves government when it ceases to enjoy parliamentary support. The backbone of almost all governing coalitions since 1915 has been the *Chrëstlech-Sozial Vollekspartei* (PCS, Christian Social Party), with other members alternating from the *Parti Démocratique* (Liberal Party) to the *Parti Ouvrier Socialiste* (Socialist Party). Exceptions to the rule are the years 1925–6 and 1974–9 (Thill and Frieden 1993: 458–63). The sixty members of the Chamber of Deputies are supposed to represent the Luxembourg people. The Chamber of Deputies shares the exercise of legislative power with the Grand Duke. The Chamber, like the Grand Duke, has the right of initiative in legislative matters. The Constitution gives the Chamber of Deputies certain powers in financial matters and vests it with the right to supervise the acts of the government. In international affairs, the consent of the Chamber is required before any treaty can come into effect on the territory of the Grand Duchy.

Seats in the Chamber of Deputies are allocated by proportional representation and the principle of the smallest electoral quota. The country is divided into four constituencies. The number of deputies is determined by the Constitution, which prescribes sixty deputies:

- twenty-three from the South;
- twenty-one from the Centre;



- nine from the North;
- seven from the East.

Each Luxembourg voter has as many votes as there are deputies to be elected in his constituency. The vote can be cast either under the party-list system or on a name basis. The elector who votes under the party-list system may not cast any other vote under pain of voiding his ballot paper, unless the chosen list comprises a smaller number of candidates than the number of deputies to be elected in the given constituency. Electors who vote on a name basis may select their candidates from the same list or from different lists, but must take care not to cast more votes than there are seats available (Majerus and Goerens 1995: 24–5). Like Belgium, but unlike the Netherlands, Luxembourg allows politicians to hold more than one office (*cumul des mandats*). More than half of the MPs are also mayors or members of municipal councils.

For bills to become law, a majority of 50 per cent + 1 vote is necessary in the Chamber of Deputies. There is no Upper House, or Senate, to exercise a moderating influence. The authors of the Constitution, recognising this, tried to mitigate it by introducing the procedure of the second constitutional vote, that is a ‘cooling-off’ period. After voting on a bill as a whole, the Chamber is in principle required to vote a second time on the same bill within a specified interval allowing for further reflection. Another safeguard against hasty legislation is the Council of State, consisting of twenty-one councillors of state required by Constitution to deliberate on government bills and any amendments proposed to them. No bill is to be submitted to the Grand Duke or presented to the Chamber of Deputies before the Council of State’s opinion has been issued. If, however, the government considers the presentation of a bill to be a matter of urgency, it may consult the Chamber directly. If the Chamber shares the government’s view as to the urgency of the matter, discussion may be opened without obtaining the Council of State’s opinion in advance. On no account, however, may the Chamber take a final vote on the bill before the Council’s opinion has been forwarded to it.

Democracy in Luxembourg is basically representative democracy: the people choose deputies who participate instead of, and on behalf of, the people in the policy-making process. In certain cases the electorate may take part directly in government by way of a referendum. The referendum, provided for in the Constitution, is left to the discretion of the legislator. It can be used, if the need arises, to ascertain the views of the people on specific issues of national importance.

### *1.3 The Luxembourg Model: Consensus and Dialogue*

Keywords describing the institutional relationship between Luxembourg society and the state are consensus and dialogue. In the social-economic field, clear traces

of democratic corporatism can be found. The so-called 'Luxembourg model' is based on cooperation and consensus between employers and workers, with the state playing an important role as broker. Within the Luxembourg model, an important role is ascribed to the Social Economic Board, consisting of thirty-five members representing different social bodies. The Social Economic Board is an advisory body in matters of economic, financial, or social importance. The board can act on its own initiative or at the request of government. In the Luxembourg consensual political culture, statements of such a corporatist advisory body are taken very seriously.

The Luxembourg model allows for controlled innovation and for stable social relationships. Stability and caution are characteristic of the Luxembourg political system as a whole. This is demonstrated not only by a relatively steady pattern of policy-making, but also by the fact that changes in government occur smoothly. The three main political parties (Christian Social, Socialist, Liberal) alternate as coalition partners without difficulty.

## 2. SUBNATIONAL DEMOCRACY IN LUXEMBOURG

The subnational system of Luxembourg has neither provinces, departments, nor counties. In the Luxembourg state structure, the municipality is the only form of territorial decentralization. From the administrative point of view the municipality is an autonomous territorial authority, possessing legal personality. It administers through local representatives, under the supervision and control of central government (Majerus and Goerens 1995: 54). At present there are 118 municipalities in Luxembourg.

An important role in the supervision and control of local government is played by the district commissioner, who acts as hierarchical intermediary between central government and communal authorities. District commissioners are appointed for three administrative districts: Luxembourg, Diekirch, and Grevenmacher. Each municipal authority, with the exception of that of the city of Luxembourg, is placed under the immediate supervision of district commissioners and may deal with the higher authority only through them, save in serious and exceptional cases. District commissioners are appointed by the central government (formally the Grand Duke). They are civil servants under the direct authority of the Minister for Home Affairs in particular, and the government more generally. Each municipality has its own council elected by those inhabitants who are entitled to vote. The council corresponds on the local level to what the Chamber of Deputies is on the national level. Municipal authority is exercised by the council and by the corporate board of burgomaster and aldermen. The relation between these two bodies is similar to that between parliament and government at the national level. The council is required by law to draw up regulations concerning internal administration and the maintenance of law and order in the municipal

area. The council has unlimited powers with respect to the internal administration of the municipality, municipal property, revenue and expenditure, work to be done, the public establishments of the municipality, and the appointment of the municipal secretary, municipal revenue collector, and municipal employees.

In principle, local elections are held under the absolute-majority system. However, in municipalities that have 3,500 or more inhabitants or whose sections include at least one section comprising 3,000 inhabitants, elections are held on a party-list system with proportional representation as for the legislative elections. In boroughs where the proportional system is used, they constitute only one constituency even if they comprise various separate localities (Majerus and Goerens 1995: 54–60). Members of the council are elected for a six-year term, commencing from the first day of January following their election. Their number varies with the population of the municipality, but is always an odd number. Voting is compulsory in Luxembourg. The last local elections were held in 1993, resulting in an 87.96 per cent turnout—slightly lower than in 1987, when the turnout was 88.51 per cent.

There is also the possibility of organizing a local referendum. The organization of a local referendum is either decided by the municipal council, or it may be requested by a fixed percentage of voters.

The board of burgomaster and aldermen must be chosen from among the councillors. This corporate body forms the executive and administrative body responsible for managing day-to-day affairs. It corresponds at the local level to the government at the national level. As a municipal authority body, the board of burgomaster and aldermen is responsible for publishing and implementing the resolutions of the council, administering property, handling revenue and authorising expenditure, keeping a check on the municipal treasury and accounts, governing municipal establishments, administering rural police work, and supervising municipal employees, the fire brigade, archives, etc. In addition, the board of burgomaster and aldermen is responsible for supervising municipal works and judicial proceedings at the local level. The issuing of birth, marriage, and death certificates and the keeping of their registers fall exclusively within the domain of executive local authority. The board of burgomaster and aldermen performs not only purely municipal tasks, but in certain cases it also acts as an organ of central authority. As such, the board of burgomaster and aldermen is responsible, on the municipal territory, for enforcing laws and regulations and central-government's decisions. The burgomaster is also responsible for enforcing laws and police regulations under the supervision of the district commissioner.

Local government in Luxembourg is entangled in a pattern of central–local relations that approach the ideal type of the centralized unitary state. Compared to a (decentralized) unitary state such as the Netherlands, central government in the Luxembourg unitary state operates remarkably close to local government, not only in a physical sense (the State operates on a smaller scale, with a total population

not exceeding that of the city of The Hague), but also in an institutional sense. Significant in this context is also the fact that the Grand Duke, as head of state, has been given the right to dissolve the municipal council (which is still an arm of local democracy). No less significant is the fact that communal charges cannot be imposed when the Grand Duke withholds his authorisation.

To prevent municipal autonomy from constituting a threat to the national interests, the Constitution requires the legislator to regulate the composition and organisation of the council and has invested the higher authority with the right to exercise continuous administrative supervision over municipal affairs. Lines of control between national and local government are relatively short and well organized with the support of the above-mentioned district commissioners. The council may draw up regulations concerning internal administration and maintenance of law and order in the municipality, but such regulations may on no account conflict with general administrative laws and regulations.

### 3. CHANGE IN CONTINUITY

On a continuum with institutional stability on one end and institutional change on another end, the Luxembourg system of local democracy would certainly tend towards the former. Continuity is a core element of the Luxembourg system in general and of the local political system in particular. The continuity of the local-government system in Luxembourg is reflected in Table 9.1. Here we can see that Luxembourg has developed a rather cautious policy of local-government fusion and upscaling. Between 1950 and 1992 the total number of municipalities in Luxembourg was reduced by only 7 per cent, while in the Netherlands and in Belgium reductions totalled 36 per cent and 78 per cent respectively.

Stability and continuity are relative matters, of course. In contrast to other countries, Luxembourg has a stable local-government system. That does not, however, mean that nothing changed at all. Compared to previous decades, some interesting processes of 'stabilised innovation' can be discerned in the Luxembourg local government system. Seven items should be mentioned in this respect: interactive planning in rural areas; co-production of social-housing projects; special committees for women and immigrants; growth of single-issue parties; consultative local referendums; extension of municipal cooperation; and—most notably—the reappraisal of local self-government, articulated in the 1988 Municipal Act.

TABLE 9.1. *Total number of local authorities in 1950 and 1992*

Country	Year		Evolution	
	1950	1992	no.	%
Luxembourg	127	118	-9	-7
Netherlands	1,015	647	-368	-36
Belgium	2,669	589	-2080	-78

Source: Toonen and Raadschelder (1997: 109)

- *Self-government*—The 1988 Municipal Act has curtailed central-government control over municipalities. The Municipal Act gives municipalities the right to bring central-government decisions concerning local government before the court. The Municipal Act coincides with a growing awareness of the importance of administrative devolution and local self-government. Luxembourg was the first country to ratify the Charter of Local Self-Government of the Council of Europe (Committee of the Regions 1996).
- *Municipal cooperation*—In order to compensate, in some way, for the absence of local-government fusion, links among municipalities have been intensified significantly during the past years. Intermunicipal cooperation takes form within so-called *syndicats communaux*. These bodies may deal with all kinds of matters—including transport, waste, education, social programmes—that a single municipality is not able to administer.
- *Local referendums*—The possibility of organizing consultative local referendums has been opened by the 1988 Local Government Act. Under this Act, a referendum has to be organized when a particular number of inhabitants ask for it. The quorum is 25 per cent of the electorate for municipalities with less than 3,000 inhabitants; the quorum is 20 per cent for municipalities with more than 3,000 inhabitants. Thus far there have been two experiments with referendums in small municipalities. In 1990 a referendum was organized about the construction of a cultural centre, and in 1991 about the location of a tar plant. Both schemes were rejected and followed by identical decisions of the city council. No new experiments have followed since 1991.
- *Single-issue parties*—The Luxembourg political make-up has been changed in recent years by the growth of single-issue parties. Two green parties have been merged, which have subsequently won five of the sixty seats in the Chamber of Deputies in 1994. The ‘Five-Sixths Pensioners Action Committee’—now known as the ADR (Action for Democracy and Fair Pensions)—has also won five seats.

- *Consultative committees*—Special committees have been created to improve the position of immigrants and women in the local public domain. Municipalities with an immigrant population of more than 20 per cent are obliged to set up a consultative committee for integration matters. The committee is half immigrant and half Luxembourgish and is also chaired by a Luxembourgish. Most municipalities now have such a committee, which is generally seen as a ‘good thing’. Consultative committees (five to seven members) can be created for women’s issues, but this set-up is not compulsory. Instead of installing a committee, many municipalities have set up special posts (not necessarily filled by women) for women’s issues.
- *Co-production in social housing*—The cooperative social-housing policy, which has developed in Luxembourg over more than ten years, can be put in the category of ‘best practice’. Under this policy, Luxembourg municipalities together with national organizations have ‘co-produced’ many new housing projects, which are generally of a high quality.
- *Interactive planning in rural areas*—A strong trend towards co-productive relationships between governmental organizations and citizens in urban areas and neighbourhoods—such as those identified in Belgium and the Netherlands—cannot be discerned in Luxembourg. The notion of co-production is more influential in rural areas, where local authorities, in the context of the EU LEADER programme, try to develop rural programmes in cooperation and dialogue with the rural population. Interactive programming is specifically required by the LEADER programme.

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## The Netherlands

### 1. THE CONTEXT OF SUBNATIONAL DEMOCRACY

#### 1.1 *The History of State Formation*

Towns and municipalities have played a key role in the formation of the state in the Netherlands. Within the wider association of the Holy Roman Empire, towns and municipalities enjoyed more or less autonomous status. Under the Burgundians and Spanish Hapsburgs, there were various attempts at centralization, but they were ultimately unsuccessful. In the years after 1568, towns and municipalities in the northern Netherlands became increasingly independent from Spanish-Hapsburg rule. The Republic of the Seven United Provinces was declared in 1588; this republic, which existed until 1795, was a highly *decentralized federation* with a weak government. Sovereignty lay with the provinces, *de facto* and *de jure*. The provinces in their turn were highly dependent on local administrations, especially in the western provinces. The governing culture of the republic was one of improvisation, horizontal consultation between partners who were very dependent upon each other. Both 'priest' and 'merchant' were influential in this political culture. Cooperation between the public and private sectors was tried very successfully in the Republic.

During the Batavian French period (1795–1813), Napoleonic features were introduced into the Dutch system of government: the power of the provinces was radically curtailed and the provinces were forced into the straitjacket of a *unitary state along the lines of the French model*. Communes were the lowest level of the administrative structure, which showed unmistakable hierarchical traits. It was less easy to reform the administrative culture than the administrative system. Diffusion of power, power-sharing, decentralization, improvisation: even the Napoleonic system could not eliminate these administrative concepts.

Under the kingdom that was built on the foundations of the Batavian-French system, there was little change at first in interadministrative relations. The kingdom was a unitary state with a relatively decentralized administrative culture still, but it had structurally acquired hierarchical features under the influence of the French model. The authorities were able to resist reform for a long time, until in 1848, the year of international revolutions, King William II rather suddenly decided to commission a new Constitution. The task was entrusted to the liberal politician J. R. Thorbecke, whose political and constitutional work of 1848/51 had a crucial impact on Dutch government and on the role and position of its local

authorities. During this period, Thorbecke sketched the outlines of the *decentralized unitary state* that still exists today (Van Deth and Vis 1995).

## *1.2 Subnational Government and the Thorbeckean Constitution*

With his Constitution (1848), Provinces Act (1850), and Municipalities Act (1851), Thorbecke provided the structure to which the Dutch system of government more or less still corresponds today. This structure is generally classified as a 'decentralized unitary state'. The unitary nature of this type of state is not based on central government, but on agreement between the three active components of the state (central government, provinces, and local authorities). The tradition of decentralization and power distribution that characterized the old Republic of the Seven United Provinces was preserved in Thorbecke's constitution (Breunese 1982).

In his basic constitutional plan for Dutch government, Thorbecke endeavoured to create an 'association of mutually restricting bodies designed to work freely together'. Under this constitution, local and provincial authorities have broad, general powers to deal with matters of local concern. There is no question of compartmentalized administrative arrangements in the Netherlands, as, for example, in the United Kingdom. The open administrative systems of provinces and local authorities are subject only to deficit ceilings. As long as local and provincial authorities take account of legislation passed by higher authorities, they are free to do and allow anything that they consider necessary and useful.

Thorbecke resisted the view that the independence of local government should be associated with protecting and isolating one authority from the other. His system is typified by the circumscribed independence of 'higher' and 'lower' authorities. Local authorities' freedom lies in their right of initiative within the system of interadministrative relations. In Thorbecke's scheme, the actual power of local authorities is balanced by the constitutional power of regulatory authorities (Boersema 1949; Toonen 1987).

Under the influence of the German historical school of law, Thorbecke included in his unitary-state model features that manifestly belong to an organic-government model. He established open administrative arrangements for local, provincial, and national authorities, which were thus accorded partly overlapping and mutually limiting remits. Regional government in the Netherlands is often a matter of cogovernment. The value placed on consensus gives considerable leverage to each power-sharing partner, which can provide incentives to seek creative solutions that satisfy all parties, but may also lead to frustrating deadlocks. The 'joint decision trap' that Scharpf has described in Germany also applies to the Netherlands.

The permanent search for consensus produces a pattern of intensive interactions where each of the three tiers of government has relative advantages



and disadvantages. Local authorities can use their local knowledge and operational experience. Provinces can turn their intermediary 'linch-pin' position to account. And national authorities can act as a final arbitrator of conflicts, while preferring to reach agreements with provinces and local authorities rather than to impose their will on them (Rieken and Baaijens 1986).

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### 2.1 *The National System*

The political scientist Lijphart distinguishes between two models of democracy, which he breaks down into different institutional dimensions. The first is the Westminster model of democracy, which in its purest form is found in the United Kingdom (before devolution). The second is the consensus model of democracy, which is clearly inspired by Lijphart's earlier search for 'constitutional democracy' in the Netherlands. The former model is hallmarked by concentration and centralization of power, and the second by power-sharing and decentralization.

Lijphart and other authors who assume that there is a continuum between the Westminster model and the consensus model generally situate the political system of the Netherlands at the most consensual end of the continuum (cf., for example, Anderson and Guilory 1997). This is partly a case of formal institutions expressing democratic relations, and even more a case of informal institutions expressing democratic norms and values.

The formal institutions that determine the national system can be outlined quite briefly. The Netherlands has a party and voting system without thresholds and with equal representation. In a country like the Netherlands that is pluralistic socially and culturally, this produces a fragmented, pluralistic party system dominated by more than just one consideration—in contrast with the United Kingdom, for example, where the socio-economic dimension determines everything.

Unlike the United Kingdom, the parliamentary majority is not the prevailing force in national government. The system of government is protected by the Constitution: any political player or group that wishes to change to the established system must succeed in amending the constitution, which always requires a qualified political majority of two-thirds of the Members of Parliament. In addition, both houses of Parliament—upper and lower—must agree. This partly explains why there have been only incremental changes to the decentralized unitary state designed by Thorbecke since 1848. Power-sharing has remained an important feature of national government.

It is virtually impossible for one party to accede to power in the Netherlands. The political set up ensures that power is usually exercised by a coalition of parties. However, the government is not fused with Parliament. The relationship

between government and Parliament is in theory dualistic. Although this is less the case in practice, dualism is certainly more institutionalized at the national level than at the local level. The two houses of the Dutch Parliament are less well attuned to each other than the two houses in Germany, but more so than the two houses in the United States. The lower house is the more important of the two and is directly elected. The upper house is elected indirectly via the twelve provinces. However, the link with the provinces is weak; in Germany the link between the *Länder* and the *Bundesrat* is much stronger.

In respect of formal institutions, the Dutch system is designed to be relatively, but not excessively, consensual. Thus the Netherlands is a unitary state, not a federation (in which there is a formal principle of power-sharing between tiers of government). It is above all the informal instruments of government, whose origins must often be traced back many centuries, that gives the Netherlands its place among the most consensual democracies. The administrative culture of the republic was one of improvisation, and today its style of government is still described in terms of the 'three Cs': consultation, consensus, and compromise (Duyvendak 1998). The three Cs permeate every level of the Dutch system. They are evident in the (neo-)corporatist economic system that is based on formal cooperation between employers, employees, and government. They are also evident in local politics, where joint policy-making and interactive planning are the modern equivalents of persuasion and consultation during the time of the Republic of the Seven United Provinces.

The Dutch government system is based on a culture of dialogue. It is a system of discussion and meetings (Van Vree 1994). W. Frijhoff, a Professor of Modern History, remarked on this subject in an interview: 'In fact, nobody is in charge here, everybody is in charge, and that must be said in every possible way'. Frijhoff referred to the typical Dutch culture of dialogue, which certainly dates back twelve generations and proved its worth above all during the life of the republic: 'The Dutch republic had an ill-defined structure. Power was exercised at local level, by the town councils and the states and regions. The States General were just an offshoot of this system, and this still has an effect today'.

Where culturally determined traditions and mores are concerned, it is interesting to compare the Netherlands with Belgium. On the one hand, the Netherlands has many similarities with Belgium, which is also a consensus democracy, even more so since federalisation; on the other hand, substantial differences can be observed between Belgium and the Netherlands with respect to models of citizenship. This has to do with the difference between the Latin and northern (political) cultures. According to Hofstede's research (1991), the Netherlands clearly fits the northern model, whereas Belgium is much closer to the Latin model. The Latin model is hall-marked by remote and often distrustful relations between government and citizens. In the Netherlands the northern cultural model is manifest in the so-called 'high-tolerance' and 'high-trust'

culture. Authority and state do not have the negative connotations that they have in Belgium.

## *2.2 The Subnational Level*

### *2.2.1 Local Government*

Local authorities are generally seen as the most important tier of subnational government in the Netherlands. In the constitutional set-up, as it has developed since Thorbecke's drafting of the constitution, local authorities have an open administrative remit, subject to certain conditions. They are free to develop activities that they consider important for the well-being and welfare of the local community, but this freedom is not unlimited: it is a conditional freedom (Toonen 1991).

Local-government activities must not conflict with rules and requirements set by higher tiers of government. Local authorities are also subject to administrative surveillance, which has traditionally been broken down into preventive and disciplinary surveillance. Over the course of time, disciplinary surveillance, which was unpopular with local authorities, has been scaled down, and the role of preventive surveillance has increased. The provinces are largely responsible for administrative surveillance (see below).

Another player whose formal task is to assess the broader implications and merits of local government is the mayor. Mayors are appointed for this task by the national government. Unlike Belgian mayors, who are also appointed rather than directly elected, Dutch mayors usually have no links with local politics. They are expected to be impartial. Larger cities often have mayors who have won their spurs in national politics. National concerns—geographical distribution of political parties, political rotation, and 'outplacement'—are very relevant here. Local political parties can help to choose candidates and give their views. Local views are increasingly being taken into account, but it is still standard practice for the Minister for Home Affairs to approve the preferred local candidate.

The possibility of introducing a system of elected mayors has been discussed for some time, but it is and remains unlikely that mayors will ever be elected. Although the current system has disadvantages, it also has considerable advantages. The fact that mayors are appointed by central government means that they are often well connected at this level, and this has positive implications for the management of local authorities' external relations. The fact that the mayor is not a direct player does not have to worry constantly about being re-elected, and can, therefore, concentrate on his/her main task—being an influential observer—is an advantage for the political process in the local council and the municipal executive. Research has shown that mayors in the Netherlands have considerable

influence compared with other local political players. They are also by far the most familiar actors on the local political scene.

Apart from being responsible for public order, Dutch mayors have few policy-related duties. Responsibility for policy is shared by the aldermen, who sit with the mayor on the municipal executive, which is in charge of the day-to-day management of the local authority. The aldermen are elected by and from the local council. It is much less common than in Belgium for the aldermen to come from a homogeneous political majority in the council; the executive more often reflects the political make-up of the council, with several political parties forming a coalition.

The local council is formally the highest administrative organ of the local authority. Technically, it is a unitary system. The councillors sit on the council, and the municipal executive is, as it were, the executive arm of the council. In practice, the situation is much more dualistic, with the aldermen playing an active, shaping role in local politics and the councillors an evaluating and monitoring role (Tops 1994). The work of the aldermen is not as much driven by the councillors than vice versa. Of all the political positions in the local authority, that of councillor has become the most pressurized. The local council is officially the most important body, but in practice it is bypassed by local politics in various spheres: the aldermen are not very politically dynamic, and in the public domain the councillors feel themselves to be more and more sidelined by civil servants and interest groups who are increasingly influencing the emergence of collective preferences through interactive decision-making arrangements and local referendums.

### *2.2.2 Provincial Government*

The most important institutions in Dutch provincial government are the royal commissioner (who heads the other two main bodies), the provincial council (the province's elected body), and the provincial executive (day-to-day management). Relations between these three institutions have much in common with those between the local bodies, as described above: the system is officially unitary, but in practice displays many dualistic characteristics; the leading figure is not legitimised through elections either, but is nevertheless the most influential player. But there are also differences, which have to do with the particular role and position that provincial government has acquired in the Dutch system over time.

Historically, the provinces are the component parts of the Dutch state. Between 1588 and 1795 there was a confederal republic in the Low Countries, in which the provinces enjoyed considerable autonomy. During the next few decades, however, the power of the provinces was substantially eroded. Reforms during the Batavian French period (1795–1813) aimed to curtail the provinces' power and incorporate the provincial tier of government into a uniform and indivisible unitary state. After

the Netherlands regained its independence (1813), the authors of the new Constitution of the Kingdom of the Netherlands (1814–5) did their utmost to steer the provinces into a minor role as administrative offshoots of central government.

The basic constitutional structure (Constitution (1848), Provinces Act (1850), and Municipalities Act (1851)) designed by Thorbecke restricted the authority of the provinces less than is usually assumed. Thorbecke had certainly designed a unitary state, but, according to his plan, unity within this state should not be based on central government, but on a dynamic process of coordination between the three active elements of the state (Toonen 1992).

The scope given, in theory, to the provinces under Thorbecke's constitution was certainly not taken full advantage of in practice. During the second half of the nineteenth century and in the twentieth century, the provinces lost administrative authority in a way that has not always been understood by outside observers—who look first at the constitutional status of the middle tier of government (Hesse and Kleinfeld 1990). Central government and local authorities rather than the provinces have become the face of public administration, to the extent even that over time the provinces have been described as 'the authorities' authority', that is an authority that was only visible and relevant to the authorities and civil servants of central government, provinces, and local authorities.

Today, the provinces' remit can be broadly subdivided into three categories. First, there are matters affecting the general public. The provinces' role in this sphere is limited. Second, there is the real authorities' authority. This is the classic role of the province as the watchdog of local authorities and water boards, particularly as regards their finances, and as the intermediary between central and local government, which is apparent, for example, in the role played by the royal commissioner in appointing mayors.

Third are the activities of provincial government in the sphere of social policy. Over the past ten years, this has expanded considerably in areas such as the environment, agriculture, nature conservation, economic development, communications and transport. An active, organizing role is increasingly often aspired to, with the emphasis on mobilizing the relevant players and introducing them to each other (social organizations, local authorities, central-government bodies, business).

### *2.3 Institutionalized Interdependencies*

Starting with Thorbecke's concept, which emphasizes the conditional autonomy of government bodies, actual developments since the mid-nineteenth century can be seen as a steady increase in both the scale and the intensity of interaction between the levels of government. In order to operate effectively today, local authorities and higher levels of government must coordinate their activities.

Administrative autonomy (mutual independence between tiers of government) is a feature of the Dutch government system that has become more and more important over time. Since the establishment of the decentralized unitary state by Thorbecke, interdependence has become increasingly *institutionalized*. In this light, an open-minded view must also be taken of the so-called nationalisation of local government. Of course national government has become more and more affected by local government over time. On the other hand, national government has also become increasingly more independent of local government activities and sources of power. The number of central government instruments certainly increased in number over the years, but quantity is not always reflected in quality. Circulars, information services and planning requirements seem in practice to be counterproductive, but not very effective. The reorganization of administrative instruments in the 1980s and 1990s must, therefore, be seen rather as a recognition of failure than as an abandonment of central-government authority.

The scope of legislation on cogovernment—under which central government calls upon local authorities for help in providing public services—has increased considerably since the beginning of the twentieth century. The balance between autonomy and cogovernment has been reversed compared to the situation in the mid-nineteenth century. The vast majority of local-authorities activities covered by legislation currently come under the cogovernment system (RBB 1988; Derksen 1995: 13). On the other hand, the nature of cogovernment has changed substantially. In many areas, local authorities are now allowed to regulate in a certain matter, rather than merely implementing rules imposed by a higher authority.

By international standards, Dutch local authorities have relatively limited own tax revenues. Even when income from duties and levies is added to these revenues, local authorities' own resources amounted to no more than 16 per cent of their total resources in 1995. In 1986 this percentage was less than 8 per cent (RGF 1996: 60). On the other hand, total revenues are relatively high by international standards (WRR 1990: 202; OECD 1996: 7).

Local authorities in the Netherlands are largely dependent on central government for their resources. The bulk of central government's contribution to local budgets takes the form of specific transfers that are tied to departmental spending provisions. In 1985 over 70 per cent of local government revenue consisted of specific transfers. Over 400 types of specific transfers existed at that time (Ministerie van Binnenlandse Zaken 1996: 4; RGF 1996: 60). Under decentralising measures, the number of specific transfers was reduced to just over 140 in 1995. The proportion of local authorities' total revenue represented by specific transfers was also reduced, although not to the same extent as the number of such transfers, which still amounted to over 50 per cent in 1995 (Ministerie van Binnenlandse Zaken 1996; RGF 1996: 60).

While local authorities are financially dependent on central-government

departments, these departments are dependent on local authorities to implement policy. In most cases, it is local authorities, rather than central-government field units (that is decentralized departments), that implement policy. Central-government departments depend on local authorities to put 'their' policies into effect. Comparisons with other countries show that local authorities are responsible for a relatively large proportion of total public spending. Belgium also provides an interesting comparison: Dutch local authorities have substantially more public money to disburse, despite the fact that they have less *own* resources to spend.

TABLE 10.1. *Local expenditure as a percentage of total public expenditure in the Benelux countries*

Country	Year			
	1980	1984	1988	1992
Belgium	15.2	12.8	12.4	11.7
Netherlands	32.9	34.4	31.0	28.9
Luxembourg	15.2	12.9	—	—

*Source:* Maes (1997: 8).

Dutch government departments are dependent on local authorities in the battle for scarce government funding, since good budget management requires that allocated appropriations should actually be spent, and here government departments rely heavily on local authorities to come up with 'financially viable projects'.

Local-authority autonomy in the purely constitutional sense has been affected by the institutionalization of interdependence, but this does not mean that Dutch local authorities have become powerless. Local authorities in the Netherlands have developed from a situation of 'measured autonomy' to 'modified cogovernment'. The dependence of local authorities on higher tiers of government is offset by the dependence of the latter on them. While national government undeniably has resources, so do local authorities (cf. Table 10.2).

TABLE 10.2. *Institutionalized interdependence*

Type of resource	National	Local
Constitutional status	Unitary state	Autonomy
	Supervision	<i>Medebewind</i> (co-government)
	Legislative hierarchy	Decentralization
Policy status	Planning	Content
	Budgeting	Implementation
Information and knowledge	Overview	Insight
	Bureaucratic competence	Local presence
Political support	National parties	Citizens' initiatives
	National pressure groups	New social movements
Legitimacy	Elections	Elections
	Represents the whole	Represents an authentic part
	<i>vis-à-vis</i> the parts	within

### 3. THE PRACTICE OF SUBNATIONAL DEMOCRACY

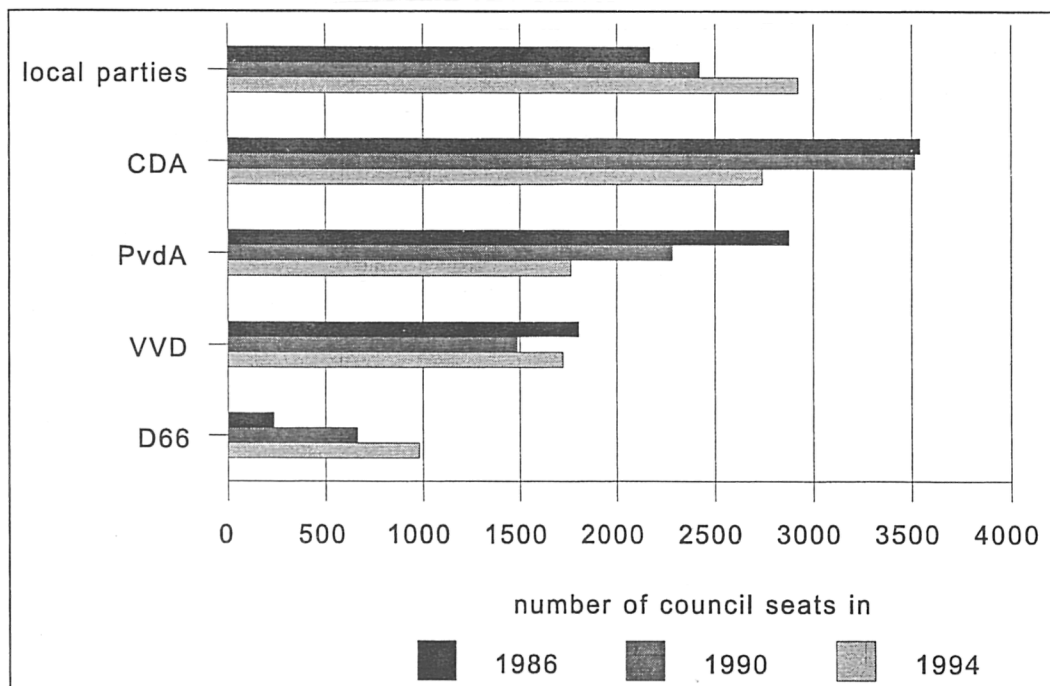
#### 3.1 *The Role of Political Parties*

Political parties represented in national government—the *Partij van de Arbeid* (PvdA, Labour Party), *Christen Democratisch Appèl* (CDA, Christian Democratic Party), *Volkspartij voor Vrijheid en Democratie* (VVD, People's Party for Freedom and Democracy), *Democraten 66* (D'66, Democrats 66), *Groen Links* (Green Party) and a host of smaller parties in the very variegated Dutch party system—are also active at lower levels of government. There have always been a large number of political parties in the Netherlands. When the country was divided along socio-political lines, political power at subnational level—particularly in local authorities—was in the hands of one of a few parties. As such barriers have broken down and local political parties have developed, the party landscape has fragmented further and political power has become more splintered (Denters 1998).



TABLE 10.3. *Number of council seats obtained by local parties versus traditional parties: CDA, PvdA, VVD*

Source: ANP election service.



The rise of local political parties has been very evident during the local council elections of recent years. Table 10.3 shows how the seat gains of local parties parallels the seat losses of the big political parties, such as CDA and PvdA. The increase in local lists is striking in the southern, Catholic part of the country, possibly because the more personal and patronage-based style of local lists does better here (Depla and Tops 1998). The advent of new, local political parties is often associated with the waning importance of the traditional type of politics with which people have become familiar during the post-war period. Membership of the established political parties has fallen dramatically since the 1950s. A stable, but small, group of people wants to be involved in party activities. Outside this circle, the established political parties have limited, and steadily declining, appeal. This manifests itself for example in the advent of the non-party-affiliated 'new social movements'—while established political parties are losing members, organizations like Greenpeace and Amnesty International are growing rapidly—and also in phenomena such as floating voters, abstentionists and people who vote

unconventionally. Voters on local political lists can be placed in this last category.

The rise of local political parties is often criticized as ‘trivialising’ local politics, producing too many inexperienced politicians with limited horizons. On the other hand, this trend has a moderating effect on something that is generally seen as a serious problem for local democracy: the nationalisation of local-council elections. Depla and Tops (1998) compare local elections with a football match where the players (or candidates) have very little control over the ultimate result, which is largely determined by political skirmishing at national level and by national political players. Local elections continue to be placed in the national context, by political parties, by the media, and—let us not forget—by voters. Research shows that relatively few people vote for a different party in local elections than they vote for in national elections: less than one in five voters chooses to support a different party at local level than at national level.

TABLE 10.4. *Voting motives: local, general, or both* (percentages per party)

Voting motive	Party						
	CDA	PvdA	VVD	D66	Green Party	Local party	Other
Local	23	25	17	19	35	86	45
General	59	59	74	69	53	9	39
Both	18	16	9	2	12	5	15

Source: Depla and Tops (1998).

It is not just actual voting behaviour, but also what motivates that behaviour, that reflects a nationalisation of local elections. Only one third of voters in local elections are guided in their choice by local issues; national issues determine the choice of two thirds (Depla and Tops 1997). Table 10.4 shows that parties may vary in this respect. People who vote for the VVD in local elections are relatively often motivated by general issues that are largely national in scope. People voting for local parties are least influenced by national issues.

Table 10.5 shows that the size of the municipality has a small, but perceptible, effect. In smaller municipalities the percentage of people voting for local candidates is higher, the percentage of party switchers is higher, and voters are less influenced by national issues (local issues play a larger role in smaller municipalities).

TABLE 10.5. *The impact of scale*

	Inhabitants				
	< 10,000	10,000– 19,999	20,000– 49,999	50,000– 99,999	> 100,000
Party switchers	26	18	22	12	13
Local voters	17	6	9	2	2
Voting motive					
Local	43	32	33	31	24
General	45	51	58	57	65
Both	12	17	9	12	11

Source: Depla and Tops (1998).

### 3.2 Citizens' Attitudes

Most research into people's position and attitudes to subnational levels of government in the Netherlands has looked at local authorities rather than provincial government. The rationale for this is the view that local authorities are closest to the general public, while provincial government is above all the 'authorities' authority'.

Denters and Geurts (1998a) conducted an interesting study on people's satisfaction with local government. The study first showed satisfaction with *local services* to be high. No less than 69 per cent of service beneficiaries were always satisfied with the services provided, 19 per cent were usually satisfied, and 11 per cent were usually or always satisfied. The authors then looked at the perceived responsiveness of local authorities. Were they sufficiently aware of matters brought to their attention? Did people feel their concerns were being taken seriously? A slight majority of respondents (54 per cent) were found to have brought something to the attention of the local authorities during the previous five years. Only 28 per cent of these people felt that their concerns had not been taken seriously enough. A 72 per cent majority felt that they had been taken seriously by the local authorities. It was not just those whose petition had been successful who felt they were being taken seriously. Of those people who felt that their petition had been unsuccessful, 51 per cent still felt they had been taken seriously. In these cases, the local authorities had evidently been able to provide a 'well-reasoned no' (Tops 1995). Those whose efforts were successful were more likely to feel that they were being taken seriously: 85 per cent of these had this feeling after a successful appeal.

Denters and Geurts (1998a) asked people to rate their general satisfaction with their local authority on a scale of 1 to 10 (in the Netherlands 1 is the lowest score,

10 the highest, and 6 is just satisfactory). Dutch local authorities were given relatively high scores by their citizens. Only 16 per cent of respondents gave scores below 6. The rest gave 6 or more to their local authority, with 31 per cent giving 6 and 53 per cent giving more than 6. The largest group (43 per cent) gave 7. The study produced by Denters and Geurts is relevant to the debate about boosting the size of local authorities, since it shows the size of the local authority to have little effect on people's satisfaction with it. Indeed, there seems to be greater dissatisfaction with the largest local authorities.

The same authors investigated people's perceptions of their political impotence *vis-à-vis* local authorities, and then compared this with their perceptions of political impotence *vis-à-vis* national government. Two aspects were distinguished (Denters and Geurts 1998b):

- a sense of own political power (subjective);
- confidence in the responsiveness of the local authority.

As far as the first aspect was concerned, the survey produced a less than positive overall picture. Three quarters of the respondents rated their own power in local politics as low (34 per cent) or very low (41 per cent). But this overall finding is misleading, because it hides wide variations. Better educated people rate their own local political power significantly higher than people with less education. Men also rate their local political power significantly higher than women. The characteristics of the locality and of the local party system have virtually no effect on people's sense of political power.

It is very apparent that people feel they have more political power in national politics than in local politics. This is striking given that local politics is closer and, therefore, easier to influence. The perceived difference in power is greater in large municipalities, where people are more focused on national media and national issues.

Confidence in the responsiveness of local authorities is considerable in the Netherlands: 60 per cent of respondents had high (26 per cent) to very high (34 per cent) confidence in the authorities' responsiveness; 40 per cent had low (19 per cent) to very low (21 per cent) confidence. There is a noticeable difference between older and younger respondents, with younger people often having greater confidence, and between large and small municipalities, with substantially more confidence felt in smaller municipalities. There seems to be a strong correlation between confidence in local authority responsiveness and the general opinion of the authority: if the general opinion of the authority is positive, then people are more likely to have confidence in its responsiveness.

Confidence in the responsiveness of local authorities is noticeably greater than confidence in the responsiveness of national government. People from smaller municipalities are more inclined to draw such a distinction than people from larger municipalities, who are more likely to lump local and national government together.

There seems to be less interest in politics in large municipalities than in smaller municipalities (Denters 1998). As far as political involvement in local affairs is concerned, there still seem to be differences between men and women (Leijenaar and Niemöller 1998). Intention to vote is about the same among men and women. But differences are apparent in other respects, particularly in smaller municipalities:

- women are generally less interested in politics than men; this difference is less pronounced for local politics than for national politics, especially in smaller municipalities;
- women make less use of local participation machinery than men, except when it comes to taking part in local action committees;
- women have less subjective and objective political power at local level, especially in larger municipalities.

### *3.3 Patterns of Public Participation*

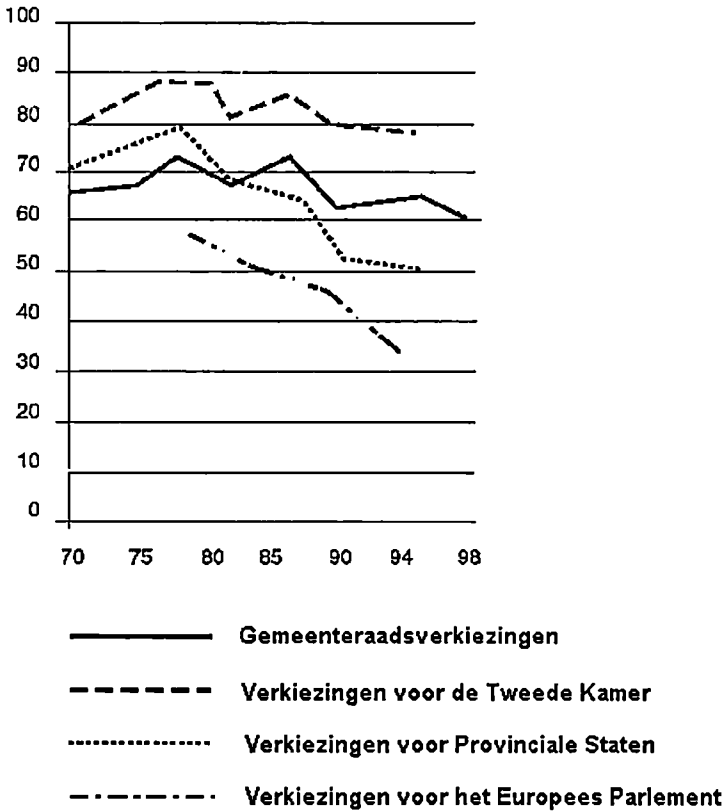
Individuals do not often come into contact with provincial government. Direct involvement is often limited to the most traditional form of participation, that is in elections, in this case elections for the provincial council. Turnout at these elections is typically quite low—an average of 50 per cent on 8 March 1995—and strongly ‘nationalised’; the results being determined only to a small extent by provincial issues and politicians. These elections are sometimes referred to as ‘elections without a mandate’.

A recent survey by the provincial government of Limburg showed that people’s familiarity with, and interest in, provincial politics is generally limited. People can only be said to be interested in concrete, specific issues with which provincial government is involved, but they are not always aware of the role played by the province in such matters.

Turnout at local council elections is usually higher. However, at the last three elections the turnout percentage was such as to raise doubts in many people’s minds. In particular, turnout at the 1990 local-authority elections (at 62 per cent) was a great shock, which then led to an intense debate about the need for political renewal. The shock was especially severe in large cities, where turnout in some cases fell below the symbolic 50 per cent threshold. At the same time, it should be noted that large cities have always tended to have a low turnout, certainly

compared with rural authorities. Turnout was poorer in cities in the southern, Catholic cities than in the more rural, Protestant east (Denters 1998).

TABLE 10.6. *Voter turnout at four elections in the Netherlands: elections for Tweede Kamer (Parliament), for gemeenteraad (local councils), for provinciale staten (provincial councils), and for the European Parliament)*



Source: Volkskrant, 5 March 1998.

Table 10.6 shows why political scientists describe local-authority elections in the Netherlands as ‘second-order elections’. Smeets, Denters, and Geurts (1998) investigated intention to vote at local authority elections and parliamentary elections. Some 78 per cent of respondents said they would definitely vote in local-authority elections, 13 per cent were not sure, and 8 per cent said they would definitely not vote. For parliamentary elections these percentages were 87 per cent, 8 per cent, and 5 per cent respectively. The size of the local authority seems to have little effect on intention to vote.

TABLE 10.7. *Participation: types, percentages, inequalities*

	% participation <sup>a</sup>	Score <sup>b</sup>	Odds ratio <sup>c</sup>	Score <sup>d</sup>
Public discussion	16	7	0.474	1
Neighbourhood campaigns	20	5	0.723	8
Actions	15	8	0.644	7
Party contact	11	9	0.544	2
Contact with politician	18	6	0.638	6
Contact with administration	31	2	0.628	4
Letters/complaints	24	3	0.632	5
Voting	77	1	0.589	3
Petition	23	4	0.834	9

Reading examples:

<sup>a</sup> 20% of respondents claimed to have been involved in neighbourhood activities over the past five years.

<sup>b</sup> Neighbourhood activities rank fifth in the list of the most popular types of participation.

<sup>c</sup> The higher the odds ratio, the higher the degree of representative participation; participation in neighbourhood actions is thus fairly representative.

<sup>d</sup> Neighbourhood actions rank eighth in the list of non-representative participation; only petitions are more representative.

Source: Denters and Geurts (1998c: 174–6).

Table 10.7 shows quite a large variety of types of participation in Dutch local government. Voting is still the most common form of participation, followed by contacts with the local officials, addressing letters or complaints to the competent authority, and submitting petitions (what might be considered the ‘respectable’ methods of participation). ‘Public discussion’, or formal consultation at a public meeting, scores relatively low. This form of participation requires a lot of effort, while it is often perceived as yielding relatively low returns. The diminishing appeal of this approach is accompanied by an energetic search for new ways of consulting the general public in public decision-making processes (cf. sect. 5 below).

Denters and Geurts (1998c), from whom Table 10.7 has been taken, have investigated more closely the social representativeness of the different forms of participation (see last two columns of Table 10.7). Social representativeness is highest in the case of petitions, followed by neighbourhood and other public campaigns; it is lowest in the case of public discussions, followed by party contacts and voting. The study findings for voting are notable in the sense that relatively high social representativeness could be expected here. In general, it can be said that social representativeness is higher in the case of specific activities that address problems than in the case of more general or political activities.

The size of the local authority does not affect the use of formal means of participation (voting, public discussions, party contacts), but it does affect the amount of direct contacts with local politicians: the smaller the municipality, the more often these are used. Size also correlates with social representativeness, especially when it comes to establishing personal contacts: the social representativeness of contact-seekers is greater in the smallest municipalities than in the larger ones. However, in the largest municipalities, the social representativeness of two formal participation channels (voting and party contacts) is even greater.

The degree of parochialism of the local political system does not affect the extent to which different channels of influence are used, but it does affect the extent to which those using those channels can be defined as socially representative. More parochial political systems show greater social representativeness, especially in respect of establishing contacts with politicians and officials, but also in respect of election turnout and public discussions (Denters and Geurts 1998c).

People who get involved in local politics are relatively often satisfied with the way in which local authorities deal with their wishes and demands, even when these are not met (Denters and Geurts 1998a). However, people involved in local political affairs are not significantly more satisfied than those who are not involved. There is no causal relationship between participation and satisfaction. Denters and Geurts suggest that the causal relationship is rather the reverse: dissatisfaction leads to participation.

The political system in the Netherlands has a relatively favourable 'political-opportunity structure' for new social movements and their stock of action-oriented participation forms (Kriesi et al. 1992). Van der Eijk, Pennings, and Wille (1992) have observed that action-oriented types of participation are becoming increasingly popular. They are slightly higher in urban than non-urban municipalities, where traditional forms of electoral participation are somewhat more popular (Denters 1998).



TABLE 10.8. *Willingness to protest, acceptance of various forms of protest, and desire for more say in subnational government (percentages)*

	Year				
	1975	1981	1985	1991	1995
Protest against unjust law	35	31	42	41	51
Accept sit-in	38	42	46	62	67
Accept parents occupying school	34	36	47	52	57
Accept squatters	n.a.	42	37	35	40
Accept blockade of nuclear plant	n.a.	42	45	58	65
Accept strike cut social benefits	n.a.	37	46	56	62
Want more say in subnational government	70	63	60	66	70

*Source:* SCP (1996: 492–4); also Denters (1998).

Table 10.8 shows that acceptance of most types of political protest has increased noticeably over the years. The need for ‘more say in subnational government’ is as great as ever.

There is not only a good ‘political-opportunity structure’ for action-oriented forms of participation, but also a good basis for action-oriented ‘new social movements’. In 1970, 70 per cent of the Dutch population had a materialistic political approach, a low proportion by international standards. In 1993 this percentage had fallen further to 14 per cent. During the same period, the proportion of the population with postmaterialistic political views grew from 15 per cent to 22 per cent (Abramson and Inglehart 1995). The rise in postmaterialistic values seems to have slowed in the 1990s, remaining at a high level by international standards.

#### 4. CHALLENGES FOR SUBNATIONAL DEMOCRACY

It is sometimes hypothesised that since the Netherlands no longer has any really serious problems public policy has become mainly ‘administration’ This is thought to be particularly the case at subnational level. Compared with the problems experienced for example by the southern EU Member States, those facing subnational authorities in the Netherlands indeed appear to be relatively trivial. There are nevertheless substantial challenges, at least in the view of the provincial and local officials who are confronted with the following developments and phenomena:

- *Depillarisation (Ontzuiling)*—Since the 1960s the social ‘pillars’ on which national and subnational politics had rested for a long time have been substantially undermined. The pillars on which authorities were previously able to rely are much weaker. Many of these pillars continue to live on in name, but their external and internal orientation has changed a great deal. In the middle ground between public administration and ordinary citizens (civil society), vertical pillars have lost much of their significance whilst horizontal lines have increased in importance. For the authorities this represents a major challenge in that a society with a more horizontal structure requires an approach that is radically different from what is needed when a society is based on vertical pillars (Hendriks 1996).
- *Dehierarchization*—The horizontal lines are also visible in the new organizations and groups emerging today in the area lying between the authorities, the market, and individuals. What these organizations and groups have in common is a non-hierarchical structure and approach. They are either loose networks of individuals cooperating with one another for pragmatic reasons or else new social and political movements that forge relatively solid links and set great store by social involvement and political equality. The new organizations and groups promote models of citizenship that are noticeably different from the passive models characteristic of the old vertical structures. The new citizenship model is, on the one hand, autonomous, discerning, consumer-oriented, assertive, and quality-conscious, and, on the other, receptive to alternative life-styles, geared to participation, ecologically aware, and with a social conscience.
- *Rising demands and expectations*—Studies carried out by the Social and Cultural Planning Office show that the erosion of traditional social structures has not been accompanied by less social involvement of ordinary citizens. Instead, involvement in public affairs has merely assumed a different form. National and subnational authorities can see that every day. The individual is now more critical, more assertive, and more active than ever before. Compared with the period of vertical pillars, citizens now make not only more extensive, but also more concrete demands of the authorities. For the authorities concerned, this development raises administrative problems to which no satisfactory solution has been found. On the one hand, much more is expected of the authorities, whilst, on the other hand, action by the authorities in society is less easily accepted.
- *Meso-government*—Pillarization has been at least as important for subnational authorities in the Netherlands as it has been for national authorities. The fact that Dutch provinces this century have been confined to playing a subordinate, supporting role is attributed by Toonen (1996) to the fact that the vertical pillar system has, *en passant*, been an effective system for coordinating interprovincial relations and solving interprovincial conflicts. The social

foundations of vertical pillars have been concentrated heavily in the regions, and because the pillar system has worked reasonably well as a framework for achieving consensus and framing policies, the provinces have been reduced increasingly to a technical and legal supporting role. With the decline of vertical pillars, the Netherlands has shed itself of an implicit meso-government arrangement—a state of affairs that has led to the quest for functional equivalents. For a long time this quest has bypassed the provinces. Recently, however, the provinces have taken up the challenge in an effort to prove themselves fully-fledged organs of meso-government.

- *Metropolitan regions*—Because of the poor reputation of the provinces, regional administrative solutions have for a long time been sought elsewhere, particularly in the ‘larger-than-local’ framework of cities where interadministrative conflicts are most pronounced. Outside the Netherlands, answers to the regional question are being sought in, for example, Flanders, Catalonia, Scotland, or Bavaria. When talking of the ‘regional question’ in the Netherlands, one is thinking first and foremost of towns such as Rotterdam and Amsterdam. Frequent efforts have already been made to find an administrative solution to the problems of major urban areas. In the early 1990s, it seemed that a solution had been found in the creation of ‘city regions’ or ‘city provinces’. However, after the referendums in Amsterdam and Rotterdam (see sect. 5 below), it would seem that things are once more uncertain. Regional urban questions thus still remain unsolved.
- *The ‘abyss’ between politicians and citizens*—Developments in the post-war period have led to major changes in political relations. Individuals are on the whole better educated and better able to defend their own interests. Politicians have been forced to accept that authority is no longer self-evident, but has to be continually earned through interaction with and between those who are governed. Earning such respect, however, is not so simple in a situation characterized by the displacement of politics (moving into areas lying outside the ken of the politician), the fragmentation of political life, and the dwindling ability of politics to act as cement (see also para. 3.1 above). There are many indications that political authority and trust are on the wane rather than on the increase. In this context, there is much talk of the widening gap between individuals and politics, particularly in large towns. Politicians, leaders of society, and opinion-makers attach great importance to the closing of this gap. Others—including political scientists such as Van Gunsteren and Andeweg (1994)—compare the situation with the Loch Ness monster, which no one has yet really seen, and have less confidence in the ‘problem’ being solved.
- *The extreme right*—The council elections of 1986, 1990, and 1994 saw the growing influence of extreme right-wing parties, and seats fell into the hands of their politicians, particularly in town-council elections. In the recent council elections of 1998, however, extreme right-wing parties were almost wiped out.

No explanation for this has yet been found, but it is highly unlikely that the breeding-ground for the extreme right has simply disappeared in the course of a few years. Generally speaking, the extreme right is still a focal point for malcontents and a phenomenon to be kept under constant surveillance.

## 5. INNOVATIVE APPROACHES TO IMPROVING REGIONAL AND LOCAL DEMOCRACY

### *5.1 Macro Trends*

The specific features of any given trend often become clear when placed in a comparative perspective. As far as the reform of regional and local government in the Netherlands is concerned, a comparison with Belgium and Germany makes interesting reading. By comparison with Belgium, it is striking how few institutional reforms have actually been carried out in the Netherlands, even though there has never been a lack of planned reform. Under the recent proposals there would be five national areas, forty-four socio-economic regions, thirty-seven new-style provinces, seven city provinces, etc. Needless to say, none of the proposed institutional reforms has actually seen the light of day although this does not mean that there have been no significant changes in the system of Dutch regional and local government.

We shall see below that the major changes carried out in the Netherlands concern processes rather than structures, whilst in Belgium the situation is the other way round. The necessary changes in terms of processes have undoubtedly been made in Belgium, but most of the conspicuous reforms there have been concerned with structures. In fact, whilst the Netherlands basically remains the same decentralized unitary state, Belgium has been transformed into a regionalised federal state within a few decades.

Comparisons with Germany are particularly interesting, with local government reforms in the two countries moving in opposite directions. What was fashionable in the Netherlands in the 1980s (new public management) is now at the heart of discussions in Germany in the 1990s, whilst the German obsession with co-productive policy-making in the 1980s is now the centre of attention of the Netherlands in the 1990s.

In the 1980s, new public management (NPM), which had come to fruition in the Anglo-Saxon world, took firm root in Dutch local government, with municipal experiments taking place all over the country in self-management, contract management, and related private-enterprise type ventures. The examples of Delft and Groningen are well known. The most famous example of private-enterprise type local administration was, however, to be found in Tilburg, leading to the Tilburg model and the international furore surrounding it. In the 1980s, Germany

was left well behind in the move to introduce NPM techniques. German communes were themselves in the throes of a development termed *Die Erneuerung der Politik von Unten* (The Renewal of Politics from Below) (Hesse 1986), which sought to institutionalise participatory and communicative forms of administration from the bottom up. New public management was introduced in Germany only slowly, but eventually broke through with unprecedented force. Local authorities in Germany now look with special interest at the Netherlands, and particularly the Tilburg model, which appears to have acquired a cult status in Germany (Klages and Löffler 1996).

During the same period, Tilburg initiated a process of change that has led to a situation where the commune is less interested in the logic of internal production and more in the social environment. In many other communes, one can observe comparable trends involving interactive district administration, communicative decision-making, policy co-production, etc. Generally, local administration in the Netherlands in the 1990s has been going down a path already trodden by Germany in the 1980s.

The 1980s were years when the concept of new public management was accepted with enthusiasm in Dutch local government. During that decade, local administrations had to adjust first and foremost to tighter public purse strings, with substantial savings having to be made in local government expenditure. This requirement was all the more powerful as Dutch local authorities were dependent on the central authorities for a substantial part of their income. The pressure to make savings was also an opportunity to make considerable changes in administrative practice. A politico-administrative culture characterized by growth-sharing now had to be turned into a culture characterized by savings and structural cutbacks in funds available. The development of a new set of instruments was influenced by the *Zeitgeist* of neo-liberalism and market thinking. There was a favourable climate for this in the Netherlands, although less so than in the United Kingdom and the United States. Terms such as deregulation and privatization began to crop up in discussions. Classical bureaucratic modes of operation were observed with growing scepticism. The idea of new public management was taken up in writing and in discussions with growing enthusiasm, and the culture and instruments of private enterprise became a shining example for the authorities (Hood 1991). Concepts such as contract management, product-oriented budgetting, management evaluation, quantifiable policy goals, indicators, and benchmarking began to seep into the vocabulary of local administration. The reference points for discussions lay outside the higher authorities and were to be found in business life and business administration. The rapprochement between public and private sectors stemmed from an admiration for the 'codes' of private enterprise, whilst private investors were also badly needed by public players to develop ambitious, large-scale urban schemes. Attractive inner-city designs, buildings with a strong identity, and innovative architecture became the common

denominators of this planning approach. They became the expression of a new urban enthusiasm shared by a wide spectrum of politicians. In the Labour Party, which held a strong position in city councils during the 1980s, there was even talk of a 'return to alderman socialism' (Depla and Monasch 1994).

The 1990s have seen Dutch local authorities once more going in search of the forgotten citizen. The local council elections of 1990 created shock waves. In a number of local authorities, urban regeneration projects had been severely criticized, and this was reflected in the outcome of those elections. The Labour Party lost ground everywhere, but particularly in municipalities where it had championed urban-renewal schemes. The turnout was also lower than expected, falling on average throughout the Netherlands from 73 per cent to 62 per cent. In some communes fewer than 50 per cent of the electorate came to the ballot box. As a further aspect of the reaction, great importance was attached to plans to change the way politics and the administration were run (Gilsing 1994; Depla' 1995). Efforts of every description were made to win back the ordinary citizen. The focus of attention was not on formal institutions, but on actual decision-making (within a given institutional structure). Every attempt was made to give citizens (or, at any rate, the views of citizens) a prominent place in the decision-making process. One of the methods of achieving this was via all sorts of civic polls and surveys that had been developed in many communes in the recent past (Depla and Schalken 1996). Instead of, or in addition to, consultation procedures, which had given citizens a say in public affairs, the Dutch authorities now frequently turned to 'interactive' decision-making, 'open-plan procedures', co-production, and so on. Local government's role became primarily that of a *process* manager. The intention was largely to leave the process of reaching a consensus to the parties concerned.

These concepts fitted in perfectly well with the ancient Dutch traditions of improvisation, consultation, compromise, consensus, and a heavy reliance on civil society. For the rest, we have to remember that a number of cherished objectives are not attainable without the active involvement of ordinary citizens, particularly in respect of the conduct and management of public affairs.

In the meantime, the growing tendency in some communes to resort to co-production and interactive decision-making led to a review of the forms of local administration that developed in the 1980s. Even in Tilburg, which for many people was a shining example of successful new public management at local level, a permanent development process (POP) got under way, whereby local authorities became less obsessed with their own product-oriented philosophy and more concerned with questions of civic participation (Hendriks en Schalken 1997).

## *5.2 Micro-Level Experiments and Practices*

In addition to the general trends described above, there are many cases of micro-

level practices and experiments at subnational level that deserve to be mentioned.

- *Public marketing*—The view has been taken that competition in different areas has increased because of the creation of the European internal market and the revolution in information and transport technologies. Dutch towns have in particular become increasingly aware that they are now in competition with one another, as well as with other towns in Europe. With this awareness of competition, more and more attention has been paid to public marketing, that is the intensive monitoring of, and response to developments in those markets in which towns are active. Public marketing policy has often been carried out under advertising slogans such as ‘*Het Nieuwe Rotterdam*’ or ‘*Tilburg Moderne Industriestad*’.
- *Social regeneration*—Public marketing is certainly ‘biased’ in favour of those local-government policy areas that can be termed ‘hard’, because of their crucial importance to the competitive position of towns. This does not mean that the ‘soft’ edges of the urban fabric have been neglected. Ever since the third Lubbers Cabinet (which took office in 1989), a great deal of attention has been paid to social regeneration in Dutch towns. The pathfinder in this areas has been Rotterdam, which has blazed a trail with its so-called ‘*Opzoomeracties*’. The name *Opzoomer* refers to a street in Rotterdam where citizens have mobilised themselves in constructive, concrete ways to improve their living environment. Supported by the Rotterdam authorities, Opzoomen has, literally and figuratively, entered every nook and cranny of the city of Rotterdam and won subsidies from the national policy on social regeneration.
- *Major town policy*—What social regeneration was to the third Lubbers Cabinet, major town policy is to the first Kok Cabinet. Major town policy is a strategy of local regeneration stimulated and aided by the national authorities; it finds expression and applications in rundown city areas and urban districts with special needs.

Major town policy is in reality an extension and expansion of the policy on social regeneration. Whilst social regeneration drew inspiration from traditional urban-renewal policies in favour of rundown areas with poor infrastructures and social conditions, the major town policy also lays great emphasis on economic and urban revitalization. The major town policy thus aims at a combination of social, urban, and economic revitalization, with economic revitalization taking pride of place. In July 1995 the four major towns together signed an agreement with the government on the major town policy (GSB). The agreement covers the 1996–9 period. To be able to benefit fully from the GSB, the local authorities have had to develop plans over a short period of time and submit these to the central government.

- *Debates on the future and scenario workshops*—As we approach the end of the twentieth century, Dutch communes are showing a marked tendency to look

into the future and to project scenarios or visions of the future into the next few decades. Examples of this are the memo *Rotterdam 2005*, the futuristic *Arnhem 2015*, and the *Locale Agenda 21 Velsen* (the last of these being primarily focused on the living environment). In planning debates on the future and in scenario workshops, the process has often been considered as important and sometimes even more important than the result. The fact that social interest groups have been holding discussions with one another and with the local authorities on matters of public importance for the future is considered to be of value in itself. In towns such as Deventer, scenario workshops have been set up to reflect on long-term policies. In Delft, a simulation game has been used to launch an unorthodox discussion between city councillors and top officials on teamwork. In Zaanstad and Alkmaar, but also in Amsterdam and Rotterdam, attention has been focused on round-table discussions and on broad-based public discussions.

- *Interactive project development*—Interactive project development differs from the scenario workshops and debates on the future described above as regards the extent to which the topics discussed are open or closed. With interactive project developments, it is generally clear that a given project or provision is going to be implemented. The interaction consequently concentrates on how best to implement the project or provision from a social point of view. An example of this is the development of the *Kop van Zuid* in Rotterdam. Inhabitants and organizations have been expressly invited to take part in discussions on the building of this new district in Rotterdam. Creative thinking has also gone into ways in which adjacent areas of the city might likewise benefit from the ‘social return on investment’. Another example is the traffic plan for inner-city Delft, which is likewise being developed interactively. Interaction between individuals and the authorities in Delft has led to a plan being drawn up on the management and control of urban traffic. A third example—the north–south underground line in Amsterdam—is of interest, because this special project has been set up with the help of a relatively powerful and influential forum, the *Amsterdam Forum*. The *Amsterdam Forum* has brought together groups of citizens, supported by local planning and university experts, to discuss the northsouth-underground line. The topic has been discussed from different angles—first miniforum, then clusters of miniforums, and finally round-table discussions. The *Amsterdam Forum*’s drive to win support has been so successful that the project has survived a referendum, which in itself is significant for a city where there has been much opposition to, and justifiable criticism of, underground planning in the past (see below).
- *Experiments with referendums*—The Netherlands has no experience of referendums at national level, at least not yet. At local level, however, there have already been twenty or so experiments in recent years. Subjects vary from



the closing times of cafés (Leiden) and building on green polder land (Haarlem), to the establishment of city provinces (Amsterdam and Rotterdam), restricted car access to inner-city areas, the building of a new residential area, and the construction of an underground line (Amsterdam). There have so far been more local referendums in the Netherlands than in Belgium, although the 'rules of procedures' in the former have not yet been legally established. This makes referendums experimental in nature in the Netherlands. Many local authorities have drawn up their own rules on referendums, but there are big differences in turnout thresholds, required yes/no votes, the presentation of questions, reasons for not holding a referendum, etc. What the different rules on referendums have in common, however, is that they are designed to ensure that advice is given and corrective measures taken. In practice, efforts have frequently been made to ensure that non-binding referendums become more binding. This is to be achieved through a commitment to voluntarily accept the findings of a referendum; in other words, a local council may formally disregard the advice of the people, but it promises not to do so provided certain conditions are met (a full turnout and a big majority). However, when a local authority, moves too far away from the representative democratic institutions already in existence, the Ministry of Home Affairs may annul the referendum provisions in question (as happened with the referendum provisions in Arnhem in 1994 and in Amsterdam in 1996). The city where the practice of holding referendums is most discussed is undoubtedly Amsterdam. The practice began, unhappily, with the 1992 referendum on limited car access to inner-city areas: a low turnout accompanied by a close vote on the two options meant that the dilemma of political choice became greater rather than smaller as a result of the referendum. Against this, the 1995 referendum on a 'city province' was nothing if not clear. Ninety-two per cent of those voting were in favour; and, if any problems arose, it was because the state authorities had maintained at the outset that the matter could not be solved by a local referendum. In the referendum on the IJburg residential area, the turnout was even higher, but the results were declared null and void, because the Minister of Home Affairs had in the meantime introduced a rather complicated voting threshold that was not reached in the referendum. Well over 60 per cent of registered voters (out of a total of 130,000 votes) had voted against the residential area, but this did not lead to a political decision, since a minimum of 155,000 no-votes were required. In the fourth referendum, this time on the above-mentioned north-south underground line, the turnout was extremely low (only 22 per cent showed up) so that, although there was a majority of no-votes, this once more failed to secure a political decision on the grounds that too few votes had been cast.

- *Opinion polls and consumer surveys*—A referendum carries with it expectations and hence (political and moral) obligations. If the rules of the

game are not clear or do not carry the seal of official approval, this can lead to great frustration and tensions. Opinion polls and consumer surveys do not have this disadvantage. They exist to ascertain precisely what the opinions and tastes of citizens are without this leading to expectations. However, despite their non-binding nature, opinion polls and consumer surveys can be of real influence in decision-making and in the provision of services to the public. Local authorities that set great store by market and customer trends cannot simply ignore the signals being sent out by the public. An institutionalized form of consumer survey is the *stadsmarktonderzoek* (urban market survey) of the municipality of Tilburg. Consumer surveys fit neatly into the philosophy of the Tilburg model, which is frequently held up as a model of successful new public management. Nijmegen, on the other hand, has experimented with the idea of the *stadsvraadpleging* (town council consultations), where the opinions of around 2,000 persons are sought on tricky problems. 'Town council consultations' work on the basis of a random selection of individuals. Questions are framed in such a way that answers are not squeezed into a rigid yes/no schema. The *Kabelexperiment Hoogvliet* (a borough of Rotterdam) is our final example. In this experiment, soundings were taken, via cable, on reactions to certain positions. Participants in this cable experiment were able to give their reactions via a so-called *Huis Informatie Toetsenbord* (House Information Manual). The reactions were recorded and stored electronically, although there was no question of push-button-democracy. The cable experiment did not seek to eliminate options, but to spark off debates and float ideas.

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## Austria

### 1. HISTORY AND CONCEPT OF DEMOCRACY

#### *1.1 Development and form of democracy*

Austria is a federal republic with a population of some 8 million; it comprises nine independent *Länder* (federal states): Burgenland, *Kärnten* (Carinthia), *Niederösterreich* (Lower Austria), *Oberösterreich* (Upper Austria), Salzburg, *Steiermark* (Styria), *Tirol* (Tyrol), Vorarlberg, and *Wien* (Vienna). The Austrian constitution is founded on the federal principle and a number of other fundamental principles: the democratic principle, the republican principle, and the principle of the rule of law. Any new legal provision which has a bearing on any of these fundamentals could only be implemented via an amendment to the constitution and ratified by referendum.

From the point of view of constitutional law, political democracy in Austria came into being with the 'First Republic', the term used to describe the first chapter of republican democracy in Austria's history (1918–34). In 1934 an authoritarian corporate state was set up, established on a federal basis. This state comprised representatives of the various professions rather than a parliament. Between 1938 and 1945 Austria was part of the Third Reich, following its annexation by the Nazis. Austria regained its independence in 1945, but did not achieve full sovereignty until 1955.

The 'Second Republic', set up after the Second World War, did not introduce a new constitution, but was founded basically on the constitution of 1920 and its 1929 amendments, which were subsequently further amended on a number of occasions. This constitution, dating from the 1920s, reflected a compromise between the socialist and conservative camps that have to this day a decisive influence on political life in Austria. As the representatives of these parties were unable to reach agreement on a common body of constitutional laws, the constitution of the 1920s represents a continuation of these laws dating from the period of the monarchy, as defined in the *Staatsgrundgesetzen* (basic constitutional laws) of 1867. The principles of the social state and the welfare state are thus not set out under basic law provisions; these principles are based on subsequent political developments, in particular of the post-1945 period.

Austria has a parliamentary system of government with strong presidential overtones, which, at first sight, brings to mind the constitution of the Weimar

Republic in Germany or the Fifth Republic in France. Under the Austrian constitution, the federal president is elected directly by the people; the first election was not, however, held until 1951. The president appoints the chancellor and the federal government. In this case—as in the president's right to dismiss the federal government—the president is, according to the constitution, not bound to act in accordance with parliamentary majorities. This strong power of the federal president was introduced under the constitutional amendments of 1929; it was once again the result of a compromise under which the governing conservatives (Christian-Social Party) sought to introduce a presidential system, whilst the *Sozialdemokratische Partei Österreichs* (Social Democratic Party), which had been in opposition since 1920, favoured a parliamentary democracy. The federal presidents who have been in office since the Second World War have in practice waived this right; the parliamentary majority in the *Nationalrat* (National Assembly) and their mandate to form a government have been strictly respected. The federal chancellor is thus *de facto* the leading political figure.

Political parties, in the current meaning of the term, came into being between 1880 and 1890, reflecting three political camps: the conservative-Christian movement, the social-democratic movement, and the German-national movement that stood for the safeguarding of the 'German element' in the multinational state of the Austro-Hungarian Empire. The Social Democrats sought to secure universal suffrage, which came into being at federal level (at first, however, only for men) in the 1907 elections of the House of Representatives (of the Federal Council). Until 1918 the *Land* parliaments remained essentially bodies representing corporate interests, with representatives being appointed on the basis of the old-style electoral system influenced by the Catholic Church, whereby voters were divided into different classes, each occupying a proportion of the seats.

In contrast to the forceful political debates of the interwar years, which gave rise to militant action in the 1930s and led to two civil wars in 1934, the political scene in Austria during the Second Republic has been marked by political equilibrium and a high level of stability. The two major political movements work closely together, as do the associations linked to these movements. Over the past few decades, employers' organizations and trade unions have developed effective instruments for reducing conflict and resolving opposing interests. Agreement has been reached on the basis of what is called 'social partnership' and 'proportional government'.

The tendency for the system of 'proportional government' to become a fossilised structure is increasingly criticized, particularly by young people, alongside the recent growing interest in the development of democracy and democratic reform. In the wake of this criticism, the realigned *Freiheitliche Partei Österreichs* (FPÖ, Austrian Freedom Party)—a right-wing populist party—has notched up clear successes against the two main parties since the second half of the 1980s. At the same time, citizens are increasingly launching initiatives aimed

at reducing the level of concentration of political power. The recent extension of direct elections indicates that Austria is moving towards a more open and more dynamic concept of democracy. This goes hand in hand with a gradual shift away from a form of democracy based on agreement towards a democracy based on competition (Pelinka 1997).

Under the federal constitution there are two forms of direct democratic action: petitions for new legislation and referendums. For a petition to be successful, it has to be supported by at least 100,000 signatures (representing some 1.8 per cent of the total electorate) or one sixth of the electorate in three *Länder*. If such backing is received, the proposed law will then be treated by the National Assembly as if it were a bill submitted by the government. Petitions may be launched once they have the support of (a) at least 10,000 eligible voters whose main residence is in Austria, (b) at least eight members of the National Assembly, or (c) at least four members from each of three *Land* parliaments. Referendums may take place under one of the following three conditions:

- the National Assembly decides, by a majority vote, to cede its legislative powers in this area to the people;
- if at least one third of the members of the National Assembly or the Federal Council (comprising members of the *Land* parliaments) call for a referendum as part of a projected partial amendment of the constitution (something which has not yet happened in Austria);
- in the case of a 'comprehensive amendment' of the constitution involving one of the fundamental principles underlying the constitution; this has happened only once: Austria's accession to the EU was supported by 66 per cent of the electorate in a referendum in June 1994.

Austria's accession to the EU, which took effect on 1 January 1995, was also widely supported in each of the individual *Länder* and by all of the major groups in Austrian society.

In 1955, Austria committed itself, 'of its own free will', to permanent neutrality, with a view to regaining its full sovereignty. The background to this undertaking was the desire for the approval of all four occupying powers to the national treaty and to avoid partition, as occurred in Germany. However, the principle of external neutrality is regarded by commentators as a factor in promoting internal political stability in the Second Republic (Winter 1995).

The end of the cold war and the collapse of the Communist system in 1989 presented Austria with completely new prospects as regards security policy. The initial steps taken in this direction include EU membership, observer status in the WEU, and involvement in the NATO *Partnership for Peace* programme.

Recently, Austrian membership of NATO has been firmly supported in public opinion, particularly by the *Österreichische Volkspartei* (ÖVP, Austrian

Conservative Party); the larger, governing *Sozialdemokratische Partei Österreichs* (SPÖ, Social Democratic Party) has, however, so far rejected membership on the grounds of Austrian neutrality.

## 1.2 Democracy at the Subnational Level: Regional and Local

### 1.2.1 The *Länder*

From 1918 to 1920, following the collapse of the Austro-Hungarian Empire, Austria developed from a decentralized unitary state into a federal state. The German-speaking crown states of the former Austro-Hungarian Empire joined together to form the federal state of 'German Austria' (the name officially given to the new republic in the earliest documents).

The existence of the *Länder*, however, does have a much longer pedigree. Unlike most of the artificially-formed (West-)German *Länder*, most of the Austrian *Länder* can trace their origins back to the Middle Ages. Carinthia, Styria, and Austria (which later became Lower and Upper Austria), in particular, trace their history as territorial units as far back as the early Middle Ages. Tyrol, Salzburg, and Vorarlberg (the so-called *Vorländer* of the Austro-Hungarian Empire) have existed as geographical entities, forming part of one and the same sovereign territory, since at least the sixteenth century. Only the federal states of Vienna (which has a dual status as a *Land* and a municipality) and Burgenland (comprising areas settled by German speakers of what was previously Hungary) came into being either during or as a result of the establishment of the First Republic (Brauneder and Lachmayer 1987). The centuries-old history of the *Länder* continues to this day to strengthen their identity and to enable them to make better use of their legal and political powers. Even in the pre-republican period, Austria, as a country in which allegiance to a particular *Land* and multi-ethnicity were emphasized, was characterized by both territorial individuality and politico-cultural diversity. The long history of the Austrian *Länder* represents a significant difference in comparison to present-day Germany, which is the other classical federal state in the EU.

It would, however, be precipitate to conclude, in the light of these factors, that the Austrian *Länder* have a stronger position within the national framework than have the German *Länder*. The history of federalism in both Germany and Austria is marked by a further significant difference that continues to have an impact on the organization of the present-day political system. During the transition to the modern period in the nineteenth century, Germany had no framework of central government. Fundamental efforts to bring about modernization took place primarily in Prussia; in that state, progress was made towards establishing a territorial administration replacing the powers of an absolute prince. The central ruling family in Austria already held a dominant position at an earlier stage. Even



in the Middle Ages, under a monarchy, a union was established in Austria, bringing together the various *Länder*. This union had a joint monarch, a central administration, a uniform administrative process, and, to a certain extent, common laws (until 1749). In the period up to 1848—and in particular during the reactionary regime of Metternich in the run-up to the March revolution of 1848—a highly-organized, centralized state developed, centred on the capital of Vienna; under this system the *Länder* lost some powers, but continued to exist. In the ensuing period, the conflicts between federalists and centralists played an increasingly decisive role in the political struggles surrounding the monarchy. The period of ‘neo-absolutism’, which followed an early constitutional transitional phase (1848–51), brought important reforms, such as commercial freedom and the separation of the judiciary from other branches of government. In that same period, however, federal structures were removed and an administrative system based on a united state was established. The *Länder* were reduced to the role of mere administrative districts. It was only in the wake of the Austro-Hungarian settlement, which in 1867 divided the Habsburg Empire into two parts enjoying equal rights (Austria and Hungary), and the introduction of a constitutional system in the same year that the powers of the *Länder* were once again gradually increased, enabling them to become real federal states rather than clusters of local authorities (Brauneder and Lachmayer 1987).

The collapse of the Austro-Hungarian Empire and the establishment of a democratic republic led to the reintroduction of federalism into an Austrian state that by now had developed a tradition of central government. In Germany, on the other hand, the existence of independent *Länder* with their own administrative structures helped Prussia to establish a German Reich, bringing together the core German states. This difference in the history of the political systems of Austria and Germany remains important to the present day.

### *1.2.2 Local Government*

Local self-government, in the current sense of the term, has a long history in Austria. It goes back to the medieval ‘free cities’ and the revolution of 1848. Local self-government gradually gained the upper hand over attempts to restore authoritarian government in the nineteenth century. The present-day Austrian local authorities/municipalities were set up on the basis of a Provisional Local Government Act of 1849. However, self-government was not introduced effectively until after the establishment of the constitutional monarchy (1860–1), under which a Local Government Act was adopted in 1862.

This Act already made provision for basic structures which continue to be a feature of local democracy to the present day. Under the Act, the uniform units of local government, the *Gemeinde*, became self-governing bodies. Cities and local authorities of particular importance were given special statutes (*Statutarstädte*,

statutory cities). Such entities obtained additional powers and generally became the leading administrative authorities. A distinction should be drawn between: (a) the areas in which local authorities have autonomous powers, that is those areas in which, under a blanket provision, they have the right to act; and (b) areas in which local authorities exercise powers delegated by central government and act on its behalf. Local government bodies comprise the *Gemeinderat* (district council, elected by a direct ballot), the *Gemeindevorstand* (district administrative board, consisting of members of several district councils), and the *Bürgermeister* (mayor, the sole person to have decision-making powers). The mayor is responsible for implementing the delegated powers; hence, he is both answerable to and subject to the directions of central government.

From the final quarter of the nineteenth century onwards, the political importance of local authorities increased considerably as a result of economic development and immigration. In particular the capital cities of the *Länder* and local authorities, situated in the most important industrial areas and at key intersections between traffic routes, set about establishing effective administrations for various services (gas and electricity supply, sewage, road building, education, etc.). Universal suffrage was not introduced in local authority elections until the democratic republic was set up in 1918. Vienna became a *Land*, in addition to being the state capital, and developed into the most important bastion of 'municipal socialism' of the interwar period. Vienna was particularly well known for its extensive and imaginative schemes for building low-cost housing as part of a more general plan for social reform. This scheme was financed, *inter alia*, by an aggressive tax policy regarding house-ownership and the consumption of luxury goods. Workers' militias sprung to the defence of 'Red Vienna' when it faced the abolition of democracy in 1934.

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### 2.1 *The National Level*

The Austrian National Assembly and the parliaments of the *Länder* and local authorities are, in principle, all elected through a system of proportional representation. In 1992 the electoral law regarding national elections was amended to include provisions to promote the election of candidates in their own right. The Austrian system does not involve dual voting for directly elected candidates and political parties, which generally favours the smaller political parties. Instead, provision has been made for part of the overall number of MPs to be elected in forty-three, relatively small constituencies. The distortion of the system of proportional representation by these small constituencies is cancelled out at two subsequent stages in the electoral process. Political parties need to obtain 4 per cent of the overall number of votes cast in the national elections before they may be awarded any of the 183 seats in parliament, which is elected for a four-year term of office (Pelinka 1997).

The Austrian *Bundesregierung* (federal government) is a collegiate body that takes action on the basis of unanimous decisions and is answerable to the *Nationalrat* (National Assembly). The National Assembly is able to pass a vote of no confidence in the federal chancellor or a member of the national government. Such no confidence motions lead to the dismissal of the minister by the federal government. The federal chancellor has only very general powers and is not able to give instructions to members of the cabinet. The chancellor's political strength derives rather from the fact that he is generally the leader of the political party with the largest number of seats in the assembly.

Ninety per cent of all federal laws originate from government initiatives. In these cases the legislative procedure in the National Assembly is preceded by a prior-appraisal procedure in which a bill proposed by a ministry is discussed by the other federal ministers, the *Land* governments, the associations representing the economic interests of the social partners, and other interest groups particularly concerned with the proposal. It is only after the *Ministerrat* (council of ministers) has unanimously endorsed the proposal—if necessary in an amended form—that the National Assembly starts the legislative process. Proposals for legislation made by the National Assembly itself constitute an exception to this rule. Such proposals may be put forward by at least eight MPs, one of the parliamentary committees, or one of the *Land* parliaments; these proposals are not subject to the above-mentioned, extensive, prior-appraisal procedure. In practice, this method is used by the opposition to enhance its political profile or by MPs from the governing party/parties in the case of a lack of time. In the period 1990–4 some 46 per cent of legislation was either passed unanimously or at least with the approval of the three largest parliamentary parties (SPÖ, ÖVP, and FPÖ).

It is also possible to initiate legislation at national level on the basis of popular petitions. This instrument has so far been employed more than twenty times, with varying rates of success; frequently such initiatives take the form of attempts to introduce legislation by the opposition parties.

Under the national constitution, the state is responsible for:

- tasks for which the federal government has exclusive powers of legislation and implementation (Art. 10);
- tasks for which the *Länder* have responsibility for legislation and implementation (Art. 15);
- tasks for which the federal government has legislative powers, but for which the *Länder* have responsibility for implementation (Art. 11);
- and finally, tasks for which the federal government has responsibility for framework legislation and the *Länder* have responsibility for implementing legislation and application (Art. 12).

The federal government plays the dominant role in the division of overall powers between the various administrative levels. It has sole legislative and implementing powers regarding most of the important government tasks. The powers of government are particularly evident in economic and social legislation. The federal government has sole responsibility for jurisdiction and for administrative procedures. It has the power to issue framework laws in areas such as the administration of the *Länder*, hospitals, and parts of the system of social protection (such as care provisions for mothers, children, and young people). In these areas, the *Länder* have the power to introduce implementing legislation and to apply the laws.

The dominant position of the federal government is, however, tempered by a system of ‘indirect federal administration’: extensive federal responsibilities regarding the implementation of legislation are carried out by *Land* bodies or by authorities that are answerable to the *Länder*. As a result of this allocation of responsibility and in the light of the powers regarding specific fields, there are many ways of framing a broad range of administrative procedures.

Article 15 of the constitution defines all areas for which competence does not rest with the federal government as the responsibility of the *Länder* (Article 15 of the constitution). However, this does not greatly detract from the real dominance of the federal government in the legislative field. The *Länder* have exclusive legislative and implementation powers in fields such as local inspection of safety provisions, locally organized events, hunting and fishing, sports, and local medical and rescue services. A number of other fields—such as building matters, spatial planning, and the protection of nature and the environment—come under the responsibility of the *Länder* in so far as competence has not been awarded to the federal government under other provisions.

The federal government has sole responsibility for public finance. Here too the *Länder* and local government bodies are subordinate to the federal government. The division of federal tax revenues between central government and the *Länder* is determined by federal legislation. A federal law determines which tax revenues accrue wholly or partly to the central government. The *Länder* are entitled to levy taxes, by virtue of *Land* legislation, for the benefit of themselves and local government bodies only in cases where equivalent taxes have not already been introduced under federal legislation. The federal government is entitled to introduce legislation regarding any kind of taxation. Both the number of and the revenues from taxes deriving from *Land* legislation fall well behind that of federal taxes.

The overall system of public finance has enjoyed stability over many decades; this is mainly due to an effective, internal financial compensation system. Specific federal laws, of limited time duration, are introduced to allocate particular taxes and tax revenues ('primary' financial compensation). A system of 'secondary' compensation consists essentially of intergovernmental financial transfers. Finally, the compensation system is backed up by 'grey' financial compensation arrangements, parts of which are arranged by private companies; these arrangements serve to iron out inequalities between the *Länder*. The adoption of laws governing financial compensation arrangements are preceded by intensive negotiations between the various tiers of administration—though this is not a legal requirement; in the course of these negotiations, account is taken primarily of the past financial requirements of the various levels of administration. These regular negotiations on the allocation of federal tax revenues have enabled the *Länder* to regain some of the influence withheld from them by the constitution (Kostelka and Unkart 1977).

## 2.2 *The Federal Länder*

From a constitutional-law standpoint, the federal system adopted by Austria is rather weaker than in other countries. This fact is demonstrated by the way in which the parliament representing the various *Länder* at national level (the *Bundesrat*, Federal Assembly) is organized; compared with the equivalent body in Germany, the Austrian Federal Assembly has only limited powers. Its main power consists of the right to issue a temporary veto against draft legislation passed by the National Assembly. Since 1984 the Federal Assembly has been given limited powers to ratify constitutional laws and constitutional provisions set out in federal laws, which would lead to a reduction in the powers of the *Länder* to issue and implement laws. The *Länder* have asked the federal government to increase the powers of the Federal Assembly.

The members of the Federal Assembly are elected by the members of the *Land* parliaments and serve for the duration of their mandate as *Land* MPs. Membership

of the Federal Assembly reflects the political balance of power after each election of the *Land* parliaments. Members of the Federal Assembly are not, however, answerable for their decisions to the *Land* parliaments that elected them to the Assembly. The federal president determines the number of members of the Federal Assembly on the basis of the national censuses, the last of which was carried out in 1993. The largest of the *Länder* has twelve seats in the Federal Assembly; the other *Länder* have a smaller number of seats depending on their respective population sizes, but a minimum of three seats. The second largest party in each of the respective *Land* parliaments is entitled to at least one seat in the Federal Assembly. The Federal Assembly currently has sixty-four members, comprising: twenty-six members representing the Austrian Conservative Party (ÖVP), twenty-four members representing the Social Democratic Party (SPÖ), and fourteen members representing the Austrian Freedom Party (FPÖ).

The nine federal *Länder* in Austria are governed on the basis of the parliamentary system. Each *Land* has a directly elected *Landtag* (parliament); in the case of Vienna, the *Land* parliament also acts as a municipal council. Each *Land* parliament elects a head of government (*Landeshauptmann*, first minister of the *Land*) and the other members of the *Land* government (the *Land* ministers). The first minister and the other ministers are politically answerable to the *Land* parliament. The first minister of the *Land* has a prominent position in the *Land* government, because he/she is the external representative of parliament and he/she is responsible for exercising the powers delegated by the federal government (under the system of indirect administration). Under the federal constitution, the First Minister of each *Land* is appointed by the Federal President and can be called before the constitutional court to defend their actions by the federal government. The First Minister is authorized to give directions to the other *Land* ministers in cases where *Land* governments exercise powers delegated by the federal government. In most cases the First Minister also has ultimate jurisdiction regarding the appointment of staff in all departments. Under the *Land* constitutions of seven of the *Länder* (Vienna and Vorarlberg are excluded), the parties represented in the *Land* parliament are entitled to take part in the government of the *Land* on the basis of their respective number of seats in the *Land* parliament ('proportional government').

Decisions are taken by a majority vote in all of the federal *Länder*; this means that, despite the application of the system of 'proportional government', the largest party in each of the *Land* parliaments should be able to carry out its policies. In practice, however, decisions tend to be taken unanimously. Between 80 and 90 per cent of the legislative provisions are adopted unanimously by the *Land* parliaments. This situation can often be attributed to the overall political climate in each of *Länder*; however, critics do point to the high percentage of 'non-decisions'. The legislative process in the *Land* parliaments is based mainly on the

submission of bills by the government, as is the case with the federal government (Marko 1992).

Political competition among the various political parties involved in 'proportional government' takes two forms in parliament: on the one hand, lively debates take place on departmental responsibilities and dividing up the work of the *Land* parliaments; on the other hand, political parties seek to establish a high profile for themselves on controversial issues for which the other parties are responsible ('opposition in respect of particular political fields').

*Land* parliaments are charged with: (a) regional administrative tasks forming part of their own specific responsibilities; and (b) national administrative tasks delegated to the *Länder* by the federal government, which involve the *Länder* acting on behalf of the central government. The administrative role of the *Land* parliaments, therefore, covers almost all areas of administration, but the degree to which the *Land* parliaments are able to shape provisions varies considerably. At the one end of the spectrum, the *Land* parliaments are responsible only for implementing legislation, whilst at the other end of the spectrum, they make planning decisions which will determine the future course of action.

The most important tasks of the *Land* governments include activities relating to the administration of private enterprise (Article 17 of the constitution); this includes, for example, measures relating to (regional) structural policy, economic policy and labour-market policy, spatial planning, cultural policy, transnational cooperation, and the administration of all forms of aid for which the federal government has responsibility. The way in which administrative powers are divided among the various tiers of government in Austria does not affect the position of the *Länder* as private-law bodies. Just like other players, the *Länder* are able to be party to legal transactions, for example by taking a share in undertakings. The federal government and the *Länder*, on the one hand, and the *Länder* amongst themselves, on the other, are entitled to conclude agreements relating to matters that fall within their remit. The *Länder* are entitled to conclude treaties with foreign states, or regions of such states, regarding matters that fall within their remit (Pernthaler and Weber 1992).

The political clout of the *Länder* should, therefore, not be underestimated, despite their relatively weak position under the constitution. Unlike the German *Länder*, which have major powers of co-determination regarding federal legislation, the Austrian *Länder*, for their part, have other resources at their disposal.

By longstanding tradition, people in the *Länder* are able to maintain a separate political and cultural identity, which is often reflected in a solidly 'anti-centralist' attitude. Voters' identification with a particular *Land* is also reflected in the party-political context; six *Länder* (the exceptions being Vienna, Carinthia, and Burgenland) have been governed by the ÖVP without interruption since 1945, whereas at national level the SPÖ has been in power since 1970.

The practice of 'proportional government' and the extensive participation of associations in government have ensured political integration over many decades, in particular at *Land* level. This has given the *Land* governments an undisputed, clear mandate to represent the interests of their respective *Länder*, cooperating with the other tiers of government, within the overall administration of Austria. The various interests are balanced not only by means of legal provisions, but also, to a very large extent, by way of negotiations.

Under the specifically Austrian form of political administration, the *Länder* do indeed have less direct influence on the policy of the federal government, but these two tiers of administration are more closely linked in the administration of the country. The Austrian system of administration gives the *Länder* and local governments considerable leeway for developing a programme-based strategy for implementing legislation.

### 2.3 *The Local Level*

The 2,357 local authorities enjoy autonomy under both the national and the *Land* constitutions. Local authorities have both their own autonomous powers and delegated powers. As part of their autonomous powers, local government bodies implement measures enacted by the federal government and the *Länder* (e.g. the inspection, at local level, of safety, public health, and building provisions or by setting up local government bodies or other bodies to carry out local government tasks). As regards the delegated powers, local authorities set their own criteria. In addition to fulfilling their autonomous roles, local authorities are extensive providers of services: as 'independent economic bodies' or through private enterprise bodies. Such services, some of which are mandatory, include the establishment and running of kindergartens, schools, adult training bodies, sports facilities, public utilities, and waste-disposal systems.

Local government funding is to a large extent dependent on the redistribution of funding by the federal government and the *Länder*. Funding stems from a tax system that is partially interlinked. Under this system, local authorities are able to levy their own taxes (for example land taxes, alcohol taxes, and local government taxes), whilst at the same time receiving a share of the federal tax revenues. In addition, local authorities receive dedicated payments, charges, and other forms of remuneration. The allocation of taxation rights and the entitlement to receive tax proceeds are determined by virtue of the above-mentioned negotiation procedure involving the *Länder*; the outcome of these negotiations is embodied in a specific federal law.

There are no counties under the Austrian system. Fourteen local authority bodies (mostly representing large cities) have their own statute under which they take over the role of district authorities.

Local government is essentially organized in accordance with the parliamentary



principle. Four *Länder* have already introduced direct elections for the post of mayor, which has increased the personalised and quasi-presidential nature of the political system.

The principle of 'proportional government' is applied to local authorities, as it is in the majority of *Land* governments. Under this principle, political parties are represented on the executive of the local authority in proportion to the number of seats they hold in the local council. Mayors are elected either by a system of direct election or on the basis of a majority decision by the members of the council of the local authority. Coalitions can thus be established which may result in the election of candidates other than representatives of the party holding the highest number of seats.

#### 2.4 *The Role of Political Parties*

Until the mid-1980s, Austria represented a classic example of a three-party system, which largely reflected the party-political groupings of the late-nineteenth century. The two largest parties, the SPÖ and the ÖVP, were the key political players; they were backed up by a third, small party, the FPÖ. Criticism levelled at the highly organized party system, a decline in the political 'camps', and overall changes in the socio-cultural field and in attitudes have clearly changed the Austrian party-political system at the end of the twentieth century. These changes are reflected in a number of events.

- The Greens have become established as the fourth political party. They entered the National Assembly after the 1986 elections and have consolidated their position since (4.8 per cent of the votes in the 1995 elections). Green political parties are also represented in five *Land* parliaments and in the case of their main bastion, Tyrol (10.7 per cent of the votes in the 1994 elections), they are also represented in the *Land* government.
- Since 1986 the FPÖ has positioned itself largely as a right-wing populist party; as a result it has made substantial gains at the expense of the other two major parties (21.9 per cent of the votes in the federal elections of 1995, as against 9.7 per cent in the 1986 elections).
- The *Liberale Forum* (Liberal Forum) broke away from the FPÖ in protest and is also represented in the National Assembly since 1994 (5.5 per cent of the votes in the 1995 election).

Austria now has a five-party system, which has considerably reduced the power of the two major political groupings, the ÖVP and SPÖ. In 1995 the ÖVP received 28.3 per cent of the votes against 41.3 per cent in 1986. The SPÖ received 38.1 per cent votes in the 1995 elections and 43.1 per cent in the 1986 elections. However, these changes have not opened the door to new possibilities for coalitions at the

federal government level. Since 1987, as for most of the Second Republic, Austria has been governed by a large coalition.

TABLE 11.1. *Composition of the governments of the Second Republic*

Term of office	Federal chancellor	Form of government
1945	Karl Renner (SPÖ)	Provisional national government
1945–7	Leopold Figl (ÖVP)	All-party government ÖVP/SPÖ/KPÖ
1947–53	Leopold Figl (ÖVP)	Grand coalition ÖVP/SPÖ
1953–61	Julius Raab (ÖVP)	Grand coalition ÖVP/SPÖ
1961–4	Alfons Gorbach (ÖVP)	Grand coalition ÖVP/SPÖ
1964–6	Josef Klaus (ÖVP)	Grand coalition ÖVP/SPÖ
1966–70	Josef Klaus (ÖVP)	One-party government ÖVP
1970–1	Bruno Kreisky (SPÖ)	Minority government SPÖ
1971–83	Bruno Kreisky (SPÖ)	One-party government SPÖ
1983–6	Fred Sinowatz (SPÖ)	Small coalition SPÖ/FPÖ
1986–7	Franz Vranitzky (SPÖ)	Small coalition SPÖ/FPÖ
1987–97	Franz Vranitzky (SPÖ)	Grand coalition SPÖ/ÖVP
1997–	Viktor Klima (SPÖ)	SPÖ/ÖVP

Although a change in the party-political system would suggest that Austria was moving away from grand coalitions, such coalitions are clearly well entrenched, particularly because of the stance taken by the FPÖ, which is, to a large extent, a xenophobic, right-wing populist party. Therefore, paradoxically, the FPÖ both profits from and perpetuates the outdated nature of the present form of government (Pelinka 1997).

Since the mid-1980s the democratic system based on agreements between parties has increasingly been losing ground in both the *Länder* and local government. This has been caused mainly by the spectacular successes of the FPÖ under the leadership of Jörg Haider (since 1986) in elections of the *Land* parliaments and in the mayoral elections. The FPÖ is now represented in all of the *Land* parliaments in Austria and in seven *Land* governments. The FPÖ has become the second most important party in the parliaments of both Vienna (27.9 per cent of the votes in the 1996 election) and Carinthia (33.3 per cent of the votes in 1994). Jörg Haider even held the post of First Minister of Carinthia for a time. The FPÖ has also been successful in local government elections, including the mayoral elections in the *Land* capitals of Graz, Klagenfurt, and Bregenz.

Despite the decline in political allegiance and the falling numbers of political party members since the beginning of the 1980s, membership of the two main parties in Austria remains extremely high when measured against the equivalent figures for other West-European countries. Taken together, the ÖVP and the SPÖ

still have a membership of almost one million out of an electorate of some 5.8 million. Membership arrangements of the two parties do, however, differ. The SPÖ is a relatively centralized organization based on individual membership, whilst ÖVP membership generally derives from membership of one of its six affiliated organizations:

- the *Österreichischen Arbeiter- und Angestelltenbund* (ÖAAB, Austrian Workers and Employees Federation);
- the *Österreichischen Bauernbund* (ÖBB, Federation of Austrian Farmers);
- the *Österreichischen Wirtschaftsbund* (ÖWB, Austrian Business Federation);
- the *Österreichischen Frauenbewegung* (Austrian Women's Movement); and
- the *Junge Volkspartei* (Young ÖVP).

The first three affiliated organizations (ÖAAB, ÖBB, and ÖWB) have traditionally claimed set quotas of posts (for example at elections for the National Assembly and the *Land* parliaments). The same applies for the SPÖ, particularly in respect of the party's women's organization and its *Fraktion sozialdemokratischer Gewerkschafter* (FSG, social-democratic trade-union wing). The increasing trend towards the preliminary election of candidates within parties in the 1990s (by the ÖVP, the SPÖ, and the Greens) has cast doubt on such traditional claims.

Until 1995 the FPÖ represented a relatively loosely organized political party; it has, however, since then established itself as a 'movement' and has consciously cultivated an 'anti-party' image. In contrast to the ossified grand coalitions, the FPÖ has taken on the title of *Freiheitliche Bewegung-Bündnis Bürger '98* (Freedom Movement-Citizens' Alliance '98). On 1 May 1998 the FPÖ set up a rival trade union in opposition to the unitary *Österreichischen Gewerkschaftsbund* (ÖGB, Austrian Trade Union Federation). The main aim of the FPÖ's new trade union is to secure 'work for Austrians first'.

### 3. THE PRACTICE OF REGIONAL AND LOCAL DEMOCRACY

#### 3.1 *The Role of Policy Networks*

Austria is a highly federalised country. This applies even more to its social structure, than to the organization of its political institutions, as laid down in the constitution. Commentators stress that it is at school, at the latest, that Austrian children learn about the characteristics of their region and begin to think of themselves as, for example, Tyrolean, Viennese, Carinthian, etc.

Borders between regions are very important, not only in terms of government, but also in social and economic terms. The boundaries of federal administrative districts, where these exist, broadly conform to these borders. Horizontal political

networks, therefore, arise virtually automatically within individual *Länder*.

The federal influence on political decision making is further strengthened by the strong representation of the *Länder* in the economic *Kammern* (chambers) and in free associations. The two major parties, the ÖVP and the SPÖ, rely, not only at federal level but also at *Land* level, on allied associations and self-governing bodies. The social players at *Land* level thus complement each other and do preparatory work for the political parties (Kostelka and Unkart 1977).

A coordinating body was set up, under an inter-*Land* agreement, to enable the *Länder* to exchange views and coordinate policy. The regular conferences of *Land* first ministers and their experts are prepared here, the main aim being to hammer out a common position *vis-à-vis* the federal government. This body plays a particularly important role in the preparation of the *Finanzausgleich* (financial redistribution) negotiations.

The local authorities come together, across *Land* boundaries, in two organizations at federal level. The *Österreichischer Städtebund* (ÖSB, Association of Austrian Towns) currently comprises 218, mostly larger towns, with a combined population of 4.2 million. The ÖSB negotiates with the federal government and the *Länder*, in particular in the financial redistribution negotiations. It also represents the local authorities in the detailed discussions leading to the adoption of laws and regulations. The *Österreichischer Gemeindebund* (Association of Austrian Municipalities) represents the interests of smaller municipalities and differs little from the ÖSB in its field of activities.

### 3.2 *Interest Groups*

Interest groups play an important part in Austria's political system, alongside the political parties. Cooperation between interest groups in the framework of social partnership is the counterpart of party-based parliamentarism.

The institutions of social partnership, built up by the interest groups in collaboration with the political parties since 1945, are (neo-) corporatist vehicles for the regulation of social life. Their main features are:

- a joint commission for wages and prices, set up in 1957 that deals with (voluntary and non-binding) controls on wages and prices;
- a multiplicity of subcommittees and commissions, through which interest groups are involved in policy at *Land* and federal level;
- the involvement of economic interest groups in the preparation of legislation (under the prior appraisal procedure);
- the involvement in the legally required supervision of the social security institutions.

One of the main economic bodies is the *Österreichischer Gewerkschaftsbund*

(ÖGB, Austrian Trade Union Federation), an umbrella organization for fourteen trade unions; 50 to 60 per cent of all employed workers are members of the ÖGB.

The *Verein österreichischer Industrieller* (VÖI, Association of Austrian Industrialists) represents Austria's main firms. It is also involved in party financing (with funds mainly going to the ÖVP, but also to the FPÖ) and the breakaway *Liberale Partei* (Liberal Party).

Chambers for blue- and white-collar workers as well as economic chambers—split into six sections: trade, commerce, industry, transport, tourism, and banking, loans, and insurance—exist not only at federal level but also in all nine *Länder*. These bodies provide legal advice to their members and also represent their interests in conflicts related to the social partnership. Hence, the umbrella organization of the economic chambers opposes the ÖGB in questions of wage policy. An agricultural chamber with legal status exists to represent farming interests.

The chamber organizations must hold elections. Political groupings close to the political parties select candidates. The ÖGB holds no direct elections, but is guided by the results of the workers' and staff council elections, which are usually also contested by party-political lists. Thus, party-political cooperation and cooperation between the interest groups are closely interrelated; this is typical of Austrian democracy at all political levels.

TABLE 11.2. *The main economic associations and their relationship with the political parties*

Economic association	Party		
	SPÖ	ÖVP	FPÖ
ÖGB	majority	minority	minority
Workers' chambers	majority	minority	minority
Economic chambers	majority	majority	minority
Agricultural chambers	minority	majority	minority

Source: Pelinka (1997).

The Catholic Church, with its very active, autonomous lay organizations, is an important social group. Both Catholic and Protestant denominations (about 80 per cent and 5 per cent of the population, respectively) contribute to social welfare in many areas and as such act as partners for the local authorities.

### 3.3 Critiques of Local and Regional Democracy in Austria

Until the early 1980s, public opinion was strongly in favour of the Austrian political system, as compared with that of other countries. Austrians had a high degree of confidence in the state and an unusually high regard for the way they were governed. This was true in particular of economic and social policy, with its high level of social guarantees and lasting influence on the economy, not least via an extensive public sector (Ullrich 1992).

A particularly high approval rating was traditionally enjoyed by the *Land* governments, by which Austrians felt even better governed than by the federal government. Only in Vienna was public approval of the federal government higher than that of the *Land* government (Kostelka and Unkart 1977). These results also reflect a very low level of conflict in *Land* politics at that time and a strong identification with the region or *Land*. Thus, a poll conducted in the mid-1990s to establish whether Austrians identified most strongly with their municipality, region, or state produced figures of 70 per cent, 61 per cent, and 59 per cent for region, municipality, and state respectively (*Eurobarometer*, no. 44, 1996).

Since the 1980s there is strong evidence to suggest that radical changes in state and society are feeding through more clearly and more rapidly to the local and regional levels. Indicators for this trend are declining party membership and turnout levels at regional and local elections, which, whilst still high by European standards, are perceptibly falling (for example only 61 per cent in Graz, Styria, in January 1998).

A criticism levelled at *Land* politics is that the proportional system of government is no longer in step with the increasing polarisation of the *Land* assemblies. At the local level too the executive is becoming increasingly personalised. The direct election of mayors, which already occurs in four *Länder* and is being advocated in others, is difficult to reconcile with consensus politics aiming for the broadest possible basis of support for political decisions.

Two conflicting trends manifest themselves earlier at the level of the *Länder* and the local authorities than at federal level. On the one hand, the trend towards greater fluidity in politics has accelerated since the mid-1980s. Party allegiance has declined sharply. Younger voters exhibit little or no party alignment. Willingness to shift support and tactical voting are the result (Ullrich 1992). On the other hand, the consensus-based democratic model of the post-war decades has in many respects served its purpose. The unstable democracy of the interwar years became stabilised. Various groups in society organized at the public level. Thus, in comparison with other European countries, the social and economic progress of the post-war decades lasted longer and was more widely shared.

However, to many younger Austrians the inherited participation and welfare structures seem to be relics of a system of patronage that is in many respects outmoded. The participants in local and regional democracy, who have outgrown

their party ties, have become more individualistic, but also more mature. The question is whether they will continue to take an interest in the democratic process and what forms of intervention and participation they will favour.

#### 4. CHALLENGES AND OPPORTUNITIES FOR LOCAL AND REGIONAL DEMOCRACY

The challenges facing local and regional politics in Austria can be summarized as follows. The tasks assigned to the regional and local levels of government have been expanding since the mid-1970s. Increasingly complex problems require new approaches and responses from the local authorities and regions. These changed demands on subnational politics come at a time when institutional arrangements and ways of balancing interests specific to Austria are becoming more and more 'Europeanised'. From the point of view of local and regional democracy the question arises whether and how new forms of appropriate participation and democratic legitimisation can be identified which will permit the further organic development of the Austrian political system.

##### *4.1 New Tasks and Areas of Activity*

Austria's local authorities and regions are also affected by globalization, the increased economic competition at the international level, and they are confronted with the limits on the ability of the state to regulate the various fields of economic and social activity. Although the unemployment rate is between 4 and 5 per cent—after Luxembourg the second lowest national rate in the EU, according to European Commission figures (1998)—deep cuts in social spending have been made with a view to fiscal consolidation, particularly by the central government, during the current legislative period. This shows that the economic and social questions, which in the past were dealt with by consensus, have by no means disappeared. In future the political institutions at regional and local level will be concerned to an even greater degree with the tasks of job creation, social security, and economic reorganization. These tasks can no longer be addressed by politics that are based exclusively on national growth coalitions. Regions and local authorities are increasingly resorting to the establishment of decentralized networks of operators and new, 'corporatist' working relationships between the parties concerned at the middle and lower levels.

In the past, Austrian policy has been highly interventionist in both the economic and social fields. However, in the wake of radical privatization, the influence of government has declined perceptibly. Agreements based on social partnership are suffering from the reduced scope for redistribution and have so far failed to resolve the problem of mass unemployment.

Moreover, criticism of the traditional economic-growth model was voiced at an early stage. Thus, as early as 1978, when an inquiry was carried out by the *Nationalrat* (National Assembly), a majority of voters came out against the commissioning of Austria's first nuclear-power station (Zwentendorf). Although the social partners had pressed for commissioning and although initially the SPÖ was officially in favour of nuclear power, a referendum put an early end to Austria's nuclear programme. Commentators see this as a key conflict that strengthened the environmental movement in the 1980s and 1990s and led to the foundation of green parties that have now, to a large extent, combined forces. As a result of further local and federal disputes, since 1994 all major projects have been subject to an environmental impact assessment with public participation. Other social movements developed alongside the environmental movement, in particular the women's movement, which, in addition to establishing a feminist counterculture, succeeded in politicising the gender issue within the established institutional system.

The *Länder* and local authorities have reacted to this politicisation by extending their administrative apparatus, by opening themselves up to the discussion of new issues, and by offering new forms of democratic participation. The polarisation of the political agenda has heightened competition in the regional assemblies and has increased the pressure on members to perform their duties in a more effective manner (Marko 1992).

#### *4.2 Parliamentary Procedure and Efforts at Reform*

The rules for elections to the *Land* assemblies now offer a greater degree of flexibility. Only two *Länder* (Burgenland and Vienna) still retain rigid party lists. All other *Länder* allow selection, deletion, or preferential votes. Only Vorarlberg has open lists to which other names may be added; this freedom of nomination is associated, however, with a system of preferential votes.

Parliamentary practices are criticized when changes in the number of committee members disadvantage the smaller parties or where no proportional requirements exist for supervisory or investigative committees. The inter-party negotiations on the filling of posts in firms in which the *Land* has a stake, where proportional rules may also exist, have also been called into question.

Efforts to increase the efficiency of the work of the *Land* assemblies have taken two different directions.



- The pooling of expertise in *Land* committees drawn from the *Land* government, members of the *Land* parliament, and the *Land* administration—modelled on the Burgenland constitution of 1981. A committee of this kind on administrative reform was set up, for example, in Burgenland. In Salzburg this arrangement was adopted to set up an informal, *Land*, policy working committee. Similar arrangements are provided for in the new Styrian *Land* constitution.
- The search for ways of ending the interlocking structure of political power. In some *Länder* (Upper Austria, Salzburg, Styria, Tyrol), government political office is incompatible with a mandate as member of the *Land* assembly. In Carinthia, heads of ‘chambers’ are not allowed to be, at the same time, members of the *Land* government. In the early 1990s the Styrian ÖVP began a more comprehensive programme of separating government offices, political roles, and positions of economic power. However, critics of this initiative expect areas of influence to become even less transparent.

One part of the reform efforts is aimed at strengthening the supervisory rights of the *Land* assemblies through an easier use of investigative committees or enquiry commissions. In Salzburg, for instance, three commissions of this kind were set up as soon as enquiries had been established (on transit traffic, the EU, and hospitals) at the end of 1989. Particularly exemplary in this respect is Vorarlberg, which has constitutionally-based enquiry commissions, only a third of the members of which must be members of the *Land* assembly; a similar situation exist in Styria.

Since the mid-1970s an amendment to the federal constitution has made it possible for one third of the members of a *Land* parliament, at the request of the members of a political party represented in the *Land* assembly, to refer *Land* laws to the constitutional court for scrutiny. Styria has broken new ground in linking supervision with direct democracy. Here, an initiative by 2 per cent of the citizens of the *Land* can force referral to the Court of Auditors. The FPÖ and the Green Party have been attempting to present themselves as the parties of supervision by seeking the chair of the *Land* assembly supervisory committees. Some *Länder* (Lower Austria, Salzburg) have their own *Land* courts of auditors, which are an additional supervisory body responsible to the *Land* assembly. The establishment of such a body is being discussed in several other *Länder*.

The post of *Volksanwalt* (ombudsman) was established for the prevention of abuses in the late 1970s, based on the Scandinavian model. The *Länder* can choose whether to appoint their own ombudsmen or to assign responsibility to the federal level. Thus, in the course of the 1980s, most of the *Länder* set up environmental ombudsman’s offices; these play mediating roles between government and citizens (Gottweis 1992).

All these reform measures, some of which are now well established, have not, however, silenced the critics of the organization of democracy at *Land* level. The

current discussion continues to concentrate on the abolition of proportionally-based government in favour of a clear distinction between opposition and governing coalition. This call was made at *Land* level initially by the FPÖ as part of its campaign against the proportional system. Now, however, the Greens, as well as the two main parties, the SPÖ and the ÖVP, have begun, increasingly, to discuss changes of the form of government in Tyrol, Salzburg, Upper Austria, and Styria. Steps towards reform of the constitution were initiated, via a referendum, in Tyrol and Salzburg in the spring of 1998.

In Salzburg 90 per cent of the votes cast were in favour of ending the proportional system in the *Land* government. However, the turnout, at 10 per cent of the electorate, was disappointing for the initiators. Upper Austria has decided to await the results of the 1999 Salzburg election and the formation of the new government, before discussing the abolition of the proportional system any further.

In all *Länder* the FPÖ has moved away from its formerly positive attitude to the abolition of the proportional system, and now opposes it—probably in view of the lack of coalition offers from the SPÖ and the ÖVP.

At the local level, the movement for the abolition of the proportional system in the *Land* governments is now complemented by a debate on the extension of direct elections for the post of mayor (for example in Vorarlberg and Styria).

## 5. INNOVATIVE APPROACHES TO IMPROVING REGIONAL AND LOCAL DEMOCRACY

In recent years, the reappraisal of traditional political methods has led to the strengthening of direct democracy in virtually all of the *Länder*.

### 5.1 *Referendums*

Almost all Austrian *Länder* (with the exception of Upper Austria) have enshrined the instrument of referendums in their constitutions, revealing a West–East shift in the preference for this form of citizen participation.

Four *Länder* (Lower Austria, Styria, Tyrol, and Vorarlberg) provide for a ‘municipality veto’, whereby a given number of local authorities is entitled to call for a referendum, which has to be authorized by the municipal council, to oppose a legal provision adopted by the *Land* parliament. This instrument, above all, provides smaller partners in a proportional government with the opportunity to continue their opposition at municipality level.

Most *Länder* offer the possibility of a ‘people’s veto’ against decisions of a *Land* parliament, while prescribing different levels of participation. Vorarlberg also makes provision for the linking of petitions for new legislation with legally binding referendums.

However, certain limitations have been placed on extensive use of this form of direct democracy. In Tyrol, for example, a petition for new legislation that is subsequently rejected in a referendum cannot be reintroduced for at least five years. In Tyrol and Vienna there must be a turnout of at least 50 per cent of the electorate for a referendum to be valid.

### *5.2 Petitions for New Legislation*

With the exception of Salzburg, all *Land* constitutions provide for petitions for new legislation. Participation thresholds between 2 and 5 per cent have to be attained if petitions are to be placed before *Land* parliaments. In Burgenland, Lower Austria, Styria, and Vorarlberg, petitions are also provided for regarding administrative matters; higher participation thresholds are sometimes required in these cases than for petitions for new legislation.

In general, petitions are more common in the area of legislation, while referendums are more widely used in administrative matters. In Styria and Tyrol the *Land* government can initiate a referendum on new legislation; while in Styria, Tyrol, and Vorarlberg the *Land* parliament can initiate a referendum on administrative matters. In Styria this is regarded in both areas as a right that may be invoked by one third of the members of the *Land* parliament (in the case of Salzburg, for administrative matters only). Such measures also enable coalition partners in proportional governments to seek solutions to stalemate situations or to broaden their influence.

### *5.3 Prior Appraisal of Legislation by the Public*

In Burgenland, Styria, and Vorarlberg the public has to be given an opportunity to express its opinion on government proposals. In the case of motions put forward by parliamentary members or parliamentary committees, the public has to be asked to give its views when (a) at least half of the members of the *Land* parliament are present for a debate, and (b) a request for public consultation is supported by a two-third majority of the members present.

In some cases, significant exceptions apply to the exercise of these popular rights. Individual *Land* constitutions rule out the use of these rights in particular in respect of electoral procedures, staff issues, financial matters, and administrative decisions regarding particular persons. Instead, individual rights of petition have been expanded into an overall right to information and right of appeal (see Art. 20(4) of the 1988 Federal Constitution).

An appraisal of the results of these new possibilities to participate in direct democracy shows that they have had a party-political impact and have given rise to cross-party action. The new instruments will, therefore, continue to be used as a means of strengthening the role of the opposition in the representative system. The

success or failure of these measures is increasingly determined by the media. Overall, however, politics at *Land* and local-government level continue to be predominantly determined by the governing triangle, constituted by party leaders, association leaders, and bureaucracy (Marko 1992).

## 6. CONCLUSION AND PERSPECTIVES

The political developments already under way in Austria's *Länder* and local authorities will change the ways in which government and parliamentary work is conducted. It will provide a new and lasting basis for cooperation between political spheres and the leading interest groups in society and will thus considerably change many aspects of Austria's post-war consensus model. These changes will also affect government. There is an inevitable shift from an agreement-based model of administration towards a conflict- and competition-orientated model, which, nonetheless, provides Austria's decentralized levels of government with significant opportunities to establish new political arrangements.

Since the mid-1970s, critical initiatives and new social movements have thus served to widen the agenda of local politics. The commitment and expertise of these new movements have also brought changes in the way administrations are run. The now well-established networks that link these initiatives have provided the necessary infrastructure for the establishment of democratic openness, participation, and accountability.

The Austrian *Länder* and local authorities are administrative bodies that have many resources at their disposal and that traditionally draw on extensive experience from the business world. There is much evidence that the *Länder* and local authorities have been successful in moving away from an inherited, inflexible corporatism towards more open and flexible network structures. Examples, especially in the field of economic and environmental policy, show that local authorities play a leading role in the establishment of new and effective bodies and links between organizations.

One such example is the way in which the City of Vienna has been bringing together, since 1982, the activities of various environmental technology firms within the *Umweltkompetenzzentrum Wien* (Vienna Environmental Expertise Centre). The City of Vienna runs the Centre in cooperation with the social partners and two large banks. The aim is to make best-possible use of administrative assistance and advisory services. Since the mid-1980s the body has in this way been able to get 561 Austrian and international companies established in Vienna and has contributed to the creation of 32,700 new jobs. There are other, similar examples, including the City of Graz and its environmental authority, whose eco-profit scheme reduces energy consumption and waste production in private companies.

Decentralized political bodies also appear to redefine the interfaces between public bodies and private or social groups in other practical areas, such as social policy, housing assistance, and youth and women's policy. By means of a gradual transformation of cooperation based on associations and through greater pluralism in the networks of players, the public sector is becoming sufficiently effective and focused at subnational level to avoid drowning in a sea of overlapping and chaotic, private, quango-type structures.

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## Portugal

### 1. HISTORY AND CONCEPT OF DEMOCRACY IN PORTUGAL.

#### 1.1 *Historical Background*

Compared with the other Member States of the European Union, Portugal is a country of contrasts. On the one hand, it is one of the most centralized of the unitary states, but, on the other, it has one of the most participatory and most modern local democracies. Linguistically, it is one of the most homogeneous nations. Sociologically, it is divided along north-south or north-centre-south dimensions. Portugal's territorial development was among the earliest in Europe and its present borders were already fixed by the Middle Ages. It could be argued that a sense of national identity developed as early as the break away from the Kingdom of Spain. Portugal was a small country, but became an important imperial nation and, historically, it belongs to the group of great powers such as England, France, and Spain. It too is at the centre of a large linguistic community—the lusophone. Portuguese comes fourth among the European languages spoken in the world—after English, French, and Spanish, but before German. Portugal is thus one of the four European states that are at the centre of a global network of solidarity and cultural exchange. After decolonisation in the 1970s, only the archipelagos of the Azores and Madeira remain from this imperialist and maritime past.

However, in spite of this early national and state development, there is little evidence that democracy in Portugal has deep historical roots. Taking the long historical view, this seems to have been created *ex nihilo* at the time of the Revolution of Carnations in 1974. Previously, Portugal was influenced by corporatist traditions, especially during the period of the dictatorship (Wiarda 1989). However, it has shown a remarkable capacity for change and modernization.

When democracy was established during the Revolution of Carnations in April 1974, it borrowed from several other national experiences: the Basic Law of Germany; the presidential tradition of the French Fifth Republic; Westminster-type parliamentarism; and, at the local level, direct or participatory democracy (Oppello 1991). Similar to what happened in Spain, democratization was also encouraged by the accession of Portugal to the European Community in 1986. According to a Portuguese political scientist, José Magone, the European Union 'is

an important agent to change mentalities and the improve the quality of life in Portugal. The process of Europeanisation is a twin of democratization' (1997).

### *1.2 Democracy at the Local Level*

During the period of the *Estado Novo* (1926–74), local government was totally dependent on central government at both the administrative and financial levels (Nunes Silva and André 1994). However, the Revolution of Carnations became a kind of laboratory of democratic experimentation in which Portugal, after many years of dictatorship, explored new and innovative forms of local democracy. The debate centred around whether this should be representative democracy or *autogestion*, whether Portugal should be considered as part of West Europe or as emerging from the Third World, whether it should follow its unique path, or whether it should join the European Community. In the end, the country adopted the forms of liberal democracy that existed in other European states. Nevertheless, the country did retain elements of the experimentation with *autogestion*. Indeed, the post-revolutionary Constitution emphasized local government as a major factor of democratization (Magone 1997). In effect, there exist in Portugal today two types of democracy. At the national level, there is what the Dutch political scientist Arend Lijphart has termed 'majoritarian democracy', which follows the Westminster model (although, unlike the latter, it uses a system of proportional representation). At the local level, there remain from the post-Revolution period the tradition of direct democracy and a tradition of consensus that does not exist at the national level.

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### *2.1 The National Level*

The organization of democratic Portugal follows the model laid down in the Constitution that was approved by the constituent assembly on 2 April 1976. The Constitution established a semi-presidential republic similar to that of the French Fifth Republic. In this system, the president is directly elected and appoints a prime minister who is responsible to parliament. Another important feature of the first version of the Constitution was its strong socialist orientation: Article 2 spoke of 'the transition toward socialism through the creation of conditions for the democratic exercise of power by the working classes'. The Constitution created a unicameral parliament (the Assembly of the Republic) with 250 members. Deputies are elected from party lists, and seats are allocated according to the d'Hondt system of proportional representation. According to the Constitution, deputies are meant to represent the whole country and not their individual



constituency.

The first version of the Constitution reflected the dominance of the Socialist and Communist left at the time of the revolution. However, in the 1980s, as the centre-right and the right returned to power, there were important constitutional revisions. The most important of these was in 1982 when a revision limited the powers of the president and strengthened those of the parliament, which was henceforth seen as the major instrument of national policy-making (Oppello 1991). The socialistic elements were also modified by giving greater protection to private enterprise.

## 2.2 *The Local and Regional Levels*

Local and regional government in Portugal are guaranteed by the Constitution, which establishes (in sect. VIII, pt. III) the principles of government and decentralisation (Council of Europe 1993). There exist *municípios* (municipalities), *freguesias* (parishes), and administrative regions (the latter, although provided for in the Constitution, have not yet come into existence—see below). *Comissões de Coordenação* (CCR's, Regional Coordinating Commissions) have existed since the revolution, but these are coordinating bodies directed from the centre with no democratic basis. There are also two autonomous regions on the island archipelagos of the Azores and Madeira.

TABLE 12.1. *Total number of local and regional government units (1993)*

	Municipalities	Parishes
Mainland	275	4,005
Azores	19	149
Madeira	11	53
Total	305	4,207

Source: Council of Europe (1993).

Local authorities are elected by proportional representation in secret elections and have two kinds of body: deliberative and executive (Table 12.2).

Portuguese local government makes a division between the deliberative assembly and the executive, which is accountable to the former. This structure has also been adopted in the new statute for Corsica that was adopted in 1991, and the division also underlies the reforms of local government currently taking place in the United Kingdom. The Portuguese might be seen, therefore, to have been quite innovative in this approach.

TABLE 12.2. *Local authority bodies*

	Deliberative	Executive
<i>Freguesia</i> (parish)	Parish assembly	<i>Junta de frueguesia</i> (parish committee)
<i>Município</i> (municipality)	Municipal assembly	<i>Câmara município</i> (municipal chamber)
<i>Region</i> (region)	Regional assembly	<i>Junta regional</i> (regional government)

Sources: Council of Europe (1993); Nunes Silva and André (1994).

However, some of the local-authority assemblies consist of a mixture of directly and indirectly elected representatives, while others consist entirely of directly elected representatives. The municipal assembly is made up of the chairs of the executive committees of the parishes as well as directly elected members. The latter equal the number of parishes plus one and are elected using the d'Hondt method of proportional representation. If the administrative regions were to come into existence they would consist of fifteen to twenty members representing municipal assemblies plus directly elected members. The municipal representatives will be elected by an electoral college consisting of directly elected members of the municipal assemblies. The rest will be directly elected by the population using the d'Hondt method of proportional representation. Members of the parish assembly are directly elected. In parishes of less than 200 voters there is no assembly, but decisions are taken by a plenary meeting of the residents of the parish (Council of Europe 1993).

There is also a variety of arrangements for the election of the different executives. Members of the *câmara municipal* (municipal chamber) are directly elected by the d'Hondt method from party lists. Their numbers vary between five and seventeen, depending on the size of the electorate. The *junta regional* (regional government), on the other hand, would have been elected by the regional assembly from lists using the system of majority votes. In regions of more than 1.5 million voters it would have consisted of a chairman and six other members and, in other regions, of a chairman and four other members. Parish committees have a chairman and other members depending on the size of the electorate. In parishes with more than 200 residents, committee members are elected by the assembly using a list system; in those with less than 200, they are elected directly by the plenary session.

### 2.3 *The Autonomous Regions: the Azores and Madeira*

The two island archipelagos of the Azores and Madeira have the special status of *autonomous regions*, accorded to them by the 1976 Constitution. This recognizes their specific geographical, social, and cultural characteristics, as well as the existence of autonomist movements on the islands (Oliveira Mendes 1996). The islands have much wider powers of self-government than would have had the administrative regions of the mainland. They have the power to legislate within the framework of the Constitution and the laws of the republic on all matters that are of concern to them unless these are within the exclusive domain of the national government. The national government is represented by a Minister of the Republic, appointed and dismissed by the president of the republic (Council of Europe 1993). The autonomous regions have their own flags, stamps, and national anthems.

### 2.4 *The Metropolitan Areas: Lisbon and Oporto*

Because of the size, population, and economic and administrative importance of Lisbon and Oporto, they have been accorded the special status of 'special association of municipalities' (Council of Europe 1993). They are territorial bodies that aim to promote the interests of their inhabitants.

### 2.5 *The Role of Political Parties*

The existence of political parties is guaranteed by the Constitution. At the national level, elections take place according to party lists using the d'Hondt system. The party system is bipolar with power alternating between two big parties: on the left, is the *Partido Socialista* (PS, Socialist Party), representing the interests of workers, and on the centre-right is the *Partido Social Democrata* (PSD, Social Democratic Party) representing the interests of capital and espousing free-market ideologies. Each of the big parties is flanked by more extreme parties: the *Partido Comunista Português* (PCP, Portuguese Communist Party) on the left and the conservatives of the *Partido Popular* (PP, Popular Party), which used to be the *Centro Democrático e Social* (CDS, Democratic and Social Centre) and the Popular Monarchist Party (PPM) on the right. These right-wing parties formed the Democratic Alliance in the 1980s and sought, successfully, to bring about the constitutional revisions mentioned above. The conservatives of the CDS once adopted Christian-democratic positions, but have now abandoned these and are resolutely nationalist, centralist, and anti-regionalist.

There is a regional dimension to party implantation in Portugal (Nunes Silva and André 1994). First, there is a strong division between the North and South of the country, with the North favouring right-wing parties and the South parties of

the left. Other factors also influence voting behaviour. There is a strong correlation between religious practice and the choice of right-wing parties. Peasants also favour the right, while farm workers support the Communist Party. Urban populations are divided between supporters of the Socialist Party, on the one hand, and of the Social Democrats, on the other. They will also sometimes support new political formations. In the industrial regions of the South the Communist Party is dominant, while in those of the North and Centre it is traditionally the Socialist Party.

The party system at the local level displays a number of important differences compared to the national. In local elections, lists of independents as well as party list may present themselves. Traditionally, the *municipios* of the North and Centre have been dominated by parties of the centre and the right, PSD and CSD (see Table 12.3). The Socialist Party has had weak representation at the local level, but, in 1989, it made a significant number of gains in these areas of the North and Centre (Table 12.3). In the industrial suburbs of the cities the Communist Party has a strong position. However, at the local level there is also a somewhat different political culture that is based more on consensus politics than is the case at the national level (Nunes Silva and André 1994). This consensus may be a result of close interpersonal relations that occur at the level of the *câmara* and a more pragmatic approach to politics. The important role of the president of the *câmara* also leads to a personalisation of the vote. Another factor is the *vote utile*: parties with little chance of being elected are not chosen. Finally, local elections are sometimes used as a judgement (often negative) of the policies pursued at the national level.

TABLE 12.3. *Party representation in local elections (1976–93)*

Year	Party	No. of votes	%	Mandates		
				Municipal chamber	Municipal assembly	Parish assembly
1976 <sup>a</sup>	CDS	692,869	16.6	317	48	5,104
	FEPU	737,586	17.7	267	674	2,336
	GDUPS	104,629	2.5	5	—	—
	PPM	7,496	0.2	3	—	—
	PS	1,386,362	33.2	691	1,700	8,407
	PSD	1,012,251	24.3	623	1,259	9,086
1979 <sup>b</sup>	AD	1,272,058	25.5	436	2,186	10,368
	APU	1,021,486	20.5	322	1,786	5,086
	CDS	344,902	6.9	165	862	4,267
	PDC	6,616	0.1	2	—	—
	PPM	6,162	0.1	6	—	—

	PS	1,380,134	27.7	523	2,749	10,939
	PSD	733,384	14.7	480	2,255	9,806
	UDP	64,355	1.3	3	—	—
1982 <sup>c</sup>	AD	1,004,065	19.6	332	1,656	7,863
	APU	1,061,492	20.7	325	1,781	5,086
	ASDI	7,156	0.1	7	—	—
	CDS	386,527	7.5	191	1,019	4,532
	PPM	11,293	0.2	5	—	—
	PS	1,595,723	31.1	628	3,203	12,848
	PS/UE	37,102	0.7	14	—	—
	PSD	750,295	14.6	442	2,159	9,585
	UP	30,941	0.6	6	—	—
	UDP	31,937	0.6	3	—	—
1985 <sup>d</sup>	APU	942,197	19.4	305	1,062	3,675
	CDS	471,838	9.7	224	1,019	4,532
	PDC	7,863	0.2	2	—	—
	PPM	233,897	0.5	3	—	—
	PRD	230,177	4.7	51	270	726
	PS	1,330,388	27.4	571	1,817	9,044
	PSD	1,649,560	34.0	822	2,539	13,117
	UDP	28,701	0.6	3	—	—
1989 <sup>e</sup>	CDS	451,163	9.1	179	698	3,434
	CDS/PS	947	—	1	—	—
	MDP	11,354	0.2	1	—	—
	MDP/PRD	3,585	0.1	2	—	—
	PCP/PRD/PEV	22,972	0.5	5	—	—
	PRD	—	—	—	25	59
	PCP/PEV	633,682	12.8	252	848	—
	PDC	5,662	0.1	1	—	—
	PPM	2,765	0.1	1	—	—
	PRD	38,452	0.8	4	—	—
	PRD/MDP	710	—	1	—	—
	PS	1,598,846	32.3	728	2,445	11,201
	PS/PCP/MDP/ PEV	180,635	3.7	9	—	—
	PS/CDS	34,866	0.7	15	—	—
	PSD	1,552,846	31.4	781	2,582	13,261
	PSD/CDS	31,548	0.6	4	—	—
	PSD/CDS/PPM	161,420	3.3	9	—	—
	UDP	16,093	0.3	4	—	—
1993 <sup>f</sup>	CDS/PP	455,357	8.4	133	557	2,719
	MDP	1,386	—	1	—	—
	MPT	23,408	0.4	14	—	—
	PCP/PEV	689,928	12.8	300	803	2,747

PRD	—	—	—	2	10
PS	1,950,133	36.1	795	2,445	12,312
PS/CDS-PP	11,482	0.2	7	—	—
PSD	1,552,846	31.4	807	2,582	13,679
PS/PCP/PEV	95	—	2	—	—
PS/PCP/PEV/ PSR/UDP	200,822	3.7	11	—	—
PS/PCP/PEV/ PSR/UDP/PDA	10,221	0.2	4	—	—
PSD	1,822,925	33.7	807	—	—
PSN	28,922	0.5	3	—	—

a Electoral constituencies: 304; registered voters: 6,457,440; voters: 4,170,494 (64.6%).

b Electoral constituencies: 305; registered voters: 6,761,751; voters: 4,987,734 (73.8%).

c Electoral constituencies: 305; registered voters: 7,191,084; voters: 5,131,483 (71.4%).

d Electoral constituencies: 305; registered voters: 7,594,753; voters: 4,853,529 (63.9%).

e Electoral constituencies: 305; registered voters: 8,121,045; voters: 4,946,196 (60.9%).

f Electoral constituencies: 305; registered voters: 8,121,045; voters: 4,946,196 (60.9%).

Source: Secretariado Técnico, quoted in Magone (1997).

An important feature of these elections is the declining turnout. This was 64.6 per cent in 1976 and 60.9 per cent in 1993. However, it did reach the seventies in 1979 (73.8 per cent) and 1982 (71.4 per cent), although this is still lower than the turnout in national elections.

## 2.6 *The Autonomous Regions*

The Portuguese national parties are represented in the Azores and Madeira, with the centre-right parties being dominant. There are autonomist parties but these have little electoral support (Table 12.4):

Political representatives at the local level reflect reasonably faithfully the characteristics of the general population (Magone 1997). However, there are differences between the municipal and the parish levels. At the municipal level, according to two surveys undertaken by the Ministry of Home Affairs in 1982 and 1989, the majority of elected members to the municipal chamber and the municipal assembly originated from the higher social classes of the population: 'higher and middle technical and scientific cadres' and 'landowners, directors and entrepreneurs' (quoted in Magone 1997). At the parish level, on the other hand, the elected members were recruited evenly from all social strata with a relative majority coming from 'industrial and agricultural workers'. However, it is also the case that almost one third of all presidents and members of local government were elected from the 'industrial and agricultural workers' group of society (*ibid.*). Women are seriously underrepresented at the local level, perhaps because Portugal continues to reflect traditional attitudes of male domination; only 7 per cent of

representatives are women. They are slightly better represented in the assemblies than in the executives; 11 per cent of municipal assemblies and 7 per cent of the members of parish assemblies are women. Six per cent of the members of municipal chambers and only 4 per cent of the members of parish boards are women. Four per cent are presidents of local bodies (*ibid.*).

TABLE 12.4. *Electoral results in the Azores regional elections*

Parties	Year					
	1976	1980	1984	1988	1992	1996
PPD-PSD	53.8	57.3	56.3	48.6	53.6	41
PS	32.8	27.3	24.2	35.5	36.4	45.8
CDS-PP	7.5	4.5	7.9	7	—	7.3
PCP-PEV, APU, CDU	2.2	3.2	5.3	3.8	2.3	3.5
PDA	—	2.3	1.6	1.3	1.4	0.3
AD-A	—	—	—	—	4.6	—
Abstentions	32.2	23.9	37.6	41.2	37.6	41

Source: Comissão Nacional de Eleições, *Resultados Eleitorais*.

TABLE 12.5. *Electoral results in Madeira regional elections*

Parties	Year					
	1976	1980	1984	1988	1992	1996
PPD-PSD	60.40	65.33	67.65	62.36	56.86	56.87
PS	22.63	15	15.33	16.79	22.51	24.84
CDS-PP	9.62	6.46	6.13	8.19	8.09	7.31
CDU	—	3.13	2.73	—	2.96	4.04
UDP	5.16	5.48	5.51	7.73	4.63	4.03
Autonomists	—	—	—	—	2.41	0.64
Abstentions	25.2	19.15	28.57	32.35	33.47	34.74

CDS/PP = *Partido Popular* (formerly CDS, *Centro Democrático e Social*); PPD/PSD = *Partido Social Democrata* (formerly PPD, *Partido Popular Democrático*); PS = *Partido Socialista*; PCP-PEV, APU, CDU = *Partido Comunista Português-Partido Ecologista os Verdes, Aliança Povo Unido, Coligação Democrática Unitária*; PDA = *Partido Democrático do Atlântico*; UDP = *União Democrática Popular*; AD-A = *Aliança Democrática dos Açores* (loose electoral alliance based on the CDS-PP).

Source: Comissão Nacional de Eleições, *Resultados Eleitorais*

### 3. THE PRACTICE OF LOCAL DEMOCRACY

#### *3.1 The Role of Policy Networks and Pressure Groups*

Little research has been carried out on the role of policy networks in the practice of Portuguese local democracy, and how these might affect the policy-making system at this level. However, as has already been pointed out above, there are dense interpersonal relations among politicians and citizens at this level, which sometimes lead to cross-party collaboration and pragmatism on local issues. Furthermore, the operation of the Commissions of Regional Coordination (CCRs) stimulated the formation of interest groups at the regional level, and these have been intensified by the attempts by international organisations such as the EU and OECD to develop what is known as the 'partnership approach'. This is based on a recently developed model of regional and local development predicated on a bottom-up approach to development, involving the mobilisation of regional and local actors in a clearly defined development project (see also chapter on Ireland in this volume)<sup>1</sup>. In Portugal, initiatives in the 1980s to promote this model have included the Local Employment Initiatives (ILE's) of the OECD and the Local Employment Development Action (LEDA) of the EU (Syrett 1997). Other initiatives include the Regional Development Plan of Portugal, approved by the EU, which seeks the creation of Agencies for the Promotion of Regional Development as well as the European Commission's LEADER programme (ibid). Undoubtedly, these initiatives are leading to the development of new interest groups and policy networks or the development of the strengthening of existing ones at the regional and local levels.

#### *3.2 Critiques of Regional and Local Democracy*

It has been argued that 'Portugal remains characterized by a strongly centralized and bureaucratic state system poorly suited to respond to local difference' (Syrett 1997). The setting up of the administrative regions has also been delayed because of an interminable debate about the number and the geographical boundaries of these regions. A bill has been implemented in a vain attempt to set up the new regions (see below). Syrett (1997) has also pointed out the absence of all types of local-level community groups (indispensable for local development based on 'partnership'), although this is now changing with the coming into existence of local cultural associations and a range of voluntary and Church-based groups.

#### *3.3 Citizens' Attitudes to Local Government*

There is a dearth of indicators on citizen's attitudes, but participation in, and abstention from, elections may be used as indicators of attitudes. The Portuguese



are also among the top four states (with Ireland, Greece, and Sweden) whose citizens are the most attached to their own countries, that is 97 per cent. Citizens of these four states also show the highest attachment to their own town or village, with Portugal at 94 per cent (Eurobarometer no. 44, 1996). Another striking indicator of attitudes and behaviour in relation to local government is the higher rate of abstention in local elections compared to national elections (Table 12.6).

TABLE 12.6. *Abstention rates in local and national elections*

Year	National Assembly	Municipal Chamber
1976	16.5	34.8
1979	12.9	26.2
1983	20.9	28.4 <sup>a</sup>
1985	24.6	36.5
1987	27.4	38.8 <sup>b</sup>
1991	31.8	36.6 <sup>c</sup>
1995	33.7	39.9 <sup>d</sup>

a 1982 figure.

b 1989 figure.

c 1993 figure.

d 1997 figure.

Sources: Nunes Silva and André (1994); Ministério da Administração Interna.

Commentators such as Nunes Silva and André (1994) argue that these differences do not necessarily reflect a lack of interest in local politics on the part of Portuguese citizens. Rather is it a case that the party system that operates at the national level is not completely appropriate for politics at the local level. At this level there is an absence of partisanship and a greater degree of 'personalisation' of politics. For example, the president of the municipal chamber is often an individual who adopts a consensual approach even towards those from other parties. The latter also recognize this characteristic of the president and work closely with him. The municipality of Lisbon is a good example of this approach. Since the 1988 local elections there is an alliance between Communists and Socialists in the city, which is a far cry from the situation at the national level.

A survey carried out in 1992 gives some indication of the attitudes of politicians and interest-group leaders with regard to a number of issues including regionalisation (Opello 1993). More than half of the politicians thought that the regional level was the most appropriate for the delivery of a number important services: health (60 per cent), agriculture (78.7 per cent), secondary education (63.8 per cent), industrialisation (70.2 per cent), credit (60.6 per cent), and transport (60.6 per cent). In only three areas did a majority feel the central state

was the most appropriate: foreign trade (54.3 per cent), scientific research (55.3 per cent), and employment (77.4 per cent). The interest-group leaders generally agreed with these opinions. However, there was a great deal of dissatisfaction with regional functioning (Table 12.7). Of the elected politicians 74.6 per cent, and 79.4 per cent of interest-group leaders were either little or not satisfied with regional functioning. Nevertheless, the author of the report concludes that the answers to the questionnaires show that there is ‘a strong desire to gain decision-making autonomy *vis-à-vis* the central government’ even if the latter does administer EU policies efficiently (Opello 1993: 185).

TABLE 12.7. *Degree of satisfaction with regional functioning by region (percentages)*

Degree of satisfaction	Region*						
	Azores	Madeira	Norte	Centro	Lisboa e V. Do Tejo	Alentejo	Algarve
Very satisfied	5	8	3	1	0	3	0
Somewhat satisfied	20	35	32	17	13	11	5
Little satisfied	61	42	49	57	54	54	36
Not satisfied	14	10	15	24	33	32	59

\* With the exception of the two autonomous regions, the Azores and Madeira, these refer to the planning regions administered by the regional coordinating committees (CCRs).

Source: Opello (1993: 176).

#### 4. CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY

##### 4.1 *The European Challenge*

Portugal, along with Spain, acceded to the European Community in 1986. There is little doubt that this event was highly important in the consolidation of democracy in both countries (Magone 1998)<sup>2</sup>. Portuguese people are overall quite positive about Europe, a feeling that is growing. According to a Eurobarometer survey (no. 43, 1995), 63 per cent said that the EU made them feel ‘hopeful’, compared to 43 per cent in 1994. The Portuguese were also among the least adamant with regard to keeping decision-making at the national level: 47 per cent compared to 69 per cent of Danes, 67 per cent of Greeks, and 62 per cent of Austrians. This positive attitude toward the EU was confirmed by the 1996 Eurobarometer report that

showed the Portuguese among the top five member states supporting the Union, 48 per cent (although an equal 48 per cent did not support it).

The European Union has also been a challenge in terms of the implementation of the various Community funds and programmes that have arrived in Portugal. At first, these were strictly controlled by the central government (as in Ireland). However, it soon became evident that the central government alone could not implement these funds effectively (Reis and Négrier 1998). This has resurrected the debate on regionalisation and was an important influence on the decision by the Socialist government elected in 1995 to finally pass legislation to implement the constitutional provision for administrative regions (see below). The European dimension has also been important in facilitating links between Portuguese local authorities and other bodies outside Portugal. These include cross-border links with Spanish regions as well as membership of pan-European associations such as the Conference of Peripheral and Maritime Regions, especially its Atlantic Arc Commission (Reis and Négrier 1998). These developments have played an important part in widening the perspectives of at least some of Portugal's local politicians outside that of the nationstate. On the other hand, the European dimension has also stimulated the formation of anti-European sentiments on the part of some of the centre and centre-right parties that fear that Portuguese national sovereignty will be eroded. Such parties also tend to oppose regionalisation.

#### *4.2 Central–Local Relations and Strengthening Regional and Local Democracy*

The pressure to set up administrative regions came from the functional imperatives of the implementation of European funds as well as from those regions with strong cultural identities (Reis and Négrier 1998). The Socialist Party saw regionalisation as a way of bringing about administrative modernization and also of enhancing democracy by bringing decision-making closer to citizens (Magone 1999). They also argue that thirteen out of the fifteen EU member states are now regionalised. In 1995 the newly elected Socialist government promised to implement the constitutional provisions for administrative regions on mainland Portugal. Finally, a Law of 28 April 1998 created eight regions: Entre Douro e Minho, Trás-Os Montes e Alto Douro, Beira Interior, Beira Litoral, Estremadura e Ribatejo, Alentejo, Algarve, Lisboa e Setúbal.

The administrative regions would have been territorial authorities with administrative and financial autonomy (Art. 1, Law 56/91). Their main task was to coordinate the activities of local authorities and to mediate between local and central government. They would have followed the pattern of other local authorities with a regional assembly and a regional executive. The centre and centre-right, although they approved a Law on Regions in 1991, opposed the current proposals because of fears that they would endanger national unity as well

as increase bureaucracy. They proposed instead a programme of decentralization, but not regionalisation (*El Pais*, 7 September 1998). The regionalisation reform was put to the test in a referendum of all Portuguese voters held on 8 November 1998. The reform proposal was rejected.

## 5. INNOVATIVE APPROACHES TO LOCAL DEMOCRACY

Portugal has been quite innovative in exploring innovative approaches to regional and local democracy. The following are some of the methods used (Council of Europe 1993).

- *Local/regional referendums*—these exist since 1990 and are held on issues within the exclusive powers of the local authorities. Certain subjects, however, such as financial matters may not be subject to referendum.
- *Public Meetings*—meetings of the deliberative bodies of the local authorities are open to active participation by the public. The executive bodies must organize monthly meetings to answer questions of local interest.
- *Extraordinary meetings*—these may occur on the initiative of local residents.
- *Publication of Minutes of meetings*—these are produced by local authorities and made public.
- *Publication of decisions*—before decisions are enforced they must be published in public places.
- *Associations of local residents*—the Constitution allows for the formation of ‘local people’s organizations’. These associations enjoy certain rights in local authorities, especially at parish level, such as taking part in meetings or exercising some responsibilities delegated by the authority.
- *Groups of citizens as candidates in elections*—these may stand in parish elections alongside the political-party lists.
- *Plenary assemblies of voters*—this is a system of direct democracy that occurs in parishes with less than 200 voters where there is no elected deliberative body.
- *Right to organize petitions*—the Constitution permits Portuguese citizens to organize petitions, make representations, submit protests, and lodge complaints in writing.

## 6. CONCLUSIONS

Portugal, like Spain, although following a rather different trajectory, has passed within the space of twenty years from a non-democratic, authoritarian regime to one characterized by a healthy practice of liberal democracy. This transition to

democracy was greatly assisted by Portugal's accession to the European Community in 1986. This allowed the country to take its place among the nations of West Europe as a fully-fledged democratic country. Local democracy has also taken time to develop as the local was completely dominated by the centre during the dictatorship. However, the national and local levels of democracy have rather different characteristics. The national level is dominated by the bipolar competition between the two big parties of the right and left and the parties gravitating around them. The local level is more characterized by 'personalisation' and party consensus as well as by close relations between local politicians and the electorate. There is a certain amount of territorial differentiation in Portugal with some regions more strongly identified with some parties than with others.

Perhaps the biggest lacuna in the Portuguese subnational system has been the lack of a regional tier of government, with the exception of the two island archipelagos of the Azores and Madeira despite the provision for these in the Constitution. An attempt to rectify this was the regionalisation programme, launched by the Socialists after their election in 1995 with a view to strengthening administrative modernization but also regional democracy. This was rejected in a referendum in November 1998.

#### NOTES

- 1 This approach has been criticised by Syrett (1997) who points out correctly that the OECD and EU approaches to "partnership" are different, the former being based on a neo-liberal approach, the latter on a neo-corporatist approach. However, Syrett thinks that both approaches consecrate existing power differences between partners: in fact, there may not be qualified "partners" to enter into these relationships in rural areas of Portugal thus leaving the leadership to already existing powerful interests.
- 2 In the case of Portugal, it meant that the country moved towards the Western capitalist model of liberal democracy rather than toward the more left-wing and Third-Worldist versions that also had their supporters at the time of the Revolution of Carnations in 1974.

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## Finland

### 1. HISTORY AND CONCEPT OF DEMOCRACY

Finland became an independent state in 1917 after more than seven centuries as an integrated part of Sweden and one century as a semi-autonomous grand duchy within the Russian Empire. During most of the Russian period, the Tsars respected a certain amount of Finnish self-government. However, by the turn of the century, a Russification process was imposed, aiming at increasing Russian dominance and reducing the power of the Finnish institutions. This grip was relaxed in the wake of the turbulence in Russia during 1905, which paved the way for constitutional reform in Finland. In 1906 a one-chamber Assembly, elected through proportional representation, was introduced. In practice, the power of the Assembly was still restricted, but, nevertheless, Finland now had one of the most modern constitutions in Europe. Contrary to what happened in Sweden and Denmark, universal suffrage came at the same time as the system of representation was reformed. However, full independence was gained only in the aftermath of the Russian revolution.

The last years of the Russian period and the first decades after independence were characterized by bitter conflicts. The language tensions between the Finnish-speaking majority and the Swedish-speaking minority remained from the days of Swedish dominance. The question of whether to adjust to the Russification process or to resist it also divided the Finns. But above all, a bitter and bloody civil war between socialist and non-socialist forces in 1918 created deep scars in Finnish society. Against this background, it is somewhat surprising that contemporary Finnish politics and society are so stable and balanced and that the wounds from the past seem to have healed. However, this has been achieved through a strong emphasis on consensus, which itself is a major characteristic of contemporary Finnish democracy.

Finland's democracy and the search for consensus have to be understood also in relation to the country's geopolitical position between East and West (Lindström and Karvonen 1986), which has put severe constraints on Finland's foreign policy. Particularly after the Second World War and after the signing of the Treaty of Friendship, Security and Mutual Assistance with the Soviet Union in 1948, domestic politics also became a 'balancing act'. The situation changed gradually from the early 1980s, and the collapse of the Soviet Union in 1991 was particularly significant. This enabled Finland to reorient itself in a westward

direction and subsequently become a member of the EU.

Despite the desire for consensus, political cleavages remain. These are represented by a multiparty system that, at least previously, was constituted along two dimensions. The first parties emerged along the language division, with separate parties for the Swedish-speaking minority and for the Finnish-speaking majority. However, this corresponded to a socio-economic division, since the aristocracy and state administration were, for historical reasons, Swedish speaking. As the Finnish majority increased, the language division became gradually less significant, even if the identity and common interests of the Swedish speakers remain important. For example, a Swedish Assembly, which is a cooperative arrangement between political parties in the Swedish-speaking areas, meets once every year to discuss questions particularly affecting Swedish speakers. However, they have no self-governing capacity. Today, the traditional left-right scale is the dominant cleavage in society (Berglund 1990). Ten parties were represented in parliament after the 1995 elections.

In comparison with the other Nordic countries, Finland has a weak Sosialidemokraattinen Puolue (SDP, Social Democratic Party). Extremist parties have also been stronger. Particularly the Suomen Kommunistinen Puole (SKP, Communist Party) has had an exceptional position. During the two decades after 1945, it received more than 20 per cent of the votes, even if it is weaker today. From 1966 onwards the party was accepted as a coalition partner in several governments. At the other extreme, a right-wing movement was significant during the interwar period. Despite weak overall election results, it had regional strongholds, particularly in the area of Pohjanmaa (Finnish Ostrobothnia) (Lindström and Karvonen 1984).

In several respects, the characteristics of the public sector in Finland resemble the welfare models of the other Nordic countries. These include a highly developed public responsibility for the well-being of the citizens and strong local authorities. However, there are also differences. Even if the public sector is today of the same size as in Sweden, the development of the welfare system has taken place later in Finland. For example, Finland was the last of the Nordic countries to be industrialized. This opened up opportunities for borrowing impressions and ideas from other systems, and, indeed, there are strong indications of policy diffusion from Sweden to Finland (Karvonen 1981), not least with regard to local government and administration.



## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### 2.1 *The National Level*

A significant feature of the Finnish system of democracy is the role of the president. Finland has been labelled a 'semi-presidential' system, containing a mixture of presidentialism and parliamentarism (Arter 1987). The president has an independent sphere of power, in particular within the field of foreign policy, while the government is also dependent on support by a parliamentary majority. However, the strength of the position of the president has varied. During the decades immediately after the Second World War, a combination of outer pressures and weak, short-lived governments gave the president a key role.

From 1980 onwards the balance has tipped in favour of parliament. Changes of government are now less frequent, and from 1966 onwards there have mainly been majority coalitions. Indeed, from 1987 onwards the Social Democratic Party and the Conservative Party, who previously were antagonists, have frequently cooperated in the same governments. In addition, during the Koivisto presidency (1982–94), some of the formal powers of the president were transferred to parliament and to the government. The changing foreign-policy situation has also contributed to a weaker presidency. However, on the other hand, the legitimacy of the president is stronger, as he is now directly elected. Before 1994, presidential elections were indirect, by an electoral college. Nevertheless, Finnish democracy is increasingly becoming a parliamentary democracy (Pettersson 1994).

The Finnish proportional electoral system provides opportunities for the voters to choose not only between parties, but also between individual candidates. Each candidate has a number, and the voter puts the number of the candidate of his/her choice on the ballot paper. For the electorate, the selection of a party is more important than choosing a candidate, even if the reverse is the case among younger voters (Pesonen 1995). Turnout in parliamentary elections reached a peak in 1962, when 83 per cent of the electorate voted, but it has since decreased steadily to 69 per cent in 1995 (Tilastokeskus 1995). However, 82 per cent of the electorate voted in the second round of the 1994 presidential elections. Electoral participation is now considerably lower than in the other Nordic countries (Pettersson 1994). Popular referendums are unusual and have only been used twice, in 1931 on abolition of prohibition and in 1994 on membership of the EU.

### 2.2 *The Local Level*

Local and regional governments in Finland share the general Nordic tradition of local self-government. In Finland this tradition goes back long before the time of state independence. The oldest forms of local self-government were created already within the framework of parish administration in the late Middle Ages. A

Municipality Act in 1965 created the municipality as an independent administrative and political unit. Contrary to Sweden, Denmark, and Norway, Finland has only a municipal level of local government. There are 452 municipalities (*kommuner* in Swedish, *kunta* in Finnish) with an average population size of 11,000 inhabitants, ranging from 130,000 to 520,000; the median population size is 5,000 inhabitants. Some amalgamations have taken place since the 1950s, but a planned comprehensive reform was never carried out. In the mid-1960s a parliamentary commission suggested that the number of local authorities should be halved. The reform actually reached a preparatory stage but was never implemented, due to the political conflicts it created and opposition from affected municipalities (Ståhlberg and Oulasvirta 1996).

In order to increase efficiency and improve the financial situation for local authorities, central government is now again encouraging mergers. Amalgamated local authorities are offered a stimulation grant during a three-year period. So far, the interest from the municipalities has been limited. Finnish local authorities are regarded as having considerable autonomy, which is formally protected through the Constitution.

The archipelago of Åland, located between the Finnish and Swedish mainlands, is a special case. After a ruling of the League of Nations in 1921, the islands gained an autonomous and demilitarised position within Finland. Åland has a distinctive history and has Swedish as its official language. It has several symbols, traditionally associated with the nation state, such as its own flag, stamps, and a system of regional citizenship. The area is ruled by a directly elected parliament, which has the right to enact its own laws within certain areas. Self-government is particularly salient within health care, education, and culture. All international agreements that affect Åland must be ratified by the assembly in order to be valid for Åland. This also includes Finnish membership of the EU. The executive committee was composed, until 1988, in proportion to party representation in the assembly, but is now ruled according to a parliamentary system. In addition to its regional government, Åland has 16 municipalities, of which most have fewer than 1,000 inhabitants.

Apart from the assembly of Åland, Finland lacks directly elected meso-level government. Regional influence is instead, to a large extent, channelled through the municipalities by a system of joint municipal authorities and regional councils. The decision-makers of these are appointed by the municipalities. The units have no right to taxation, but are financed through their members, who also receive central-government grants for their activities. Indeed, as Niemi-Iilahti (1995) argues, this makes the position of the municipalities even stronger than in a two-tier system.

There are two kinds of intermunicipal cooperative arrangements (Niemi-Iilahti 1995). First, 262 special-purpose joint municipal authorities have been established for specific services, which require a larger population base than provided by each

member municipality on its own. Some of these are mandatory by law, whereas others are optional. There are compulsory authorities with responsibility for larger hospitals and care of the disabled. In the Helsinki area, there is a separate cooperation authority between the four municipalities in and around the capital, which deals with regional planning, traffic, environmental issues, and waste-disposal matters. Optional joint authorities have been set up for smaller hospitals and vocational education.

Second, in 1994, regional councils were established in the nineteen regions, in which the municipalities of the region are compulsory members. Their main task is to promote regional development. They allocate grants from central government to development projects and are in charge of regional planning. In addition, they look after the interests of the region and can also perform some voluntary tasks. The regional councils are regional actors in programmes financed by EU structural funds. There is also a central-government level of administration at subnational level. In 1997 this was reorganised, and the number of units was reduced from twelve to five.

In the municipality, the council, elected for a four-year period, is the major decision-making body. Executive matters are in the hands of an executive committee and a number of other committees. After the latest revision of the Local Government Act, local authorities exert considerable autonomy in terms of how to shape their committee system. However, in addition to the executive committee, there are still a number of committees that are obligatory, for example those with responsibility for the fire brigade and building inspection (Niemi-Iilahti 1995). On average, each municipality now sets up twenty committees, which is fewer than was previously the case (Ståhlberg and Oulasvirta 1996). According to new regulations from 1995, there must be a more equal representation of women and men, with both sexes representing at least 40 per cent in municipal committees. For example, since the 1996 elections, 45 per cent of the executive-committee members are women. However, this does not extend to the chairs of these committees; only 15 per cent of them are women.

Local authorities have both a general and a special competence. The general competence concerns all matters that the local authority can perform within its self-government powers. In practice, the most important of these tasks are facilities for culture and recreation and the stimulation of local economic growth. The special competence, which is the most important in economic terms, concerns activities that have been delegated from central government, and these are regulated by separate laws. Health care, education, and day care for children are among the most important of these tasks.

In Finland a distinction is made between the Swedish-speaking (21 in number), the bilingual (43), and the Finnish-speaking municipalities (391). In principle, a local authority is bilingual if more than 8 per cent of the population speaks the minority language. These municipalities are obliged to have two education

committees, one for each language group, or one committee with two subcommittees. Previously, there were separate local-government associations for the Swedish- and the Finnish-speaking municipalities, as well as an association for urban authorities. However, from 1994 onwards these have been merged into the Association of Finnish Local and Regional Authorities (Ståhlberg and Oulasvirta 1996).

### 2.3 The Role of Political Parties

The political parties at local level are basically the same parties as at the national level. The results from the most recent municipal elections are summarized in Table 13.1.

TABLE 13.1. *Municipal election results 1988–96 (percentages)*

Party	Election		
	1988	1992	1996
<i>Socialidemokraattinen Puole</i> (Social Democratic Party)	25.2	27.25	24.5
<i>Suomen Keskusta</i> (Centre Party)	21.1	19.25	21.8
<i>Kansallinen Kokoomus</i> (National Coalition)	22.9	19.1	21.6
<i>Vasemmistoliitto</i> (Left-Wing Alliance)	12.6	11.7	10.4
<i>Vihreä Liitto</i> (Green League)	2.3	6.9	6.3
<i>Svenska Folkpartiet</i> (Swedish People's Party)	5.3	5.0	5.5
<i>Kristillinen Liitto</i> (Christian League)	2.7	3.2	3.2
Other parties/ <i>ad hoc</i> groups	7.9	7.8	6.7

Between 65 and 70 per cent of the voters support the three largest parties. There is a considerable number of small parties in Finnish local politics. Party strength follows an urban–rural and a regional division. The conservative *Kansallinen Kokoomus* (National Coalition) is much stronger in urban areas, and the *Suomen Keskusta* (Centre Party) has its major support in rural areas. In the south, the Social Democrats and the National Coalition are strong, whereas the Centre Party

and the *Vasemmistoliitto* (Left-Wing Alliance) are major parties in the north (Ståhlberg and Oulasvirta 1996).

### 3. THE PRACTICE OF LOCAL DEMOCRACY

#### 3.1 *Elections and Local Politicians*

Municipal councillors are elected every four years by a system of proportional representation. The voter makes two choices: a choice between the parties (or other lists); and, within a party list, a choice of an individual candidate. The lists of candidates are set up by parties or other organizations. This right is automatically granted to registered political parties, but *ad hoc* interest groups require signatures from citizens. In local elections they need ten names per candidate, so if they want a list with twenty candidates, they must collect 200 signatures. Apart from Finnish citizens, residents from other EU member states or from Iceland or Norway are entitled to vote in local elections. Other non-Finnish citizens can vote if they have lived in Finland for two years. Each elected councillor represents 400 inhabitants (Council of Europe 1995). Among those elected in the 1996 local elections, 32 per cent are women. However, the variation between municipalities is considerable, ranging from 5 to 56 per cent.

Turnout varies between 70 and 80 per cent and has been much the same as in parliamentary elections. However, in the 1996 local elections, which were held at the same time as elections to the European Parliament, only 61 per cent participated. Not only was this much lower than in national elections, but it was also in line with the general, decreasing trend in electoral participation since the 1960s. A citizen survey was undertaken by the Association of Local and Regional Authorities shortly after the elections. The survey indicated that the main reason for abstaining, given by 30 per cent of the non-voters, was the lack of appropriate candidates, whereas 22 per cent answered that they were not interested in voting or politics.

#### 3.2 *Other Means of Citizen Influence*

Other forms of public participation, such as contacts with municipal politicians and officers, signing petitions, or active membership of political parties or other politically-oriented voluntary organisations, are about as frequent in Finland as in the other Nordic countries. The Local Government Act has a provision for referendums, but these can only be advisory and only concern matters within the general competence of local authorities. Five per cent of the electorate can suggest that a referendum is arranged on a specific issue, but the final decision to hold one is made by the local council.

### 3.3 *Citizens' Attitudes to Local Government*

Finnish local democracy has been affected by growing political discontent (Ståhlberg and Oulasvirta 1996). Opinion polls indicate that more Finns regard local as well as national politicians as losing touch with their voters. Some observers have interpreted the signs of political discontent as the beginning of a legitimisation crisis, whereas others have seen it as an adjustment to a more normal state of affairs, as the knowledge and education levels of the voters have increased.

Signs of discontent are also a feature of a recent, comprehensive, investigation of Finnish citizens. Indeed, only 40 per cent agree that local politicians carry out their tasks successfully, and 44 per cent claim that citizens' views play no role in municipal decision-making. However, at the same time, the Finns wish to be more involved in politics. According to the same investigation, 83 per cent want citizens to be offered new ways of participation (Kivinen et al. 1997).

## 4. CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY

### 4.1 *The European Challenge*

Finnish membership of the EU in 1995 has offered new challenges and opportunities for local government. The recent nature of its entry would at first suggest that it would be unlikely for any direct impacts on Finnish local government to be visible yet. However, in practice, the adjustment to the Europeanisation process had already started in the beginning of the 1990s. A survey in 1992 indicated surprisingly high levels of orientation towards the EU among Finnish municipalities (von Bergmann-Winberg 1997). For example, 47 per cent were undertaking EU training courses, 24 per cent subscribed to national EC information, and 30 per cent were cooperating with the regional level in EU matters. These figures are particularly high as at the same time 61 per cent of the municipalities claimed that EU matters were of no interest to the municipality. Despite Finland not being a member at that time, a large number of local authorities made provisions for a future membership status.

Generally, adjustments have been made mainly by the larger cities and the municipalities with traditional industrial bases, but there are also examples of rural municipalities with well-developed EU strategies. Previous international links, for example, due to the presence of large export industries or tourism, have also played a role. However, structural conditions cannot explain everything. A significant factor is also the attitude of the political leadership of the municipality towards the EU. Interestingly, research indicates that Finnish local authorities with

the status of free communes tend not to be favourable to developing activities in relation to the EU. It seems as if local authorities that are occupied with internal changes and relationships with central government are not necessarily more oriented towards the European level.

The results from a follow-up questionnaire in 1994, still prior to Finnish membership, indicated that the activity rate among the local authorities had increased (von Bergmann-Winberg 1998). However, the main expansion concerned external strategies. Local authorities in Finland are more actively seeking information about the EU and are, to a larger extent, cooperating with other local authorities and the regional councils.

It should be emphasized that even before EU membership was on the agenda, Finnish municipalities had developed transnational links. Transfrontier cooperation with municipalities and county councils in other Nordic countries started already in the 1960s. Later, Russia and the Baltic states were also included. At least initially, cooperation concerned environmental issues, culture, medical care, tourism, and transport. However, European integration has contributed to further reinforcing this tendency, in Finland as well as in other countries (Östhol 1996).

The analyses undertaken so far detect an increasing adjustment to the EU by Finnish local authorities, even if this is limited to a relatively small number of municipalities. It is likely that this development has continued after membership status was obtained in 1995 and that a larger number of local authorities are now active *vis-à-vis* the EU. The consequences for local democracy of these activities are not yet clear. However, it is unlikely that they are a response to strong popular demands, but rather are initiated by political and administrative elites.

#### 4.2 *Central–Local Relations*

The relationship between central and local government has changed as central regulation has been relaxed. An important channel bringing the two levels together is the annual negotiation, which involve representatives of government ministries and the Association of Local and Regional Authorities. These have taken place since 1975 and are mainly focusing on the economic preconditions for local authorities, including prospects for local tax increases, but have also concerned central-government initiatives that may affect local government. The agreements reached in these negotiations are seen as strong recommendations for the different parties, but they are not compulsory. Nevertheless, they are considered to have hampered excessive tax increases as well as creating a forum for confidential dialogue between representatives of the two levels.

Municipal expenditures represented 18 per cent of the gross domestic product (GDP) and their share of total public expenditures was 30 per cent (1994 figures) (Council of Europe 1997). The most important sources of income are taxes (40 per

cent), central government grants (29 per cent), and user fees (15 per cent) (1994 figures). The main local-government tax is a proportional income tax, which at the moment, on average, is 18 per cent of taxable income. However, it ranges from between 15 to 20 per cent in different municipalities. Local authorities set the tax rate, but from 1975 onwards agreements have been made about a recommended level of taxation between central government and the different associations of local authorities. The transfer system from national to local government was, until the late 1980s, dominated by specific grants. However, following a reform in 1993, it now mainly consists of block grants. The grants system includes a number of measures aiming at compensating disadvantaged local authorities, but the equalising factor has become weaker since the 1993 reform (Ståhlberg and Oulasvirta 1996).

### 4.3 *Financial Strain*

A major change with consequences for Finnish local democracy is the strain related to decreasing resources. As in other Western countries, local authorities have been forced to reconsider previous commitments, but the Finnish background is somewhat different. For most of the post-war period, the size of the public sector as well as its local-government share was smaller in Finland than in the other Nordic countries. However, during the 1970s and 1980s, the Finnish economy and the public sector experienced a phase of 'catching up' with its neighbours, which also had an effect on the relative size of local government (Mouritzen and Nielsen 1992; Naschold 1995). New major functions were transferred from central to local government, for example the maintenance of larger hospitals (Oulasvirta 1992). So by the beginning of the 1990s, Finnish local government was as large as the corresponding sectors in Sweden, Denmark, and Norway.

However, a severe recession, which hit Finland at that time, also marked the start of a period of contraction. To some extent, this was triggered off by a breakdown of eastern trade, following the collapse of the Soviet Union. Economic decline, with a massive fall in GDP, a depreciation of the *Markka*, and increasing unemployment, forced central government to reduce the size of the public sector. For example, in 1994 the national-government grants to local government were cut by 10 per cent. Even if an increase in municipal taxes managed to compensate for some of the losses, local authorities were still faced with demands to enhance efficiency, prioritize, and abandon services. It is expected that these problems will continue in the future (Niemi-Liljahti 1995), even if the economy shows signs of improvement during the mid-1990s. Nevertheless, popular expectations about what local authorities can provide have to be reduced.



#### *4.4 Organizational Changes*

A further change with implications for local democracy is the ongoing reorganization of local government. Amalgamations of local authorities have been rare, but other changes have been more common. The growth of the municipal welfare system in the 1980s was, to a large extent, undertaken on behalf of central government. In order to control the performance of the municipalities, detailed regulation and monitoring devices set effective limits to local self-government. In particular, the grants system was highly detailed with task-specific grants for various services. However, through a number of decentralization policies, power has been relocated to the local level and a more general form of regulation has been introduced. In terms of local democracy, several of the reorganisations have provided greater scope for local influence over local matters. However, at the same time, the greater freedom for local authorities has resulted in mergers of committees and a reduction in the number of municipal politicians (Ståhlberg 1994).

The changes with regard to the grants system have been particularly significant as decentralization measures (Oulasvirta 1992). As late as in 1987, 99 per cent of the state grants were targeted to specific purposes. In 1993 these were replaced by a few general grants, including two broad sector grants for social services/health care and for education/recreation. Local government exerts considerable discretion in the use of these resources. Somewhat surprisingly, the municipalities were the main opponent to introducing the new system, as they expected it to make grants more susceptible to cuts. Indeed, not long after the reform this actually happened.

Private provision of services for which municipalities are responsible is most common in urban settings and, somewhat surprisingly, in local authorities of different sizes dominated by left-wing parties. The reason is that private provision is seen as a pragmatic, rather than ideological, solution (Granqvist 1997). However, on the whole, reorganisational measures have only to a very limited extent included privatization of public services even if managerial ideas have been borrowed from the private sector. The adaptation of new steering systems, such as management by objectives and management by results, came comparatively late in Finland. The economic problems in the early 1990s marked a halt in this reform movement. Now both central and local government combine new and old means of steering (Naschold 1995).

#### *4.5 The Regional Level*

A major innovation in Finnish local government is the transformation of the regional level. The 1919 Constitution made provisions for a level of elected county councils in Finland, but for several reasons this never came into effect. The necessary political support for the decision to implement the reform was never

gathered as, in essence, it was believed that Finland was too small for an intermediate level of elected government. Instead, various forms of cooperative arrangements between municipalities emerged, and have been reformed, over the years. The latest and so far the most important of these reforms concerns the establishment in 1994 of indirectly elected regional councils in each of the nineteen regions. Even if these councils, to a large extent, consist of members of municipal councils, they, nevertheless, lack the democratic legitimacy of directly elected bodies. However, they still perform tasks which are similar to the meso level in many other European states (Sharpe 1993). They fulfil a regional government role *vis-à-vis* the EU. Indeed, the adaptation to the requirements of the EU structural funds was an important driving force behind the creation of these councils and has also been important for the set of tasks they have been given (Lindström, Hedegaard, and Veggeland 1996).

The councils are responsible for regional development, which was a task for regional state administration before 1994. They may also perform other functions that the member municipalities regard as feasible. The new bodies are clearly important from a democratic point of view, even if popular influence is indirect.

## 5. INNOVATIVE APPROACHES

In the same way as in the other Nordic countries, a free commune experiment programme was initiated, in the Finnish case in 1989. This was inspired by the Swedish (1984) and Danish (1985) experiments. A total of fifty-six 'free communes' were selected and given the opportunity to be exempted from specific legislation. The Finnish experiment was mainly focused on administrative matters and has been regarded as more of a reform than an experiment (Ståhlberg 1994). An important reason was to increase the efficiency of local service production (Ståhlberg & Oulasvirta 1996).

However, the experiment has had a significant impact on the formulation of a new Local Government Act. Certain parts of this Act came into force in 1995 and the rest in 1997. A number of changes were introduced in the new legislation. Municipal responsibility for sustainable development was emphasized as a specific task of local government. The position of the chief administrative officer was clarified. Local authorities were provided with greater freedom to decide the structure of their committee system. Also, a committee that lost the support of the council could from now on be dismissed during its term of office.

The role of the council was also affected by changes in the Local Government Act. The minimum required size of the local council was reduced, which has led to fewer elected representatives. Majority constellations in the local councils may be less stable, as previous two-third majority requirements have been abolished. The new Act may also affect local democracy in other ways. Provisions for new forms

of user influence have been included as local authorities now are permitted to delegate decision-making powers to, for example, groups of parents on boards of day nurseries or schools (*Finlands kommuntidning*, no. 10, 1994).

A special feature of Finnish local democracy is the citizens' written motion. If anyone suggests a measure that he/she thinks the local authority should undertake, the municipality is obliged to respond with a decision. If the measure is supported by 2 per cent of the electorate, this decision becomes a matter for the full council and not just a committee. A further innovation, tested by several municipalities, are youth councils. These aim at improving young people's influence over municipal matters. In Esbo 13-to-20-year-olds elect thirty representatives to the youth council. Its role will be to make suggestions whenever the municipality is considering matters affecting young people. Similar councils have been set up in, for example, the municipalities of Malax, Lappo, Alahärmä, and Vichtis (*Finlands kommuntidning*, no. 11, 1997).

## 6. CONCLUSIONS

A number of specific features characterise Finnish local democracy compared to other countries. The absence of a directly elected intermediate level of local government is one such feature, and the relatively low level of participation in local elections is another. Nevertheless, local government enjoys a strong position in Finnish society. Further, as there is considerable popular interest in political participation and as new ways of improving local democracy are constantly tested, a great deal can be expected from Finnish local democracy in the future.

The question of the position of the regional level is likely to cause further debate. In 1997 the Finnish prime minister indicated that the number of regional councils should be reduced, and he is also prepared to consider direct elections to the new, amalgamated, councils. In this way, they are expected to be more able to carry out the extended tasks that are associated with their role in a European context. Regional democracy clearly continues to be a topical question in Finland.

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## Sweden

### 1. HISTORY AND CONCEPT OF DEMOCRACY

#### *1.1 Historical Background*

The economic, social, and political development of Sweden was slow at the end of the nineteenth century, compared with the rest of Europe. Sweden was still a poor country with a population overly dependent on subsistence farming. Industrialisation and urbanisation lagged behind and political rights were restricted. However, the first decades of the twentieth century witnessed the beginning of a complete transformation of Swedish society. Industries developed rapidly based on the natural resources of timber and ore, rural poverty was eliminated by emigration and urbanisation, social problems were gradually reduced, and the Swedes gained new political rights. Democracy emerged via a number of successive steps, but universal suffrage was finally established in 1921.

As Rokkan (1970) has observed, this gradual political transformation is, in itself, a major feature of Swedish society. Contrary to the pattern in several other European countries, democratic control over political institutions was established without explosive conflicts between those in privileged positions and the powerless majority.

During the rest of the twentieth century, Swedish democracy has followed this path of conflict management through cooperation and consensus. Indeed, several writers have identified a Swedish model, which at times has been seen as an alternative to both pure capitalism and Communism. Four features of this model seem to have been particularly relevant for the way democracy has been conceptualised in Sweden.

First, Sweden encompasses a large public sector, strongly committed to welfare. Starting in the 1930s, but particularly after the Second World War, a comprehensive and generous public welfare system was developed in order to increase the well-being of Swedish citizens and to even out differences between the wealthy and the less privileged. This was financed by the highest tax rates in the western world. The welfare system has been governed by elected decision-makers at different levels, and, therefore, democratic institutions have played a crucial role in the everyday life of the Swedish citizen.

Second, Swedish democracy has been to a significant extent a corporatist democracy. A precondition was the existence of dominant, centralized

organizations, aiming at protecting the interests of their members in various situations. The key area, of course, was the labour market. Membership rates of trade unions were very high, especially among blue-collar workers in industrial trades (Korpi 1981). Organizational strength was obtained not only by this monopoly position, but also by a conscious effort to influence political decision-making.

A third feature of the Swedish model of democracy has been the prominent role played by political parties. A five-party system, in essence established at the beginning of the twentieth century, and linked to a left-right cleavage, has dominated the political scene. Indeed, Sweden has been the most homogeneous of the West European countries in terms of religion, ethnicity, and language (Lane and Ersson 1994), which elsewhere provided bases for the emergence of specific parties. The role of the political parties has been enhanced by a strong membership base, considerable financial resources from central and local government, and a well-developed local organization.

Among the political parties, the Socialdemokraterna (Social Democrats) has had a dominant role. It has been in government for 60 of the 77 years since the introduction of universal suffrage. It has, thereby, been able to make a lasting impact on the development of the Swedish welfare state (Milner 1989). Indeed, some foreign observers have described the situation as a social democratic hegemony (Kesselman et al. 1987).

A fourth characteristic of Swedish democracy is the position held by local government. Historically, the self-government of the countryside, and to some extent also of the cities, has been important. Even if there have been periods of stricter central control, considerable scope for independent, local, collective decision-making has been available (Pettersson 1994a). A large proportion of self-reliant farmers together with the absence of feudal structures have been favourable for the development and maintenance of this relative autonomy. In the modern era, the growth of public welfare has taken place mainly through local government. Even if this has provided local authorities with new tasks and powers, some of these have been restricted by the aim of central government to set national standards within, for example, education and social services. Nevertheless, the Swedish model of welfare and democracy is to a large extent a local-government model.

These four characteristics were, until recently, key features of Swedish democracy. However, during the past two decades, a number of changes have taken place that are about to alter or at least modify this picture. The public sector is no longer growing. Instead, reductions in welfare services have taken place in order to adjust costs to available means. To some extent, this has been obtained through rationalisations and more efficient provision of services, but it has also included decreased service quality and the abandonment of previous commitments. Hence, the classical question of the desired size of the public sector

has been the focus for renewed attention. The state has sold off publicly-owned companies. Previous state monopolies have been put under pressure by increasing competition from private alternatives. However, despite these changes, the Swedish public welfare system is still the largest in the EU. It is also highly valued by its citizens (Svallfors 1996).

As a result of the debate about the proper role of interest organizations, a process of 'decorporatisation' has taken place. The interest organizations are not, in the same way as previously, directly involved in decision-making or implementation. This coincides with a general tendency to decentralise agreements in the labour market. Also, new, more *ad hoc* forms of organizing have emerged, providing new channels outside the established organizations.

Major changes have occurred with regard to the political parties. The traditional five-party system has been challenged from several directions. Internally, the parties are suffering from declining membership and difficulties in recruiting candidates for elections. According to some observers, Swedish parties are becoming like elite parties, with fewer members and with their activities concentrated on the election campaigns. Financially, they have tended to become less dependent on membership contributions and more on money from the public purse. In 1994 the parties received direct financial support from central and local government, to an amount corresponding to 1,000 SEK per party member (Bäck and Möller 1995). In addition, previously coherent parties, such as the Social Democrats, are showing signs of inner tensions. Not least the question of Swedish membership in the EU has divided the party. Externally, the traditional parties are challenged by the emergence of new parties, such as the Christian Democrats, the Environmental Party and (for a period or time) the populist New Democracy. At the same time, voter volatility has increased, and fewer citizens regard themselves as supporters of a particular party (Gilljam and Holmberg 1995). The previous strength of the Social Democrats can no longer be taken for granted. Since its traditional electoral base—the working classes—is declining, the party is attempting to broaden its support among middle-class voters. It is still unclear whether this will be successful.

The final cornerstone, a strong local government, seems to have retained and perhaps even strengthened its position. A number of decentralization measures have been undertaken. Local-government discretion to use centrally allocated resources has increased considerably. The transfer of functions, replacement of detailed regulation with governing by objectives, and framework laws have all provided a greater scope for independent local decision-making. Major changes have also taken place within specific policy areas. The Swedish education system, which used to be the most centralized in the western world (Heidenheimer 1983), is now under significant local-government control (Hudson and Lidström forthcoming).

However, the picture is not univocal, as there have also been changes pointing in the other direction (Montin and Elander 1995). The financial strain on local government has increased, due to cuts in central-government grants and reduced tax income because of higher unemployment. The regulation of how local authorities should perform various tasks has been replaced by a more thorough evaluation of policy outputs. In addition, there is now a tendency for central government, once more, to set national standards when it feels that local government is not making the right priorities. For example, new legislation has been introduced that contains a guarantee that local authorities will provide sufficient care for the disabled, a place in a day nursery for those who require one, and charge-free local libraries.

All these changes make it reasonable to conclude that the traditional Swedish conceptualisation of democracy has been significantly altered and is less distinctive as a political alternative. In several ways, Sweden has become more dependent on international currents and developments, and, in terms of policies, Sweden has become similar to other European countries, even if there still are remaining differences.

## *1.2 Democracy at the Subnational Level*

Is democracy understood differently at central, regional, and local levels? On the whole, the Swedish way of organizing democracy is basically similar at the various levels. Differences are to a large extent a matter of scale. The contacts between elected and electors are closer at local level, and it is probably easier for a group of individuals to achieve changes locally than nationally. However, in terms of the major features of the Swedish model, other differences are noticeable. Welfare provision at the local level has been reduced, even if outright privatization of services is unusual so far. Corporatism has been present also locally, and today new forms of cooperation between local government and business interests have been developing for the purpose of promoting local economic growth. In the main, the party system at the local level corresponds to the national structure, but specific local parties, not connected to national parties and focusing on local issues, have become increasingly common since the 1970s.

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### *2.1 The National Level*

The formal base for Swedish democracy is a constitutional monarchy. A one-chamber parliament is elected through a system of proportional representation. However, parties must receive at least 4 per cent of the votes in order to be



represented in the parliament. The period between elections, which was three years between 1970 and 1994, is now four years. Since 1970 the election day is the same for national and local-government elections. During the same period, turnout has varied between 86 and 92 per cent, with slightly lower rates at the local-government elections. Public referendums at national level are unusual and have only been held on five occasions since their introduction in 1922.

The relationship between the government and parliament is consistent with the principles of parliamentarism. In Sweden, the government departments are comparatively small, as administrative tasks have been allocated to semi-independent administrative bodies. Swedish public administration is also characterized by its long tradition of open government, based on a constitutional rule introduced already in the late eighteenth century. In principle, everyone has the right to access documents produced by a public authority. There are exceptions relating to, for example, foreign policy, defence, and the protection of commercial relations and private life. However, the openness is still considerable, which has been regarded as enhancing Swedish democracy.

## 2.2 *The Local Level*

The Swedish system of local government\* is regarded as an archetype of a northern category of local-government systems, to be found in Sweden, Finland, Norway, and Denmark (Bennet 1993; Norton 1994; Lidström 1996). The system is characterized not only by the extensive scale of local government activities, but also by its relative autonomy *vis-à-vis* the state.

Local government in Sweden consists of two tiers: a *kommuner* (municipal) and a *landsting* (county) level. There are 289 municipalities, ranging in size from Bjurholm's 2,800 to the 727,000 inhabitants of Stockholm. The average population is 30,200 inhabitants, which make Swedish municipalities fairly large, compared to other European local-government systems. However, as the median size is 16,000, there is still a considerable number of small municipalities. Two major amalgamation reforms, during the 1950s and the 1970s, reduced the number of municipalities from 2,500 and increased the population sizes considerably. These reorganisations were undertaken in order to provide local authorities with sufficiently large populations to enable them to carry out the new welfare tasks. However, in many places, amalgamations were contested, and since 1976 there is a slight tendency to divide previously merged authorities, particularly in the case of medium-sized municipalities.

The number of counties is being reduced from twenty-three to twenty as a result of amalgamation processes in western and southern Sweden. The average size after amalgamations will be 442,000 inhabitants, but three of the counties will be exceptionally large, as they together will comprise half the Swedish population. County councils were established in 1862 with the functions of providing services

that required a larger population base than the municipalities could offer and to elect members to the upper chamber of parliament (until 1969). Today, their major task is responsibility for health care. Counties have no authority in relation to the municipalities. Citizens tend to be more aware of and have greater knowledge about municipal than county policies and politicians. At regional level, there is also a state administrative board, which performs various control and support functions and has regional-planning tasks.

The main decision-making body in the municipalities as well as the counties is the council. This consists of members, elected for four-year periods. The council appoints committees, which are responsible for the running of different local-government services. The committees are composed proportionally to mirror the strength of the different parties in the council, but their members do not need to be councillors. The most important committee is the executive, which is one of the few obligatory committees. It has an overarching responsibility for all local-government activities and prepares all matters to be dealt with by the council. The chairman of this committee is usually the leading representative of the political majority and normally has a full-time remuneration from the local authority. In addition, one or several other politicians, including representatives from the opposition, may be salaried on similar terms. Other committees are also set up, with responsibilities for various areas of local-government activity.

The functions of local authorities are basically of two kinds. Some are optional, falling under a general competence. Most commonly, these consist of recreational and cultural tasks, but also include general measures to stimulate economic growth in the locality. The other functions are mandatory, as they are formally performed on behalf of central government. These include education, social services, planning, building permissions, and environmental protection. The county councils, as already mentioned, are mainly responsible for health care, but also fulfil tasks related to public dental care and care for the disabled. In addition, they are in charge of regional cultural institutions and certain regional-development measures. County council involvement in regional-development activities has increased in recent years.

### *2.3 The Role of Parties*

The political parties have a strong position in the local councils, even if party lines tend to be stricter in the larger local authorities. In addition to the local branches of the major national parties, a number of specific local parties have emerged since the 1970s. While there are, at the moment, seven parties in parliament, 24 per cent of the municipal councils consist of eight or more parties (Pierre 1995). These specific local parties often pursue topical issues that cut across traditional party lines, or they may have been created around strong community leaders outside the traditional parties. In several municipalities and counties, such parties had

landslide victories in the 1994 elections. Apart from making majority coalitions less stable and the political majority more unclear, these new parties have also contributed to new patterns of cooperation between parties traditionally split by the left–right divide. The results of the last four municipal elections are summarized in Table 14.1. On the whole, shifts between majority constellations tend to follow national electoral trends, but an important difference is an increase in unclear majority situations.

TABLE 14.1 *Majority constellations in the municipalities (percentages)*

Council majority:	Election			
	1985	1988	1991	1994
Non-socialist	42	33	60	23
Socialist	44	44	26	51
Unclear	14	23	14	27

Non-socialist parties are the Conservative Party, the Centre Party, the Liberal Party, and the Christian Democratic Party. Socialist parties are the Social Democrat Party and the Left Party.

*Source:* Gustafsson (1996).

### 3. THE PRACTICE OF LOCAL DEMOCRACY

#### 3.1 *Elections and Local Politicians*

The members of the municipal and county councils are elected in local elections held on the same day as the parliamentary elections. In 1976 the right to participate in local-government elections was granted to non-Swedish citizens who have lived in the country for at least three years. Starting at the 1998 elections, the EU standard practice will be adopted, giving all EU citizens living in Sweden local voting rights without a three-year delay. This right is also extended to Norwegian and Icelandic citizens.

Turnout in the last four elections has ranged from 84 to 88 per cent. In areas where unemployment is high, health problems are above average, and where there is a large proportion of foreign citizens, turnout is below average (Pettersson et al 1997). Participation in local elections among non-Swedish citizens is decreasing. It was 60 per cent in 1976, but only 40 per cent voted in the last elections. Immigrants from Chile are most keen to participate, whereas the lowest rates have been reported for immigrants originating from Greece and former Yugoslavia (SCB 1995).

Those who are eligible to vote can also stand as candidates. Female

representation in the local councils has increased in recent decades and is now, on average, 41 per cent in the municipalities and 48 per cent at county levels (Gustafsson 1996). This makes women's representation in the Swedish local councils the highest in the world. However, the proportion of non-Swedish councillors is still only 0.9 per cent in the municipalities and 0.5 per cent in the county councils (Bäck and Soininen 1996).

During the past fifty years, the number of elected and appointed politicians has gradually decreased. As Table 14.2 illustrates, it is now more than five times less likely than in 1951 that a citizen is a local politician.

TABLE 14.2 *Citizen-politician ratio in the municipalities*

Year	No. Municipalities	Politicians per municipality	Total	Citizens per politician
1951	2,500	80	200,000	35
1962	1,000	125	125,000	61
1974	278	180	50,000	164
1980	279	250	70,000	119
1993	286	175	50,000	175
1995	288	166	48,000	184

The table is calculated on the basis of data from Gustafsson (1995:126) and official population statistics. The concept of a politician refers to elected members of the municipal councils and appointed members of municipal committees.

The development illustrated in Table 14.2 reflects a number of changes that together have reduced the number of local politicians: two amalgamation reforms, a reduction in the number of municipal committees, and a reduction in the size of the municipal councils (SOU 1996:169). Despite a temporary increase in the number of committees during the 1970s, the net effect has still been that elected and appointed positions have become more exclusive; and it is now less likely that citizens will know a local politician personally, or be politicians themselves.

The system of proportional representation has, hitherto, provided very limited scope for the electorate to select particular persons. The parties provide lists of candidates, and, in practice, the choice is between these different lists. Candidates are elected in the order they appear on the list, and the number of those elected depends on the number of votes the list attracts. Greater possibilities for the electorate to influence the actual choice of candidates by making a mark next to the one they prefer was tested in seven municipalities in the 1994 elections and in the elections to the European Parliament in 1995. The system will be introduced in the whole country in 1998, at the local and regional as well as the parliamentary elections. Eight per cent of the voters have to choose a specific candidate in order

to alter the sequence of names on the list, as suggested by the party. The experience from 1994 and 1995 is that these marks make little difference (Johansson 1996). However, it remains to be seen whether their impact will be greater when the system is used in full scale. Under all conditions, media interest in individual candidates is likely to increase and the traditionally strong position of the parties is challenged.

### *3.2 Other Means of Citizen Influence*

Since 1977, local authorities have been entitled to arrange advisory referendums. Most of those held so far have concerned suggestions to divide previously amalgamated municipalities, but issues have also included the placing of major roads and the disposal of nuclear waste. Decisions to hold a local referendum have to be taken by the council and can be suggested by any councillor. In addition, from 1994 onwards, referendums will also be considered if suggested by at least five per cent of the electorate. However, the first forty initiatives of this kind were all rejected by the councils (*KommunAktuellt*, no. 26, 1996).

Citizens may also attempt to influence political decision-making by other means. Generally, public participation seems to be comparatively high in Sweden. In an investigation of participation rates in West European countries Sweden is, together with Britain, at the top regarding the proportion of the population engaged in some form of political participation beyond voting (Topf 1995). An extensive survey in 1992–3 by the Swedish Bureau of Statistics indicated that 51 per cent of the Swedish adult population claimed to have, at least on some occasion, tried to do something about shortcomings or incorrect decisions in their own municipality. The most common activities are to sign a petition (38 per cent), to take direct contact with officials or with elected or appointed politicians (21 per cent), and to take part in a demonstration (16 per cent). Activity rates tend to be highest among white-collar workers, the highly educated, and the native Swedes (SCB 1996b).

### *3.3 Citizens' Attitudes*

Swedish citizens generally take a great interest in local politics. A recent survey from the SNS Democracy Advice Board (Petersson 1997) indicates that 65 per cent of the citizens are interested or very interested in politics of the own municipality. The corresponding figure for national politics is 75 per cent. Hence, national matters attract more interest, but not much more. However, popular interest in politics at the county level is clearly lower. Only 50 per cent express interest in such matters, which supports the picture of the relative anonymity of Swedish county councils. Also in the minds of people, Sweden is characterized by a combination of strong localities, a strong central level, and weak regions (Petersson 1994b).

Behind the formal structure of local democracy, there are a number of informal tendencies that somewhat alter the picture (Bidsted 1997). For example, there is a strong tendency for local government to become professionalised with regard to both officers and politicians. The leading officers tend to be professional specialists or managers, and, in the case of the politicians, those who have full-time remuneration clearly have a much stronger position than the ordinary spare time representatives. This also coincides with a general weakening of the status of the council. Decisions have become more general and abstract as power has been delegated to other bodies.

Finally, there is also a tendency for public mistrust towards political decision-makers to increase (Gilljam and Holmberg 1995). Generally, the Swedes used to be fairly confident in their municipal elected representatives, but this is clearly decreasing. Table 14.3 provides results from extensive population surveys on living conditions and political resources, undertaken by the Swedish Bureau of Statistics.

TABLE 14.3 *Citizens' confidence in their municipal elected representatives (percentages)*

'How do you think your municipal elected representatives carry out their tasks?'	Year		
	1978	1984	1992-3
Very/fairly good	63.4	62.2	48.3
Not so good/not good at all	24.0	20.5	29.8
No opinion/do not know	12.6	17.3	21.9

The table is calculated from data presented in SCB (1996b).

Nevertheless, there are still more citizens with confidence in their representatives than citizens who are displeased with their performance, but the gap is shrinking. Also, from the 1992-3 survey, it has been shown that older citizens have more confidence in local politicians than younger. However, there are considerable variations between different local authorities. Obviously, specific local factors are important for citizens' assessments (SCB 1996b). A more recent investigation has reported that public confidence in municipal executive committees is very low; and indeed, in comparison with fourteen other societal institutions that were listed in the questionnaire (banks, large companies, the monarchy, health care, government, etc.), the municipal executive committees gained least support (Holmberg and Weibull 1997).

At local level, mistrust has been reinforced by the occurrence of local political fraud scandals during the first years of the 1990s. A few leading politicians, in different local authorities, have used tax money to pay for leisure travel, visits to

dubious nightclubs, or luxury consumption. These events have not helped to enhance trust between the electors and the elected.

#### 4. CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY

##### *4.1 The European Challenge*

A major recent challenge for Swedish local authorities is the process of European integration. However, their orientation towards the EU and local government in other European countries started long before the Swedish membership of the EU in 1995. One early, but still the most common, way of linking the local area with communities outside the national border has been to establish twin-city relationships. Most of those relationships are with local authorities in other Nordic countries, but increasingly they are on a European-wide scale and links are even being developed with local authorities on other continents. Indeed, Swedish municipalities are involved in more than one thousand twin-city contacts, and their number has increased during recent years (Andersson and Lundell 1991; Svenska Kommunförbundet 1996). During the first years, honorary visits, cultural exchanges, and school class meetings were features of these links. However, they have increasingly come to aim at exchanging services and knowledge and to stimulate commerce and local development. Swedish local authorities are also involved in international organizations, for example in different forms of transborder cooperation (Östhol 1996).

Even if the international contacts of local authorities were considerable in the 1980s, they have, nevertheless, increased significantly due to the greater importance of the EU and its subsequent Swedish membership. This international activity has led to some changes in the internal structure and workings of the local authorities. These include, in particular, the provision of EU training courses, but also the employment of international officers and the establishment of an international unit within the local authority. Other changes are externally oriented, for example the undertaking of study visits and cooperation with other municipalities (von Bergmann-Winberg 1997).

The general tendency is that such activities are growing and that the level of involvement is now even higher than in Denmark, which has been member since 1973 (Gidlund 1998). However, there are considerable differences between local authorities. The most active municipalities tend to be densely populated with a concentration of employment in the service sector, whereas low involvement correlates with sparse population and a large percentage of the population employed in agriculture. Interestingly, the referendum on Swedish EU membership in 1994 followed the same pattern. Hence, municipalities with a large

share of yes votes tend to have developed higher activity rates today (Ström 1998). However, on the whole and in terms of local democracy, local internationalization strategies tend to be an elite project. They create enthusiasm primarily among a few politicians and administrators in the local authorities.

#### *4.2 Central–Local Relations*

The relationship between central and local government is characterized by a fairly high level of mutual trust and understanding. For example, parliament and government rely on local government to implement national welfare policies without excessive control, and local authorities expect to be involved at early stages in the decision-making process when changes affecting local authorities are considered. Important intermediate roles are played by the local-government associations. The Swedish Association of Local Authorities organises the municipalities, whereas the county councils are members of the Federation of County Councils. There are also important informal relations between central and local government. For example, previously established personal contacts with key decision-makers may facilitate access to governmental power, as local-government political leaders try to influence government decisions (Lidström 1995).

In economic terms, the expenditures of Swedish local government represent 28 per cent of the gross domestic product (GDP), and their share of total public expenditure is 38 per cent (1994) (Council of Europe 1997). The municipalities are in charge of most of these resources, as the counties only represent one quarter of the local-government sector. Swedish local government is mainly financed by taxes and central-government grants. The main source of income is a proportional income tax, which provides 63 per cent of municipal (1995 figures) and 75 per cent of county resources (1993 figures). Indeed, Swedish local authorities are dependent on local taxation to a larger extent than local government in any other EU country (Council of Europe 1997).

In principle, local authorities themselves can decide the level of their taxes, a right that has been frequently used. Between 1970 and 1996 the average local tax rate increased from 21 to 32 per cent of taxable income (SCB 1996a). However, this right has been restricted by agreements between the local-government associations and the government, and there was a period between 1990 and 1993 when tax increases were explicitly forbidden by law. During 1997 and 1998, local authorities who increase their tax will be punished by a withdrawal of central-government grants corresponding to half the expected gain in new tax income. Central-government grants, including resources from the social-insurance system, represent 16 per cent of municipal and 20 per cent of county income. Previously, grants were provided for specific purposes, but most of these have now been merged into one all-embracing block grant.



### 4.3 *Financial Strains*

Swedish local government became accustomed to a constant growth in its resources during most of the post-war period. Particularly during the period from 1950 to the beginning of the 1980s, municipal and county consumption, as shares of GDP, increased steadily. Expansion was succeeded by a period of stagnation, and in the beginning of the 1990s, outright reductions in local-government financial resources took place. This was linked to slower growth in the Swedish economy, increased unemployment implying lower tax income, and cuts in grants to local government in order to reduce the state-budget deficit. The option of raising local taxes has been used only selectively. Of course, one reason is that this was legally prohibited during 1991 and 1992, but at other times there has been a common concern among different parties not to increase citizens' tax burden further. During the stagnation period, social problems put additional pressure on local-government services. Municipalities have, for example, a responsibility to financially assist those who exhaust their unemployment benefit.

This has resulted in an entirely changed situation for local government. Several commitments, previously taken for granted, have been abandoned. Attempts have been made to increase efficiency, and sometimes the quality of the services has been reduced. New forms of managing local-government services have been introduced, emphasizing the efficient achievement of results. These include purchaser-provider models, governing by objectives, and the establishment of market-like relationships. User charges have increased or been introduced for previously free services.

The number of local-government employees has decreased by 10 per cent during the first five years of the 1990s. The expectation for the coming years is that the financial problems will continue and put further stress on the local authorities (Wetterberg 1997). These changes are profound for local government, but it is still not clear how they will affect local democracy. However, unpopular decisions have created strains between local political decision-makers and the citizens. The emphasis on management and efficiency has also been criticized for not taking concerns for democracy into account.

One effect of the economic problems has been a reduction in the local-government welfare commitment, even if this is still considerable compared with other countries. However, the size of school classes and nursery groups has increased, and the caring element in health care has been reduced, even if medical standards have, on the whole, been retained. Corresponding reductions have been made in the national-welfare programmes, for example by lowering the child-benefit and unemployment-benefit levels. At the same time, central government has become less willing to intervene and provide additional support to local authorities with suddenly emerging problems, such as the closure of a key

industry. The net result is a new situation in which local authorities have to rely on their own ability to develop the local economy. Swedish local authorities are particularly vulnerable, since they, to such a large extent, rely for their revenue on local taxes and thus on a flourishing local economy. Hence, a major contemporary change is the shift of focus in local-government policies. Even if welfare provision still retains a dominant position, the promotion of local economic growth has become increasingly important. This may also affect local democracy, since these policies create a dependence between local government and business (Pierre 1994) and do not, as is the case with welfare policies, concern the immediate relationship between the local authority and its citizens.

#### *4.4 Organizational Changes*

The ongoing reorganization of local government has been one way by which local authorities have attempted to adjust themselves to changing conditions. As has already been mentioned, this has included shifts in power relations between central and local government. However, the internal structures of local authorities have also been affected (Montin 1993). The establishment of submunicipal committees is one example of an attempt to decentralise powers inside local authorities. From 1979 onwards, it has been possible to organize such committees with responsibility for services within a part of a local-authority area. These are elected by and have the same political composition as the council. The committees were expected to enhance democracy through closer contacts between citizens and political decision-makers. In smaller local authorities, they can be regarded as a way of recreating the local-government system before amalgamations, but within the frame of the new authority. At the moment, about 25 municipalities have adopted the system, and during recent years they have been introduced mainly in larger cities. Gothenburg has had submunicipal committees since 1989, and Malmö and Stockholm introduced theirs in 1997. On the whole, the original expectations in terms of local democracy were not met (Montin and Elander 1995; Jönsson, Rubenowitz, and Westerståhl 1995).

Additional changes concerning the inner organization of local authorities include the establishment of a new concept of management, largely copied from leadership practice in private business. Semi-independent 'results units' have been established, with decentralized responsibility for, for example, a school or an old people's home. Purchaser-provider models have been tested in both municipalities and counties. Some of these tendencies have been regarded as components in a depolitisation movement (Montin and Elander 1995). Political judgement has been replaced by professional decisions, seemingly with a neutral and technical-managerial perspective.

A policy shift with a different emphasis on democracy came during 1991-4 when the non-socialist government during 1991-1994 introduced new ideas about

privatization and choice. Democracy, it was argued, should be enhanced by giving clients greater opportunities to choose between different services and providers. Attempts were made to stimulate the establishment of private alternatives within fields previously totally dominated by the public sector, such as day nurseries and schools. Many local authorities with a non-socialist majority supported this by local means, such as the introduction of voucher systems. Interestingly, choice policies as well as privatization have continued, although less enthusiastically, even after the Social Democratic victory in the 1994 elections. The number of independent schools, private day nurseries, and private old people's homes have continued to increase, particularly in Greater Stockholm, but these still represent only a small part of the local services within these areas. There are signs indicating that these issues are becoming less politicised and rather can be seen as an adjustment to specific demands placed by a growing, well-educated middle class (Hudson and Lidström forthcoming).

The most recent, centrally-initiated reform within this field is the introduction of user boards in schools, modelled on experiences from Denmark. The municipalities decide themselves whether they want to establish such boards. Their members are appointed by the municipality, but should contain a majority of parents. The parents' organizations are responsible for selecting the parents to serve on these boards. Representatives of school employees should also be included, and pupils have a right to be present during meetings. The years from 1996 to 2001 are designated as an experimental period, and the experiences will be decisive for whether and how the system will continue to develop. However, despite submunicipal committees and user boards, the net effect of the internal restructuring has been a reduction in the number of municipal committees. This has consequences for democracy as there now are fewer persons holding politically appointed posts.

One consequence of the last few years of organizational changes and decentralization is a more fragmented municipal organization. Standardized solutions are more unusual, and there is also a tendency to establish cooperative devices with other local authorities or non-public bodies. The result is an organization in which it is increasingly difficult for the citizen to find the way to the right officer or decision-maker (Montin and Elander 1995; Bogason 1996). The establishment, in some municipalities, of information offices, where citizens can meet just one officer with responsibility for several municipal functions, may be regarded as a way of counteracting these tendencies (Bostedt 1993; SOU 1995:61).

#### *4.5 The Regional Level*

During recent years, a debate has been going on about the appropriate role of the popularly elected county council. Everything from outright abolition to a strengthening of the county councils by transforming them into regional

parliaments and giving them additional tasks have been suggested. A milder version of the latter position is government policy. Not least the Swedish membership of the EU has emphasized the role of the regions, and the county councils themselves have been successful in arguing that they should have more responsibility for regional development. The number of counties will be reduced to twenty in 1999, when the new counties of West Götaland and Skåne are created. As a result, the three largest counties will comprise half the Swedish population and are expected to be major actors in the European arena. This situation is also likely to affect the balance between the different county councils within the framework of the Federation of County Councils and may also challenge the structure of the federation itself.

Contrary to previous territorial reorganisations in Sweden, the present regional transformation does not take shape according to one, general, and centrally directed format. Instead, regions are encouraged to develop their own models for democratic decision-making, adjusted to specific regional priorities. However, at the same time, an official experimental programme concerning the regional level has been launched. In four counties, different models of responsibilities for regional development, with varying emphasis on county councils, municipalities, or regional state administrative boards are being tested. Hitherto, these three sets of actors have competed for the decisive influence over regional development, but in the new arrangements, these issues are transferred to directly or indirectly elected bodies at regional level. West Götaland and Skåne, with directly elected councils and an extensive range of regional functions, will be particularly powerful. The experiments will be evaluated and are expected to result in a decision by parliament on how the responsibility for regional matters should be organized in the future. However, it is important to underline that, despite the present focus on the regional level, there are no suggestions to introduce a federal structure. The unitary character of the Swedish state remains intact.

## 5. INNOVATIVE APPROACHES

Among recent innovations affecting local and regional democracy in Sweden, the free-commune experiment, which started in 1984, is perhaps the internationally most famous, and also the one which has been most copied in other countries (Baldersheim and Ståhlberg 1994). A number of municipalities and county councils were selected and permitted to deviate from certain specified rules, which they themselves suggested. The result was a number of experiments, aiming at increasing democracy and efficiency. These included new ways of organizing the committee system, involvement of parents in decision-making at schools and day nurseries, and a less-restricted use of resources. Compared to other free-commune experiments, the Swedish was more focused on democracy and participation. A

lasting result from the experiments was changes in the new Local Government Act, which, from 1992 onwards, gave all local authorities greater freedom to organize their own system of committees. This permitted the creation of committee systems adjusted to local needs, but also systems that separated the responsibility for providing services from the role of purchasing them.

A number of additional experiments, with the purpose of enhancing democracy, have also been tried by local authorities or are under way. In order to improve the position of the council, which has been criticized for being powerless and having too few contacts with citizens, changes have been initiated by a large number of local authorities. Initiatives include holding council meetings in places other than the town hall and arranging open question sessions with municipal or county councillors. However, these sessions have generally generated very little public interest (Bidsted 1997).

There are also examples of experiments that challenge principles, previously regarded as fundamental in Swedish local democracy. In the community of Svågadalen, non-party elections to a submunicipal committee took place in 1996 (Olsson and Forsberg 1997). With a participation rate of 70 per cent, seven members were elected. The committee has powers in municipal matters dealing with the local school, child care, care for the elderly, leisure, and culture. This was the first occasion in modern times that local elections were held on a non-party basis. If the experiment works out well, it may be permanent from the 1998 elections onwards. Formally, direct elections of submunicipal committees are not legal, but this was bypassed by giving them the form of an advisory referendum. The results were later formally confirmed when the municipal council appointed the members as suggested by the referendum. Interestingly, the political parties in the municipality accepted, and even used a form of municipal disobedience, to promote a change that challenges the very position of the parties themselves.

Another example of new forms outside the party structure is the citizens' panel initiated in the Stockholm suburb of Upplands Väsby. Of 1,000 randomly selected citizens, 10 per cent turned up for one day of discussions on municipal matters. The panel had no decision-making powers, but provided opportunities to suggest changes to the elected politicians. Other local authorities focus more explicitly on involving young people in local politics. For example, Haninge, another Stockholm suburb, organises a 'youth council' with elected representatives of the 16-year-olds in the municipality. The youth council meets before the municipal council meeting, to discuss the matters on its agenda and make recommendations concerning decisions. Youth councils have also been set up at county level. In several local authorities, information technology and the internet are increasingly used for providing information to citizens on local-government matters and to offer a point of contact between citizens and municipal and county-council decision-makers.

An interesting example of an innovative approach is the municipality of

Örebro's initiative to develop a 'local-democracy balance sheet'. In the same way as with the municipal finances, the state of local democracy is to be evaluated on an annual basis, beginning in 1998. By using a set of indicators, for example public participation in local elections, activity in local voluntary associations, the members' activity in the municipal council, and municipal transparency, it is hoped that changes in the state of local democracy will be detected. This will provide a basis for political action in order to counteract emerging problems concerning democracy. Örebro is also hoping to involve other municipalities in the experiment, thereby establishing a basis for comparisons (KommunAktuellt, no. 6, 1998).

However, the willingness to try non-traditional means is not without limits. A recent parliamentary commission suggested a number of measures that aimed at developing new ideas on how democracy can be improved (SOU 1996:162). Suggestions concerning local democracy included directly elected submunicipal committees, the right for a council minority to call a referendum, and the right for citizens to initiate issues on the council agenda. However, the Social Democratic Government has rejected these suggestions, but as these ideas are supported by several of the opposition parties in parliament, they may still appear as policies under a different government. Non-socialist parties are also in favour of separating the national and local elections and holding them on different days. They also have a more positive attitude towards local demands to separate previously amalgamated municipalities.

## 6. CONCLUSIONS

Despite changes in recent years, local democracy still retains a strong position in the Swedish system of government. Local government has considerable autonomy, issues are debated in the local media, and there are extensive experiments with new forms of local democracy. Public participation in elections and other activities aiming at influencing local political decision-making continues to be high. There is considerable popular interest in municipal matters. However, a range of problems are emerging: fewer citizens are holding local political positions, an increasing number is indifferent to local political matters and refrain from voting. Traditional political parties are becoming less attractive to those interested in politics. Instead, new forms of individual contacts and *ad hoc* activism are developing.

These problems have inspired responses and initiatives, at national as well as local level. In the midst of the transformation, it seems that at least three major, more long-term, changes are affecting Swedish local democracy. First, the previously strong position of the political parties is likely to be further weakened. Non-party-based committees and a stronger position for voters to choose

candidates may only be the beginning of new forms of influence that do not require party membership. Second, there is an ongoing debate about extending citizens' direct involvement in local decision-making, for example by permitting elections to submunicipal committees, to increase involvement through citizens' panels, or by making it possible for citizens to initiate issues on the council agenda. All these suggestions have not become practice yet, but may do so in the future. These changes correspond to a more general European trend, emphasizing direct-democratic measures and elections to previously appointed posts, for example mayors (Lidström 1996).

Third, Sweden is undergoing a regional transformation. It is difficult to envisage what the end result of this process might be, as it has only just started. However, under all conditions, it will lead to a new setting, with possibly more powerful actors at the regional level. These may take the form of regional councils or be cooperative bodies comprising representatives from municipalities and/or county councils within the region; but whatever form they take, they are likely to enhance the position of the regional level in the Swedish democracy.

#### NOTE

- \* For an overview of the Swedish system of local government, see Häggroth et al. (1996).

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\* \* \*



## The United Kingdom

### 1. HISTORY AND CONCEPT OF DEMOCRACY

#### 1.1 *Historical Background*

The United Kingdom (UK) is a liberal-democratic state where democracy is exercised under the doctrine of the sovereignty of Parliament. Neither the democratic features of the UK nor even the doctrine of Parliamentary sovereignty are codified in a written Constitution, but are rather the accumulation of unwritten 'conventions' as well as written rules—laws passed by Parliament and case-law made by judges—that have developed over long periods of time. The concept of democracy in the UK has similarly developed over time and in a piecemeal manner. Parliament exercised absolute sovereignty in the sense that it was above every other institution in the land, including public administration and local government. The party system developed only gradually during the nineteenth century during the Industrial Revolution, which led to the replacement of the landed aristocracy by the industrial bourgeoisie as the ruling elites of Britain. Toward the end of the nineteenth century, the lower classes, mainly industrial workers, developed trade unions and their own political parties, first supporting the Liberal Party, then, at the beginning of the twentieth century, the Labour Party. With the advent of adult male suffrage, the working classes found representation in Parliament, but would not exercise power in government until the 1920s.

Britain might thus be said to have developed its own concept of democracy during a period of about two hundred years. It is based on the primacy of the individual, conceived as someone in possession of a bundle of 'rights' that could be exercised provided that they did not interfere with the rights of others. At first, it was restricted to gentlemen of means and property, thus excluding the lower classes and women. This 'economic' right was also the basis of other rights: the right to freedom of speech, the right to a free press; the right to vote and stand in elections, the right to representation in Parliament.

In the British tradition, there is no 'state' that is the equivalent of the French *état* or the German *Staat*, understood as an overarching entity conceived as a moral person in its own right. Indeed, in the democratic tradition peculiar to Britain and countries that it influenced such as the United States and Canada, it was felt that 'government' ought to be restricted to very general functions that would ensure the unhindered activity of commerce: protecting the security of the

realm and maintaining internal order. This was the famous ‘nightwatchman’ state of nineteenth century liberalism. Democracy, then, could be seen in the Anglo-Saxon tradition of political theory as the exercise by individuals of their rights to engage in activities such as trade and commerce unhindered by government. With the development of the welfare state, however, the ‘state’ intervened increasingly in all aspects of society, including economic affairs and social matters from the ‘womb to the tomb’. This had important repercussions for local government.

### *1.2 Democracy at the Subnational Level: Regional and Local*

The United Kingdom has been described as a ‘union’ state rather than a ‘unitary’ state. This refers to the way it has developed historically. First, England became a unified monarchy. Then, from the thirteenth century to the Acts of Union of the sixteenth century, it absorbed Wales (then a disunited collection of chiefdoms that was united only briefly) into its political and administrative system, while tolerating the survival of a distinct Welsh language and culture. It was not until the 1960s that Wales gained some administrative devolution with the setting up of the Welsh Office and the appointment of a Secretary of State for Wales with a seat in the Cabinet. Scotland was a separate state until the Act of Union of 1707. In effect, the Act of Union abolished both the English and Scottish Parliaments and created a new Parliament of Great Britain. Already in 1603 the two monarchies were held by the same person. However, Scotland was allowed to retain some of the features of its previous system, such as its own legal and educational systems and its own established church (which is Calvinist rather than Anglican). At the end of the nineteenth century, in 1885, the Scottish Office was set up, headed by a Secretary for Scotland with a seat in the British Cabinet. In 1926 this person became the Secretary of State for Scotland. The Scottish and Welsh Offices have had responsibility for a wide range of services within Scotland and Wales (although not the same services in each country) and represented a form of administrative devolution. However, one of the problems that arose in recent years was that the Secretaries of State for Scotland and Wales have been Conservative ministers while the majority of people in these countries were opposed to the Conservative Party and its policies. Furthermore, especially in Wales, many services were delivered by non-elected bodies known popularly as ‘quangos’ (quasi non-elected government organizations), which were heavily criticised. It might be said that there was a kind of devolved government in both Scotland and Wales, but one that was not directly accountable to the people in these countries. Many Scottish and Welsh people felt that there was an important democratic deficit in their countries. This was one of the reasons behind the demands for political devolution that were put forward by the Labour Party in opposition.

Ireland’s links to the United Kingdom are different again. An Irish Parliament (but with members drawn exclusively from the Protestant minority on the island)

sat in Dublin until 1800 when it was abolished following the 1798 rebellion. From the Act of Union of 1801 onwards, Ireland was governed from Dublin Castle and Irish MPs sat in Westminster. However, the country never enjoyed peace and, throughout the nineteenth century, nationalist and unionist movements, often using political violence, were established. Eventually the island was partitioned in 1920, and six counties of the Northern province of Ulster (which originally had nine counties) remained in the United Kingdom, as Northern Ireland, with their own parliament and a Northern Ireland Civil Service (NICS) modelled on Westminster lines. The Parliament and government at Westminster left the Northern Ireland Parliament to its own devices, and a convention arose that Northern Irish affairs could not be discussed in the UK Parliament. The Northern Ireland Parliament was dominated by the Protestant Ulster Unionist Party and condoned widespread discrimination against the Catholic minority between 1920 and the 1970s. This led to protests by the Catholics, and the Northern Ireland Parliament was prorogued (in effect suspended permanently) in 1972 although the NICS remained. At present it too is headed by a Secretary of State who, like her Scottish and Welsh counterparts, sits in the Cabinet.

Democracy, as it is practised in Great Britain, never really functioned in Northern Ireland except in a purely formal sense. In Northern Ireland the basic cleavages concern the 'constitutional question', that is whether Northern Ireland should remain within the UK or be joined to the Republic of Ireland. Furthermore, the Constitution of the Irish Republic (Arts. 2 and 3) claimed *de jure* jurisdiction over the six Northern counties. These conflicting claims and aspirations have generated the bloody conflict of which the latest round has lasted for over twenty-five years. Today the governments of the UK and the Irish Republic have accepted that Northern Ireland is different and, in conjunction with most of the main protagonists to the conflict, have devised a solution. The Good Friday Agreement recognizes this difference and attempts to accommodate the two communities that live there, and also to change the relationships between the North and South of Ireland as well as between the island of Ireland and the island of Great Britain (see below). However, clearly the democratic system operating in Great Britain cannot be applied to the Northern Ireland case.

There are thus in British constitutional development a variety of situations, in each of which politics has taken on a special complexion even if England has dominated the system and the Westminster Parliament remains supremely sovereign. This is a recognition of the fact that the two peripheral nations, Scotland and Wales, as well as Northern Ireland, differ in important ways from England. Mention should also be made of the islands around Britain that, although officially outside the UK and retaining their autonomous systems of government, have a special relationship to it: the Isle of Man and the Channel Islands.

Finally, despite these differences, local government has followed a similar pattern throughout the United Kingdom (although Scotland still retained some

differences also at this level) and, in the second half of the nineteenth century, began to develop responsibility for a number of public services (some of which would later be assumed by the central government): certain public-health services, housing, education, transport. Local government reached the peak of its influence as a democratic institution at the end of the nineteenth century and the beginning of the twentieth century. From about the 1930s until the present day its power has declined.

## 2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY

### 2.1 *The National Level*

The United Kingdom, as has been remarked above, is a representative parliamentary democracy in which parliament is supremely sovereign. Parliament consists of the Crown, the House of Commons, and the House of Lords. However, only the House of Commons is truly democratic with its 635 MPs. The Crown is a hereditary monarchy, while the House of Lords consists of unelected hereditary and 'life' peers (although reform of the House of Lords is currently being considered by the government)<sup>1</sup>. MPs are elected on a constituency basis using the first-past-the-post (FPTP) or 'plurality' system. This means that the candidate in each constituency who receives a simple majority of the votes is elected to represent that constituency. The government is formed by the party that has the most MPs, whose leader becomes the prime minister. The prime minister then chooses the cabinet, which oversees the operation of the civil service.

Advocates of the plurality system of voting argue that it tends to eliminate the smaller parties and the political extremes and thus leads to relatively stable government, with two large parties alternating in power. However, its critics point out that the percentage of votes cast for the political parties does not translate into the election of an equivalent number of MPs for those parties. Smaller parties such as the Liberal Democratic Party are seriously disadvantaged under this system, and there have been demands to introduce some form of proportional representation<sup>2</sup>.

### 2.2 *The Local Level*

Local government in the UK is regarded as a form of *government* and not simply a level of *local administration* although it has tended to become the latter in recent years. Councillors are democratically elected to represent the interests of their constituents. However, the functions and responsibilities of local government are determined by the principle of *ultra vires*, which means that, unlike countries such as Sweden, it has no general competencies but exists by virtue of Parliament,

which defines the 'powers beyond which' it cannot go. Nevertheless, in Great Britain (England, Scotland, and Wales) local government is still responsible for a large number of services including education, personal social services, community care, fire, highways, housing, and town planning as well as a range of environmental services. In Northern Ireland, because of the political conflict, local authorities are responsible only for a limited number of functions, such as refuse collection and street cleansing. Local authorities in the UK levy a local tax, but receive the bulk of their funding as block grants from central government. Nevertheless, despite these limitations, they remain an important expression of democracy at the local level.

An important feature of the local-government system in Britain is the committee system. Basically, policies are overseen by elected councillors who sit in committees dealing with a specific policy area. One of the criticisms of the Widdicombe Report (Widdicombe 1986) was that councillors spent more time in committee meetings than in meeting their constituents.

Local-government and European elections in Great Britain use the same plurality system of voting as is used in Westminster elections. Northern Ireland, because of its deeply fragmented character mentioned above, uses the proportional representation (PR) system, with the Single Transferable Vote (STV), for its local and European elections.

In recent years a number of important institutional changes have occurred that reduce significantly the powers and functions of UK local government. The welfare state meant a greater degree of centralization in policy-making with local government sometimes being reduced to the role of administering centrally decided policies. However, centralization accelerated following the Conservative victory in 1979 when Mrs Margaret Thatcher became prime minister. There was a great deal of antagonism toward local government on the part of the Conservatives, who regarded it as wasteful and inefficient; although something of the same attitude has since been adopted by the new Labour Government, which has warned local government that it must become more efficient, although the approach is now less antagonistic. The result was that a series of reforms were introduced to improve services (Committee of the Regions 1996, p. 218).

- '*Agentisation*': this refers to the transfer of functions including some educational responsibilities and transport and urban development in some areas to agencies of central government.
- The notion of local authorities as '*enabling*' authorities rather than providing services directly through: *privatization* of some services; *limitations* on the proportion of services that can be provided 'in-house', the rest being farmed out to private sector providers; and *compulsory competitive tendering (CCT)*. This reduced the discretion of local authorities over service delivery.
- *Reduced autonomy over total spending*. Since 1984, central government has

been able to 'cap' the overall expenditure level of local authorities.

It is clear that underlying these reforms is a particular conception of democracy, deriving from what has been called 'neo-liberalism', different from the traditional notion of representative democracy. Neo-liberalism sees the individual as a rational actor who freely chooses what is best for him or her. In this perspective, governmental institutions, whether at the central or local levels, are regarded as hindering the activities of the individual, especially when the latter is involved in economic activity such as commerce or business. Furthermore, bureaucrats, who are themselves rational actors, will seek to maximize their budgets, but, unlike private-sector entrepreneurs, are not held accountable to the market (Niskanen 1971). This leads, according to this theory, to inflated, expensive, and inefficient bureaucracies paid for by tax-payers whose money could be better spent on private services. Within this perspective, 'democracy' is understood in an individualistic sense: it consists of individuals who are 'free' to purchase or not goods in a market place. This includes what have become the 'public goods' of the welfare state, many of which were provided by local government. Local government was regarded by neo-liberal politicians as one of the worst offenders in this alleged inflation of state activities. Local government's role was to be reduced to one of 'enabling' entrepreneurs in society to provide these same services in a more efficient and effective manner.

### *2.3 The Role of Political Parties*

Political parties originally developed in the UK at the national level, while at local level there has been a strong tradition of independents. Today, however, party politics is a central feature of UK local government (Wilson and Game 1994: 245) although non-partisanship (that is independent councillors) has survived. In Great Britain by 1997 the Labour Party has become the predominant party in local government, followed by the Liberal Democrats who had overtaken the Conservatives as the second largest party at this level (Table 15.1). However, the Conservatives did show some recovery in the 1998 elections.

In Northern Ireland the local authorities have fewer powers, but, nevertheless, have been important arenas for playing out the political conflict. The main Northern Ireland parties follow this political divide: on the one side those who support the Union (principally, the Ulster Unionist Party, the Democratic Unionist Party) and, on the other, those who support some kind of link with the Republic of Ireland (principally, the moderate nationalist Social and Democratic Labour Party and the separatist republicans Sinn Féin). These four parties dominate the Northern Ireland local authorities, although there are some smaller parties, such as the Alliance Party (which draws support from the two communities and which is basically a unionist party); the UK Unionist Party, and the UK Conservative Party.



The loyalist paramilitary groups, the Ulster Defence Association and the Ulster Volunteer Force, have formed two political parties, the Ulster Democratic Party (UDP) and the Progressive Unionist Party (PUP) respectively, in order to participate in the peace process.

TABLE 15.1. *Political party control and membership of councils (June 1997)*

	Conservatives	Labour	Liberal democrats	Independents/ others	Nationalists	NOC
<b>Members</b>						
Scotland	82	615	126	235	186	—
Wales	42	725	78	312	115	—
London	518	1,047	321	31	0	—
Mets	197	1,875	357	52	0	—
Counties	881	746	495	81	0	—
Districts	2,306	4,263	2,829	1,362	0	—
Unitaries	423	1,372	550	80	0	—
Total	4,449	10,643	4,756	2,153	301	—
<b>Councils</b>						
Scotland	0	20	0	6	3	3
Wales	0	14	0	4	1	3
London	4	17	3	0	0	8
Mets	0	32	0	0	0	4
Counties	9	8	2	0	0	15
Districts	9	85	39	13	0	93
Unitaries	8	29	6	1	0	8
Total	23	205	50	24	4	134

Source: Rallings and Thrasher, *Local Government Chronicle*, 13 June 1997.

Parties, therefore, play an important role in both British and Northern Irish local government. They could be seen as affecting local democracy in two ways. First, increasing partisanship might be seen as diminishing the *local* element of democracy, as the party competition at the local level may be seen as the translation of national issues to the local level. The same might be said of European elections, which are often simply referendums on the state of play of national politics. However, the presence of parties at the local level does allow local preferences to be expressed in a way that can then be translated into local public policies. Often local authorities may attempt, within the bounds of the *ultra vires* principle, to develop initiatives appropriate to the local community even if this is different from the policies being pursued at the national level. In Britain, during the period of Conservative Governments, this was usually the case with Labour and Liberal Democrat controlled authorities, but often also the case with

those controlled by the Conservatives. In other words, opposition parties, who might be out of power for long periods of time (eighteen years for Labour during the last Tory period of rule) or who may never have a realistic chance of participation in national government (such as the Liberal Democrats, the Scottish and Welsh nationalist parties, and all of the Northern Irish parties), can still play a role at the local level in developing local democracy. Generally speaking, local government in Great Britain, particularly in the large cities, has been dominated by the Labour Party (see Table 15.1). This allowed the opposition to develop policies different from those at national level, but only under the ever-increasing financial constraints and centralized control mentioned above.

### 3. THE PRACTICE OF LOCAL DEMOCRACY

#### 3.1 *The Role of Policy Networks*

We must distinguish between (i) groups that represent those elected or appointed to work officially for local government, and (ii) those who are not elected but who seek to influence in some way the outcome of local-authority policies (Wilson and Game 1994).

Among those *elected* are the executive, consisting of the leader or mayor, those chosen by him or her, and the backbench councillors. Generally speaking, councillors come from a fair cross-section of the population. They represent a greater number of constituents in the UK than in other European countries (1:2,200 as against 1:110 in France and 1:420 in Germany). Backbench councillors are important as they sit on the various local-government committees, they help to make the policy decisions, and they give the overall policy direction.

Among those *appointed* to local government we may distinguish between local-government officers who are responsible for the operational management of the policies decided by the elected councillors, and local-government employees who are responsible for the delivery of the vast array of services still provided by local authorities. However, if we limit ourselves to the first category—local-government officers—then we can distinguish between:

- the chief executive;
- the senior managers and top professionals who run the local authority, advise councillors, and manage budgets and personnel;
- middle-ranking managers and professionals who combine knowledge of a particular service or function with oversight of the resources and employees;
- a vast army of lower level employees in clerical, manual, and non-manual jobs.

Taken together, this gives us a picture of the policy-making system of local

authorities that is remarkably similar throughout the United Kingdom. According to the theory of liberal democracy, upon which this model is built, elected councillors decide upon policy, which is then implemented by an army of faithful bureaucrats. The reality, however, is rather more complex: similarly to what happens at the level of national government, 'policy' is the outcome of a process involving elected councillors and principally the leader or mayor and his/her executive and the most senior administrators of the council. Probably the most accurate model to describe this is elitism, which sees power as concentrated in the hands of a few, rather than pluralism, which conceives it as spread out among a number of groups. This, of course, is characteristic of many western political systems and is more true of some than of others. It is also true that efforts are being made in many British local authorities to reduce its elitist character and to broaden the decision-making power base. (Some of these experiments are outlined below in section 4.3.2).

Finally, to add to the complexity of the UK local government system, mention must be made of both the representation of local government at the national level through different local-authority associations and the diversity that exists at the 'regional' level, that is in Scotland, Wales (although these countries are more accurately described as nations rather than regions), and Northern Ireland. In 1996 three local authority associations merged to form the Local Government Association (LGA), representing the majority of the local authorities in England and Wales. Wales is represented on this association, but also has its own representative body: the Welsh Local Government Association (WLGA). Scotland set up a single association for all Scottish local authorities in 1975: the Convention of Scottish Local Authorities (COSLA), which is still in existence. British local authorities are also represented at the European level through the Committee of the Regions, via their offices in Brussels, and as members of associations such as the Assembly of European Regions and the Council of Peripheral Maritime Regions.

### 3.2 *Pressure Groups in Local Government*

Stoker (1991) has distinguished four types of group:

- *producer or economic groups*—Trades Councils or Chambers of Commerce;
- *community groups*—with distinct social support bases, for example amenity groups, tenants' associations, women's groups, and groups representing ethnic minorities;
- *cause groups*—promoting a particular set of ideas and beliefs rather than their immediate material interests, for example Campaign for Nuclear Disarmament;
- *voluntary sector groups*—set up to meet a need of the community on a non-commercial, non-statutory basis and receiving substantial financial support

from local authorities.

Not all of these groups are equally important or influential, depending on the political complexion of the local authority. In authorities where the left-wing of the Labour Party is in power, as in some London boroughs, there is more sympathy for the cause groups than in more traditional Labour or Conservative controlled authorities.

### *3.3 Critiques of Local Democracy*

In recent years many political and academic observers noted a crisis in local government in the United Kingdom (Pratchett and Wilson 1997). The Congress of Local and Regional Authorities of Europe (CLRAE), a body of the Council of Europe, passed a resolution in June 1997 that included the United Kingdom among a number of countries with serious deficiencies in the practice of local democracy (the others were Croatia, Bulgaria, Latvia, Moldova, Ukraine). The congress identified as problems:

- that the concentration of many local authorities into a single level and the dismantling of others, in conjunction with the creation of quasi non-governmental organizations ('quangos') to replace local authorities in supplying a number of services to the public, have considerably curtailed the powers of local authorities;
- the limits imposed by central government on local-authority expenditure and the diminishing revenue available for local authorities;
- the difficulties concerning the signature and ratification of the European Charter of Local Self-Government (Committee of Regions Resolution 58 [1997] on the Situation of Local Democracy in Member Countries, para. 17).

However, the situation is now changing, and the new Labour Government has both signed and ratified the European Charter of Local Self-Government. Within the UK, there has been increasing concern at the decline of local democracy. In July 1992 the Local Government Commission for England (LGCE) was established. Part of its remit was to examine issues such as the identity and interests of local communities with regard to local democracy and also the question of the number of councillors needed to ensure they carried out effectively their representative role (Burton and Duncan 1996). The LGCE recommended that the ratio of councillors to residents should be around 1 in 4,000, although many councillors thought that this was too high (*ibid.*). The Audit Commission of the UK government, in a report published in February 1997, criticized local-government councillors for being too remote from citizens and for spending too much time (around 50 per cent) in committees rather than in contact with their

electors (around 30 per cent).

In November 1993 the Commission for Local Democracy (CLD) with members from the three major parties, local officials, and academics was launched to examine how local democracy could be improved (Pratchett and Wilson 1997). The brief of the commission was to enquire into all forms of democratic activity at subnational level and not just elected local government. In June 1995 they produced their final report, *Taking Charge: the Rebirth of Local Democracy*. The CLD concentrated on three areas of concern: the internal organization of local government, the relationship between localities and the centre, and the nature of citizenship at the local level (Burton and Pratchett 1996). Among their most noteworthy recommendations were: a *reduction* in the ratio of councillors to residents, the introduction of the post of *elected mayor*; and the primacy of democracy over efficiency at the local level. They also made some recommendations for practical measures to bring about these changes: all local authorities should prepare an annual 'democracy plan'; there should be a programme for educating the public, and the introduction of *deliberative polling* (this refers to a polling method developed in the United States that encourages respondents to reflect on what ought to happen given a range of options rather than simply saying what they think now).

The Labour Party too, while in opposition, examined the question of local democracy and issued a policy discussion document with the title *Renewing Democracy: Rebuilding Communities*. This document is important as it provides the background to reforms proposed by the new Labour Government after it came to power in May 1997 (discussed below). Among the proposals advocated in this policy document were: the introduction of 'local performance programmes' to allow citizens to evaluate the performance of their council, citizens' juries, community forums, advisory panels, public hearings, and opinion polls. The document encourages councils to experiment with ways of encouraging citizens to become councillors, but it also tries to encourage the participation of wider groups of citizens in the decision-making process—two forms of representation that are not always easy to reconcile (Burns and Duncan 1996).

### 3.4 Citizens' Attitudes to Local Government

Despite the difficulties experienced by local government, it remains true that central government is even more unpopular. In a MORI poll commissioned by the LGA, the results of which were published in March 1997 (*Local Government Chronicle*, 27 March 1997), twice as many of those polled were happier with local government than with central government. Sixty per cent said they would like their council to have more freedom to set the council tax at the level needed to provide more services.

There has been a considerable amount of research on citizens' attitudes carried

out in recent years both by government commissions (for example the Widdicombe Committee) and by the local authorities with the help of polling organizations such as MORI. Local government is generally viewed more favourably than other levels of government. The 1995 State of the Nation, conducted by the Joseph Rowntree Reform Trust, found the following results: 49 per cent were satisfied and 21 per cent dissatisfied with their council, 18 per cent were satisfied and 33 per cent dissatisfied with the European Union, 34 per cent were satisfied and 31 per cent dissatisfied with Parliament, 28 per cent were satisfied and 25 per cent dissatisfied with the House of Lords (quoted in Page 1996).

Nevertheless, the general picture that emerges from these surveys is that there is a large gap between the average citizen and his/her local authority, which is perceived as primarily a provider of services. There was little evidence that many citizens wished to become more involved in council activities themselves. MORI conducted a survey for the Local Government Commission for England, which suggested that the majority (58 per cent) of residents are interested in what the council does, but are happy to let them get on with the job (Page 1996). Two per cent were completely uninterested and unworried about whether they did their job, and 17 per cent were not interested in what the council does so long as they get on with the job. But just 19 per cent wanted to have a say in what the council does and the services it provides. With regard to contact with the council, only 6 per cent had attended a council meeting in the previous three years; around four in ten had contacted their district council and only one in five their county council in the previous year. The results of the survey, illustrated in Table 15.2, showed that the primary concerns for the majority of people were the quality of services (64 per cent) and responding to local people's wishes (58 per cent), although the cost of services was also an issue for a substantial minority (44 per cent). However, only minorities indicated that several issues deemed important by most commentators for local democracy were important: accountability (33 per cent), ease of contacting the council (20 per cent), a sense of local community (18 per cent), access to local councillors (18 per cent), level of information about the council (16 per cent), size of population covered (10 per cent), historical or traditional boundaries (6 per cent). These results are important, as several recent initiatives in Britain to strengthen local democracy mainly involve attempts to strengthen these aspects of local government. There is also a great deal of ignorance about what the council does or who the councillors are: less than one in ten can name any of their local councillors. Table 15.3 illustrates the degree of ignorance, particularly among younger-age groups: 66 per cent of the total sample knew 'just a little' or 'hardly anything at all'; among 18-to-24-year-olds this was 80 per cent and among 25-to-34-year-olds 75 per cent.

TABLE 15.2. *A sample of the survey results (percentages)*

'Which three of these, if any do you think should be most important in deciding the local government structure in your area'	Total	Age 15-34	Age 35-54	Age 55+
Quality of services	64	67	64	59
Responding to local people's wishes	58	57	63	54
Cost of services	44	45	42	44
Accountability	36	23	41	45
Ease of contacting the council	20	21	19	19
Sense of local community	18	19	20	15
Access to local councillors	18	15	17	16
Level of information about the council	16	15	17	16
Size of population covered	10	12	11	6
Historical or traditional boundaries	6	6	6	7

Source: Page (1996).

TABLE 15.3. *A sample of the survey results (percentages)*

'How much, if anything, do you feel you know about your local council?'	Total	Age 18-24	Age 25-34	Age 35-54	Age 55+
Great deal	5	3	3	6	5
Fair amount	27	17	20	31	32
Just a little	42	39	45	43	41
Hardly anything at all	24	41	30	19	20
Never heard of	—	—	1	—	—
Don't know	1	1	1	1	2

Source: Page (1996).

Given this level of apathy and ignorance with regard to local government in Britain, it comes as no surprise that electoral turnout is also extremely low, in fact it is the lowest of all the member states of the EU. In the 1996 local elections only 30.5 per cent of registered voters in the metropolitan boroughs and 37.1 per cent in the districts went to the polls (Rallings and Thrasher 1996).

#### 4. CHALLENGES AND OPPORTUNITIES FOR REGIONAL AND LOCAL DEMOCRACY

Local government in the UK has faced two sets of challenges. First, there has been the challenge from increasing Europeanisation. Second, there was the challenge from a hostile central government and the increasing centralization of power in Westminster (although the strained relations between the centre and the local have now considerably eased since the new Labour Government has come to power) .

##### *4.1 The European Challenge*

Local authorities have responded to the European challenge in a number of ways: some authorities have become highly active on the European scene both as a way of obtaining financial advantages from Europe and also as way of bypassing central government. There is little doubt that the incentive to obtain funds from European sources has been very strong (Loughlin and Mathias 1996). This has led to a mobilisation of local authorities in England, Scotland, and Wales with the formation of bodies such as the North-West Regional Association in England, the successful activities of the old Strathclyde Region (before local-government reorganization) and the strong European orientation of the Association of Welsh Counties (after reorganization replaced by the Welsh Local Government Association). Many British local authorities were members, sometimes very active members, of European groups such as the Assembly of European Regions and the Conference of Peripheral Maritime Regions. Another aspect of this mobilisation process has been the setting up of Regional Offices in Brussels. These have been either offices covering an entire country, such as the Wales European Centre or the Northern Ireland Centre in Europe, or offices representing specific authorities, such as Birmingham City Council. These activities have been important not so much because British local authorities have obtained large sums of money from 'Brussels', but because they have been the context of a learning process whereby local politicians meet their counterparts in different European states and may learn from their, often very different, experiences. This is also the case with the Committee of the Regions, which gives regional and local authorities representation and a voice in decision-making for the first time at the European level (Loughlin 1996).

Finally, the European dimension has been important for providing a context within which certain constitutional issues have been tackled in Britain. The 1985 Anglo-Irish Agreement and the 1998 Good Friday Agreement provide the parameters for a framework within which the two communities could live together. These agreements were possible, at least in part, because the UK and Ireland are member states of the EC and because 'sovereignty' is now understood in a different way from previous periods in history. The recent devolution



programme in the UK was also successful in part because of the argument of European regionalism: that regions need appropriate institutional structures to compete in the Europe of the Single Market. Indirectly, then, the European Union might be said to have had a positive effect on certain democratic processes in the United Kingdom although it must be said that, among the general public, there is a great deal of ignorance, apathy, and even hostility to Europe.

#### *4.2 Central–Local Relations*

However, the most serious challenge has come from the often hostile attitudes of central government, and local government has responded to these sometimes in very creative ways. This section will outline some of the initiatives taken by local authorities during the eighteen years of Conservative Governments. It will then go into some detail on developments since the Labour Party came to power in May 1997. There is a continuity between these two periods. First, during the period of Tory rule, many councils developed approaches that were attempts to cope with the constraints imposed by a hostile central government. Second, although the new Labour Government has promised to develop a new and more positive relationship with the regional and the local levels of the UK, there is a continuity with previous approaches especially as the same financial constraints will remain. Nevertheless, since May 1997 there have been major developments in the constitutional ordering of the UK, especially devolved governments for Scotland, Wales, and London and the promise of regional authorities for the English regions; these developments signal a new approach that, in some respects, is radically different from anything that happened previously. Linked to these developments has been what seems to be a solution to the Northern Ireland question, with the signing of the Good Friday Agreement in Belfast in 1998.

#### *4.3 Strengthening Local Democracy in the 1980s and 1990s*

During the 1980s and 1990s, local authorities lost several of their functions to central departments of newly created agencies and suffered severe financial constraints. All local authorities, whatever the political complexion of the council, were forced to submit to these developments and most did so, albeit rather reluctantly. However, the council remained the key political institution at the local level and continued to affect the lives of all the residents in the geographical area for which they were responsible. Many councils were aware of the ‘democratic deficit’ at the local level and of the apathy and ignorance of the local resident population. Reformers suggested two general approaches to solving this problem. The first was to reorganize the structures of local government in order to allow elected representatives to operate more effectively. The second was to attempt to involve local citizens either through increasing their knowledge, of and interest in,

the affairs of the council or by involving them directly in decision-making. These two approaches were not always compatible, since the first was based on strengthening the notion of *representative democracy* exercised by councillors on behalf of residents, while the second geared to move closely to an approach based on *participatory democracy*. However, several commentators argued that the two functions were not necessarily incompatible, but could reinforce each other.

#### 4.3.1 *Structural Reorganization*

The following reforms were suggested as means of improving representative democracy:

- elected mayors (Commission for Local Democracy, see *Local Government Chronicle*, 1 May 1996);
- cabinet systems of local government (cf. Jones and Stewart 1996);
- central executives as in Scandinavia (ibid.);
- improved committee systems (Widdicombe Committee), for example the abolition of the old committee structure and the setting of a small number of *strategic committees* and several *neighbourhood committees*, as carried out by the Royal Borough of Kingston upon Thames (Tilley 1996);
- local decentralization.

However, under the existing legislation it was impossible to implement the more radical of these reforms, such as elected mayors and some forms of committee reorganization (Jones and Stewart 1996).

#### 4.3.2 *Improving Participation by the Public*

Given the legislative constraints mentioned above, many councils opted for the second approach. A survey of democratic innovations by local authorities in England carried out by the University of Portsmouth and Portsmouth City Council revealed some of the methods adopted by the 65 per cent of the local authorities who responded (Sweeting and Cope 1997):

- local-authority-wide surveys (used by 52 per cent of respondents);
- customer panels (29 per cent);
- consultative forums (54 per cent);
- citizens' juries (5 per cent);
- computer terminals providing public information (19 per cent);
- internet homepage (18 per cent);
- electronic democracy (5 per cent);
- quango registers (28 per cent).

It is clear from the results of this survey that only surveys and consultative forums are used on a reasonably extensive scale, although even these are used by just over half of the respondents. Citizens' juries, a method of community consultation imported from the United States, are used by only four local authorities (Lewisham B.C., Hertfordshire CC, Cambridge CC, and Nottingham CC), while referendums are extremely rare. However, it seems that computer-based innovations are growing and will become more widespread as new technology is adopted by councils. Nevertheless, the overall picture is not encouraging. The authors of the study point to a 'perceived tension between representative and participative forms of local democracy' (Sweeting and Cope 1997: 7). In other words, elected councillors often feel that the close involvement of the community through these methods undermines their role as representatives of the wider community. Furthermore, there are a number of problems associated with each of the methods: surveys, for example, tend to provide simply a 'snapshot' of residents' attitudes frozen at a moment in time; citizens' juries involve a great deal of time and effort and might involve no more than particular interest groups rather than the wider population; similar comments can also be made about customer panels and consultative forums. Nevertheless, several commentators argue that local authorities will fill their democratic deficit only by inaugurating such reforms alongside structural innovations (Stewart and Stoker 1995).

#### *4.4 Regional and Local Government and the New Labour Government (May 1997)*

The British Labour Party fought the 1997 General Election on the basis of a manifesto committed to a radical overhaul of the British constitutional system, which it (along with the Liberal Democrats and the Scottish and Welsh nationalist parties) regarded as overcentralised and undemocratic. Once elected, the new government declared its wish to make government more open, more democratic, and more accountable by, in Prime Minister Tony Blair's words, 'a comprehensive programme of constitutional reform' (Scottish Office 1997: Preface). The following specific reforms have been initiated:

- a referendum in Scotland on 11 September 1997 with two questions: whether there should be a Scottish Parliament with powers of primary legislation and whether this Parliament should have tax-varying powers;
- a referendum in Wales on 18 September 1997 with one question: whether Wales should have a Welsh Assembly (but with no powers of primary legislation and no tax-varying powers);

- elections to the Parliament and the Assembly by a mixture of first-past-the-post (plurality) and a form of proportional representation (the additional member system on the basis of lists);
- a referendum in London with one question: whether there should be a single government for the city with an elected mayor;
- the setting up of regional chambers and regional development agencies in England (as a precursor to regional governments);
- a revitalization of local government and attempts to strengthen its democratic base;
- the abolition of compulsory competitive tendering and its replacement by a 'best value' approach.

So far, the new government has tackled the reforms with vigour and seems determined to implement them in the early phase of government while it has a huge majority in the House of Commons and a great deal of good will in the population at large.

#### 4.4.1 Scotland

The most important measure, following the resounding majorities of yes–yes votes to the two questions in the referendum on 11 September 1997<sup>3</sup>, is the setting up of a Scottish Parliament of 129 members, 73 elected by the first-past-the-post (FPTP) system, and 56 additional members (seven from each of the eight European Parliament constituencies). Those elected are known as Scottish Members of Parliament (SMPs). The parliament is led by a First Minister, who is the leader of the party that won the most votes in the elections to the Parliament, and he formed an executive of ministers. The title 'Minister' is important as only ministers may represent their countries in the EU councils. In effect, it is stated explicitly in the White Paper that Scottish ministers 'will have an opportunity to participate in relevant meetings of the Council of Ministers and in appropriate cases will have an opportunity [to] speak for the United Kingdom'. The Scottish Parliament is to have primary legislative powers over a wide range of devolved matters, all of those previously exercised by the Scottish Office and several more<sup>4</sup>. Until now the Westminster Parliament alone had powers of primary legislation, which meant that it set the framework law, while local authorities passed secondary legislation filling in the details. This power now passes to the Scottish Parliament on most areas of domestic policy. An important development here is that the legislation to set up the Parliament defines what is reserved for Westminster<sup>5</sup> rather than is devolved to Scotland, an interesting modification of the *ultra vires* rule. The Scottish Parliament also has legislative and financial control over Scottish local authorities (a development that is causing some anxiety

among members of COSLA). Finally, the Scottish Parliament can vary the rate of income tax (which is decided by the national government) by a rate of  $\pm 3$  pence in the pound. Taken together, the proposals for Scotland could be interpreted as *a step toward the federalisation of the United Kingdom*.

#### 4.4.2 Wales

In Wales the referendum was a success, but only just and with a very low turnout<sup>6</sup>. The proposals for Wales were very weak in comparison with what was proposed for Scotland. In contrast to the latter, Wales has a National Assembly (rather than a Parliament) with secondary legislative powers and no powers of local taxation. Nevertheless, almost all the powers previously exercised by the Secretary of State for Wales have been transferred to the Welsh National Assembly. Those powers remaining at Westminster are basically the same as in the Scottish case and include foreign affairs, defence, taxation, macro-economic policy, policy on fiscal and common markets, social security, and broadcasting. Furthermore, in a modification of the Bill on the Government of Wales before the UK Parliament, some of the original plans of the White Paper were modified to give the Assembly some parliamentary features. The most important change was that the Assembly will be led by a 'First Secretary' (who may be titled the First Minister if the Assembly so decides) who will have the power to appoint a cabinet rather than an executive consisting of the chair of the Assembly committees.

There are several reasons for the diluted nature of the Welsh proposals. First, public opinion in Wales was more divided than in Scotland with regard to devolution, as an analysis of the results shows. When the proposals were being put together, there was a fairly even tripartite division among those in favour, those against, and those undecided with those against being in a slight majority<sup>7</sup>. Divisions also existed within the Welsh Labour Party with some 'Old Labour' strongholds likely to be opposed to devolution, as they were in 1979 when a similar referendum was held. The government was cautious and clearly did not wish to jeopardize the setting up of the Assembly by proposing something that was too radical. In Scotland the situation was quite different with all the major parties (except the Conservatives) and many other bodies such as the Protestant Churches in favour. A second reason may be that in Scotland there is a much stronger sense of Scottish citizenship than in Wales. Scotland, as pointed out above, was a European nation, with its own monarch and Parliament until the eighteenth century. Wales has never had political unity for most of its history, but has been locked into the English political and administrative system for centuries. It has only had a measure of Welsh government since the 1960s (in the form of the Welsh Office and the quangos). The differences between the approaches to the two countries might be summed up by saying that the Scottish proposals seem to be based on giving Scotland the institutional trappings appropriate to nationhood,

while the Welsh proposals are more based on the idea that Wales should become a dynamic European region.

Nevertheless, despite these qualifications, the new Welsh National Assembly, set up in 1999, is an important step toward the democratization of government in Wales and in the institutional expression of Wales as a distinct political, cultural, social, and economic entity. The Secretary of State for Wales in welcoming the Government of Wales Bill in November 1997 said that neither Westminster nor local government would provide the model for the new Assembly, but best practices from around the world. There are sixty members elected by the same electoral system as that proposed for Scotland: forty members elected by FPTP from the Westminster constituencies, and twenty additional members elected under the additional-member system from the European constituencies in Wales. It is hoped that this will allow the Assembly to function effectively, but at the same time give representation both to minority parties and to geographical areas. An important boost will be given to the Welsh language as the Assembly will be bilingual, with English and Welsh having equal status. The different regions of Wales will have their own committees of which one must be for North Wales. This is important as the North is separated from the South by high mountains, and there were fears that the Assembly would be dominated by the dynamic region around Cardiff, which is already the political and economic, if not the geographical, centre of Wales. The new Assembly is to take over responsibility for the policies and public services<sup>8</sup> previously exercised by the Secretary of State for Wales and the Welsh Office. The powers exercised by the National Assembly may be increased in the future, but it will not be possible for the Assembly to gain primary legislation or tax-varying powers as in Scotland without another referendum<sup>9</sup>. It is also to reform and oversee the operation of the unelected public bodies (the famous quangos), which have been a cause of much controversy in Wales.

The National Assembly has the right to transfer powers between itself, Welsh quangos, and local government. The legislation also states that the Assembly is to work in partnership with Welsh local government through the Welsh Local Government Association (WLGA). The government decides the size of the budget available to the Assembly, but the Assembly decides how much will go to the Welsh local authorities and how this is split between individual councils. Hopefully this will be done on the basis of consensus, and a Partnership Council, with representatives from local government and the Assembly, is to be set up. In February 1998 the Welsh Local Government Minister announced a consultation on modernizing local government in Wales based on a certain number of principles:

- genuine accountability to local people;
- a new role of community leadership;

- the ability to make local choices to suit local needs;
- best value in the delivery of local services;
- the highest ethical standards.

#### *4.4.3 London*

Since the abolition of the Greater London Council in 1986, London has been the only major city in the world without its own government. Instead, it is governed by thirty-two borough councils and the City of London (which basically covers the financial district). Most commentators agree that London has suffered as a result of this lacuna, as it has been unable to develop an integrated-development plan for the entire area. The new Labour Government called attention to these problems and claimed, in a Green Paper, that there was an important ‘democratic deficit’ in London (DETR 1997). Following the referendum held in London on 7 May 1998—in which 72 per cent of those voting said yes, against 28 per cent who said no (but with a very low 30 per cent turnout)—a Greater London Authority (GLA) will be established, to be led by a directly elected and salaried mayor<sup>10</sup> with an Assembly of twenty-five members. The mayor will have a permanent support staff. The GLA, that is the mayor and the Assembly, are meant to give a democratic voice to the entire area of London (the thirty-two boroughs and the City of London) and provide the lead in creating a ‘Sustainable City’. It would develop strategies and be responsible for a number of key areas<sup>11</sup>.

The government sees this as a precursor to the setting up of regional government in the rest of England and the more general introduction of elected mayors at least in the large cities. Elected mayors are seen as a way of answering some of the criticisms levelled at local government in Britain, namely that local councillors spend too much time in committees rather than meeting their voters and clients. Furthermore, it is argued that the low turnout in local elections undermines the democratic legitimacy of councillors, including the leaders and executive. The current government believes that dynamic mayors, directly elected by their people, will have stronger democratic legitimacy than the old-style leadership and will be able to design and put into effect overall strategies policies.

#### *4.4.4 Northern Ireland*

On Good Friday 1998 almost all of the feuding parties in Northern Ireland as well as the British and Irish governments signed an Agreement, which devised new institutions to transform the relationships within Northern Ireland, between the Republic of Ireland and Northern Ireland, and between the island of Ireland and the island of Great Britain. The Agreement provides for a new Northern Ireland Assembly, elected by proportional representation (Single Transferable Vote) with power-sharing arrangements to ensure the participation of the two communities in

the government of Northern Ireland. There is to be a North–South ministerial council consisting of ministers from the Assembly and of the government of the Republic. Ministers responsible for specific policy sectors will meet their counterparts periodically to ‘develop consultation, co-operation and action within the island of Ireland—including through implementation on an all-island and cross-border basis—on matters of mutual interest within the competence of the administrations, North and South’. There will be a British-Irish council, with representatives of the parliaments and assemblies of the UK, Republic of Ireland, Scotland, Wales, and Northern Ireland, as well as the Isle of Man and the Channel Islands. This council will try to develop mutually beneficial policies, but its decisions will not be binding on any of the constituent members. Finally, there will be a new British-Irish intergovernmental conference, which will replace the machinery set up by the 1985 Anglo-Irish Agreement.

The Good Friday Agreement was endorsed by referendums in both Northern Ireland and the Republic of Ireland (the first time that the population of the entire island has voted together since 1918). The result in the South was 94 per cent in favour but with a rather low turnout of 56 per cent. In the North the result was more decisive: 71.12 per cent in favour with a turnout of 81.1 per cent. Elections to the new Assembly were held on 25 May 1998 and returned a majority of pro-Agreement candidates.

#### *4.4.5 Regional Chambers and Regional Development Agencies in England*

Mr John Prescott, deputy leader of the Labour Party and Minister for the Environment, Transport and the Regions (DETR), has made it clear that the new government would like to see regional governments in England. However, the question of regional government in England is less clear-cut than in Scotland and Wales. The latter are nations with strong identities and borders that have been defined for centuries and have strong movements in favour of devolution. In England there is little tradition of regionalism, and, while there do exist regional identities in places such as Cornwall, Yorkshire, or Sunderland, there are no clear geographical boundaries separating one region from another. Administrative regions do exist for planning purposes or for the delivery of services such as health, but these rarely coincide with each other; and it is not excessive to say that they originated as lines drawn on a map by statisticians in London. Nevertheless, in recent years there has been a certain regional mobilisation in England with groups being established such as the North-West Regional Association. In some regions of England these have been well-developed, while in others they are barely existent.

For all these reasons, the Government has adopted a gradualist approach and hopes that the existence of a Scottish Parliament, a Welsh Assembly, and a London Authority will act as a stimulant for regional government in England. The



first step will be to set up regional development agencies whose operations will be overseen by regional chambers of which some have already come into existence. The latter will consist of elected councillors nominated from the local authorities. Thus, the proposals do introduce an element of electoral legitimacy even if this is indirect.

#### *4.4.6 Reform of Local Government in the UK as a Whole*

The new Labour Government wishes to reverse the decades of conflict in central–local relations and to rebuild local democracy. It has announced that its approach will no longer be based on antagonism, but on *partnership*. The LGA welcomed this announcement and was the first organization contacted by Deputy Prime Minister John Prescott after taking up his post as Minister of the Environment, Transport and the Regions, which has responsibility for local government. In a speech to the Association in July 1997, Prescott affirmed the partnership approach and announced that his aim was to achieve social justice for all: ‘For too long central and local government have been at loggerheads. There has been a war where there should be constructive co-operation . . . I invite you . . . to join us in a new partnership for the good of the people we are elected to serve’ (DETR Press Release, 21 July 1997). To translate these worthy comments into practice, the Government and the LGA set up a Central Local Partnership Meeting, which will work together on twenty key areas including: central–local relations, democracy, best value (see below), personal social services, education, economic development.

The Labour Election manifesto also announced a number of measures to strengthen both the effectiveness (and not simply the efficiency and economy) and the democratic credentials of local government (*Local Government Chronicle*, 11 April 1997). In July 1998 the government issued a White Paper entitled *Modern Local Government: in Touch with the People* (DETR 1998). This White Paper accepts many of the critiques made throughout this chapter and gives detailed information in respect of the reforms needed to enhance local democracy. The following are the most significant points:

- there will be new political structures: the committee system will be overhauled and there will be new models for the political management of councils;
- the role of mayors will change and councils will be able to choose from three models: an executive mayor with a cabinet directly elected by the people, a leader appointed by the council and a cabinet either appointed by the leader or by the council, a directly elected mayor with a council manager—the basic logic here is to distinguish between the executive role of the mayor and the backbench role of the councillors;

- there will be more frequent elections and councils will have the power to hold local referendums;
- there will be guidance to maximize voter registration, turnout, and experiments to make voting easier: electronic voting, increased postal voting, mobile polling stations, voting on different days;
- attempts will be made to improve local financial accountability and council-tax capping, will be ended, although the government will retain a reserve power to control excessive council-tax increases;
- CCT will be replaced by best value;
- there will be 'beacon councils' who will be beacons of particular services, or for the council as a whole—these beacon councils will get increased scope to act for the benefit of the local community.

#### 4.4.7 *Elected Mayors*

The rationale behind this has already been outlined above under the section on London. Basically, it is thought that a directly elected mayor will have a democratic legitimacy stemming from his direct election by the people in the area. The experience in London will be used as a pilot before the scheme is extended to the rest of the country.

#### 4.4.8 *Compulsory Competitive Tendering and Best Value*

CCT was severely criticized as being a means primarily of *efficiency* (that is cutting costs) rather than of *effectiveness* (that is improving the delivery of services). It was assumed that the private sector could deliver such services better than the public sector simply because it was private. At least this seemed to be the philosophy emanating from the highest reaches of central government, especially when Mrs Thatcher was prime minister. These assumptions were largely based on ideological presuppositions rather than on empirical verification. However, often the tender simply went to the lowest bidder, even if the latter was not the one offering the highest quality service. The practice across local authorities varied with some services being improved through CCT, while others declined. The new Labour Government announced the abolition of CCT (or its continued suspension in Scotland and Wales), but did not propose going back to the previous system where all services were provided exclusively by local government. What they sought was a new system combining some of the advantages of CCT, *with competition remaining at the heart of the system*, with a search for the maintenance of *quality* of service delivery. This they call 'best value'<sup>12</sup>. In other words, services may be tendered out, but those who win the tender will do so on the basis of offering the best value for money and not simply the lowest cost. In June 1997 Hillary Armstrong, Minister for Local Government, announced the

blueprint for the implementation of best value. CCT would end by April 1998 and a number of pilot schemes would operate before the scheme was made universal. The government would oversee progress in consultation with the LGA.

#### *4.4.9 Conclusions*

Taken together, these proposals represent a radical reform of subnational government in the UK. There can be little doubt that, if they are carried through, and everything indicates that they will, that both regional and local democracy will be vastly improved in the United Kingdom. First, democracy will exist for the first time at the regional level once the Scottish Parliament, the Welsh Assembly, and the English regions are set up. The new institutions set up under the Good Friday Agreement also signify new relationships among the nations and regions of the British Isles, as well as contributing to a peaceful resolution of the conflict in Northern Ireland. This will end the anomalous position of the UK as the only large state in the European Union without a regional tier of government. Second, the reforms proposed for local government will strengthen the link between the councils and their electors (through the elected mayors) while the quality of services will increase.

### 5. INNOVATIVE APPROACHES TO IMPROVING REGIONAL AND LOCAL DEMOCRACY

#### *5.1 Citizens' Juries*

Citizens' juries have proved useful mechanisms for getting the informed and reasoned opinions of local residents through careful deliberation and mediated discussion, and, in doing so, circumventing the obvious problems generated by a time specific 'snapshot' opinion poll.

Local democracy is enhanced through conferring more say, and potentially decisional influence, on randomly selected local people over the affairs, considerations, and policies that local authorities make that directly affect citizens' lives.

Although, as yet, only implemented in four local authorities (see above), citizens' juries have proved particularly useful for approaching and resolving problematic/difficult issues that are not confined to one particular council department. Notably, the 1996 Lewisham Borough Council's Citizens' Jury on 'Drugs and Community Safety' has proved potentially successful with the quality of decision-making on a complex subject improved, workable and meaningful policy recommendations produced, as well as generating a sense of genuine involvement and policy contribution on the part of local jurors.

## *5.2 Electronic Information and the Internet*

By early 1997 (according to a SOCITM survey) one half of all councils are developing or have significant public-information projects in progress using ICTs, with a quarter of all local authorities investigating how this could be applied to furthering the local democratic process. In particular the use of ICTs is designed to provide the public with better access to local services and information concerning them, with many councils installing computer terminals in public buildings, for example libraries, where free access is provided.

The potential benefits of harnessing the internet as a method of information provision and for consulting citizens' views are considerable with half of all local authorities possessing their own web site/home page. One of the leading and most extensive sites is the one offered by Brent Council (<http://www.brent.gov.uk/>). As well as offering a guided 'layman's' tour of the workings of the council, information on services, and links to other information sites, it provides a specific section on local democracy. Here the council's political make-up, decision-making structures, calendar of council and committee meetings, and council-tax breakdown can be accessed. Furthermore, and more significantly, its online budget consultation provides an excellent example of engaging in widespread citizen consultation, in this case on the make-up of the next financial year's budget, whereby residents are invited to reply with their concerns, views, and suggestions. In addition to this, further consultation exercises are planned covering Local Agenda 21 and other environmental issues.

## *5.3 Local Authority-Wide Surveys*

Essentially these provide a means of improving communications with local people and are regularly conducted by 52 per cent of local authorities (Sweeting and Cope 1997). In particular, surveys are frequently conducted by councils to ascertain exactly what residents think of their local authority, to discover what people want from their council, and, more recently, have been used in consultative exercises.

Clearly the main shortfalls of surveying are representativeness and the fact that responses are unlikely to reveal considered and informed opinions from residents, rather than their immediate reaction. This problem, however, has been tackled with the introduction of 'deliberative opinion polls', which provide information to respondents before eliciting their opinion.

As mentioned above, and perhaps overcoming these two drawbacks, the online budget consultation undertaken by Brent Council was also delivered to 70,000 houses, as well as libraries and local shops, with ballot boxes provided in public places for residents to submit their responses and opinions.

#### 5.4 Community/Citizen's Forums

The community forums held in the Downham and Sydenham/Forest Hill areas of Lewisham Borough, open to all local people, have allowed residents to discuss council services or any other local issue that concerns them. Unlike public meetings, the high attendance and constructive debate characterising these forums have proved that considerable local interest can be stimulated, provided the meetings are well publicised and easily accessible. Participant satisfaction with these forums as a means of airing opinions and concerns strengthens local democracy, providing the means for ensuring more effective citizen effectiveness and system capacity, in terms of council responsiveness.

The extensive involvement of other public-sector organizations in these forums has provided a useful mechanism for their participation in council decisions as well as bringing them closer to the citizens. In addition, the forum reinforces or introduces in citizen's perceptions the true role of the council as an impartial community advocate in serving the best interests of its citizens.

#### 5.5 Citizens'/Customer Panels

These are mechanisms established by local authorities to promote dialogue between the council and particular groups of service users. In the case of Glasgow District Council, 'Area Management Committees' were established, allowing community participants to discuss and address local issues alongside councillors. Similarly 'Structured Area Liaison Committees' were set up under the now disbanded Strathclyde Regional Council, which were designed to provide consumer feedback on specific services, for example housing, and to give a measure of empowerment to citizens most directly affected by the respective issue.

Two categories emerged: those with an *ad hoc*, floating membership based on informal meetings, and those with recognized committees with a restricted number of coopted participants. However, the tendency here is for community-elite dominance. Similarly Lincolnshire County Council has created sixty coopted places based on nominations, and Lewisham Borough Council has, through its 'Lewisham listens democracy project', coopted 1,000 citizens to a representative panel helping to make council decisions through telephone and postal surveys.

## 5.6 Consultative Forums and Representation of Specific Groups

Like customer panels, consultative forums are also mechanisms to promote dialogue with particular groups, but in this case they focus on disadvantaged groups. A variety of regular panels or focus groups have been established in Lewisham to determine and act upon views of local gay/lesbian residents, disabled and elderly citizens, as well as members of ethnic groups.

### NOTES

- 1 The government is currently reforming the House of Lords with a view to significantly reducing the number of hereditary peers.
- 2 A Committee set up by the government and headed by Lord Jenkins reported in October 1998, recommending that a PR system be adopted in Great Britain. This will probably be subject to a referendum.
- 3 The results were: 74.3% in favour of setting up a Scottish Parliament, 63.5% in favour of the Parliament having tax-varying powers (of 3%), with a turnout of 60.4%.
- 4 These include: health; education and training; local government; housing; social work; economic development; transport; the law and home affairs; the environment, including the natural and built heritage; agriculture, fisheries, and forestry; sport; and the arts.
- 5 These matters include: the constitution of the United Kingdom; UK foreign policy, including relations with Europe; UK defence and national security; the stability of the UK's fiscal, economic, and monetary system; common markets for UK goods and services; employment legislation; social security; and most aspects of transport safety and regulation.
- 6 The results were: 50.3% in favour of a Welsh Assembly, 49.7% against, with a turnout of 50.1%.
- 7 An opinion poll conducted for the Welsh newspaper *The Western Mail*, the results of which appeared in its edition of 30 August 1997, showed that the "yes" votes were clearly gaining:

TABLE 15.4. *Opinion-poll result on the Welsh Assembly proposals (percentages)*

'Do you agree with the government's Welsh Assembly proposals?	Now (Aug. 1997)	June 1997	April 1997	Oct. 1996
Great deal	42	39	34	39
Fair amount	22	27	37	32
Just a little	36	34	30	28

Source: *The Western Mail*, 30 August 1997.

- 8 These are: economic development; agriculture, forestry, fisheries, and food; industry and training; education; local government; health and personal social services; housing; environment; planning; transport and roads; arts, culture, and the Welsh language; the built heritage; sport and recreation.
- 9 The government sees five key roles for the mayor: proposing the budget, devising strategies and action plans, promoting action to implement London-wide strategies, being a voice for London, and making appointments to executive bodies under the GLA's control.
- 10 This point is not entirely clear and was claimed by a previous Secretary of State. However, in theory the Westminster Parliament may modify the existing situation without a referendum.
- 11 These areas are: land-use planning; transport; economic development and regeneration; environment protection; culture, media, and leisure; police; fire services; pan-London bodies.
- 12 Best value is based on twelve principles.
- Councils will owe a duty of best value to local people, as taxpayers and service customers.
  - Best value is about effectiveness and quality, and not just economy and efficiency.
  - Best value would apply to a wider range of services than CCT.
  - There is no presumption of the superiority of either privatisation or direct delivery. What matters is what works best.
  - Competition will remain as a tool of management but is not in itself a demonstration of best value.
  - Central government will set the framework for service provision.
  - Local targets will have regard for national targets.
  - Both national and local targets will be decided on the basis of performance information.
  - This will be confirmed by Auditors.
  - Auditors will report publicly on whether best value has been achieved and will help to achieve this.
  - The DOE may intervene, on the advice of the Audit Commission, to tackle councils which fail.
  - This intervention should be appropriate to the nature of the failure.

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\* \* \*



# Conclusions

## 1. DIMENSIONS OF LOCAL AND REGIONAL DEMOCRACY

This Handbook reveals a rich and complex tapestry of democratic theory and practice in the countries of the European Union. Two aspects of this complexity stand out. First, countries remain basically faithful to their traditions of political and administrative culture that we have called state and national state traditions. But, second, these traditions undergo continual processes of change and adaptation such as globalization, Europeanisation, and technological change. Indeed, the capacity to manage change successfully is one of the main features of many of our European states. On the other hand, what has emerged also is that the successful management of change is not spread evenly throughout Europe. Some countries, regions, and localities have been more successful than others that tended to lag behind. In other words, the competitive regionalism that was mentioned in the Introduction may be producing new disparities within the European Union. This is not simply a North–South cleavage nor a centre–periphery cleavage. Some countries of South Europe contain highly successful regions such as Catalonia, Lombardy, and Tuscany. Some countries that were previously peripheral, such as the Republic of Ireland, have now become centres of dynamic economic growth. On the other hand, some of the countries that were previously powerful economic ‘centres’ now contain regions and cities in decline. For example, some of the old industrialized regions of coal mining and steel production have experienced great difficulties of adaptation. The Handbook illustrates many of the consequences of these changes and challenges for the practice of democracy at the regional and local levels. In some cases, this practice has been enhanced, but, in many others, it is a struggle to find the appropriate forms of response that not only preserve democratic life but enhance it as well as promote social and economic development in the regions and cities of Europe.

It is not always clear how these different dimensions relate to each other. Does strengthening regional and local democracy through whatever type of reform enhance development? Or, on the contrary, does the attempt to do so impede it? The general conclusion that might be drawn from the studies included here is that the two dimensions are indeed closely related, although it is problematic to measure how this might be so. We might look rather at the general social, political, and economic profile of particular regions and cities and compare this with its democratic system. Generally speaking, we can argue that those regions and cities with a tradition of a strong participative culture, with strong institutional capacity in both political and administrative terms, and a developed civil society are also those that are most developed in economic terms. However, in this

Handbook it was impossible to attempt to measure these phenomena, and this would need another more intensive and better-resourced research project. Nevertheless, it is a theme emerging from the present project that might be carried further in discussions among various national, regional, and local practitioners as well as scientific researchers.

## 2. CRITIQUES OF REGIONAL AND LOCAL DEMOCRACY AND RESPONSES TO THESE CRITIQUES

In all of the EU member states, democratic practice, especially at the regional and local levels, is only an approximation of an elusive ideal which, as we have seen, may be defined in several distinct ways. In all of the member states, there have been critiques of this practice and suggestions for its improvement. This Handbook has examined these critiques, in a spirit of constructive criticism, and the reforms resulting from them. This has been done with a view to encouraging a learning process across national boundaries, whereby states can learn from each other's experiences and hence strengthen democracy at their own regional and local levels. Most European states have been quite active in responding to these challenges, sometimes in new and creative ways. There thus exists already a wealth of experience from which all of the states can learn.

All of our states have embarked on major reform efforts that have had an impact on the practice of democracy at the national, regional, and local levels. The kinds of reform may be categorised as follows:

- restructuring central-regional/local relationships;
- the European factor;
- reform of the internal mechanisms of regional and local government;
- relations between the political system at the regional and local levels and the general public.

### *2.1 Restructuring Central–Regional/Local Relationships*

Almost all of the EU member states have embarked on this kind of reform in the last twenty years. In some cases it has meant in fact strengthening the centre at the expense of the regional and local. This was the case in traditional centralized unitary states such the UK and Ireland. In the UK there has been a tendency towards centralization and the reduction of the role and powers of local government, which goes back over fifty years. The post-war welfare state intensified centralization, but so too did the attempts by Conservative Governments between 1979 and 1997 to dismantle the welfare state. Ironically, it was Ireland's status as an objective 1 region in EU Structural Fund terms that

strengthened the centre through the key position of the Department of Finance in controlling these funds. Within federal states such as Germany and Austria there is also a tendency towards the centralization of power, particularly in the financial domain, at the federal level.

However, such centralization is not the only tendency in operation. More often, there has been political decentralization, regionalisation, and even federalisation. The Scandinavian countries, Denmark, Finland, and Sweden have always been decentralized unitary states with a strong welfare state model (the 'Swedish model') in which local government plays an important role. However, although the 'Swedish model' has come under pressure and is being reformed, this has not lessened the importance of local government. On the contrary, the latter seems to have increased in importance. One notable example is the 'free commune' experiment in the Scandinavian countries, which reduces central government controls over local authorities. Belgium is a state that has passed through all of the stages from a classical unitary state to becoming a federation, and the process of decentralization and state reform is still continuing. Italy is a regionalised unitary state with special regions, but is currently introducing reforms that strengthen the regions and give the state some federalist characteristics. Spain made its transition to democracy by creating the autonomic state, which draws on elements of the Italian system as well the German system of cooperative federalism. The tendency here is for the autonomous communities to gain more powers (for example fiscal) at the expense of the central government. The United Kingdom has recently embarked on a remarkable programme of devolution that is transforming the relations among its regions and nations as well as with the Republic of Ireland. Even centralized unitary states, such as Ireland and Greece, have begun to introduce some elements of regionalisation at least in their systems of public administration. There seems to be a general trend in operation here, but the Portuguese public went against this by voting in a referendum against the setting up of regions in that country.

These institutional reforms have been carried out for different reasons. Sometimes, they were part of the neo-liberal agenda of the 1980s, which involved shedding responsibilities and tasks from central governments to other levels of administration. Sometimes they were attempts at modernizing systems of public administration that had become overcentralised, inefficient, and removed from ordinary citizens. However, often they were also genuine attempts at enhancing regional and local democracy by making it easier for citizens to participate in decision-making. It has proved impossible in this report to ascertain fully how successful this has been. This would demand a much larger research project over a longer period of time than was available to the team of experts. Nevertheless, we do feel that these reforms have been worthwhile, and the different experiences across different countries should be studied with care with a view to policy learning across states.

## 2.2 *The European Factor*

The European Union has been an important factor in the reconfiguration of central–local relations in its member states. This has happened in a number of ways. First, the EU has meant that, with the passing of sovereignty in certain areas from national governments to the European institutions, the nature, role, and functions of the state itself have changed. This has not meant the disappearance of the nation state, but it does mean that national governments operate alongside both European institutions and regions and local authorities. Thus, regions and local authorities have a more important role in the European policy-making system than hitherto. This higher profile of regions and local authorities has been given expression in the creation of the Committee of the Regions. The European Commission has also, through its funding programmes and initiatives such as Interreg encouraged the involvement of subnational authorities in European decision-making and policy areas. This has stimulated individual regions and cities to develop a European interest, even if this is sometimes little more than a single desk or the appointment of a European office. Finally, both for reasons of exploiting these opportunities for European funding, but also for promoting the regional interest more generally, regions and local authorities have mobilised their forces by forming trans-European interregional associations. The interests of regions are also represented through the Council of Europe and the European Parliament.

Our survey shows that regions and local authorities have responded to these challenges and opportunities of the new Europe in different ways. Some regions have reacted in a proactive manner; others are more *attentiste*; and many, perhaps the majority, are quite passive. Nor is it very clear how Europeanisation has affected the quality of democratic practice in the regions and localities of Europe. Very often, ‘Europe’ is far distant from the average citizen as the results of the *Eurobarometer* surveys tend to show. European activities often seem to be the preserve of a small cosmopolitan elite and to bypass the average citizen. Indeed, there may be resentment at the amount of money being spent on European activities such as conferences, etc. Nor is it very clear how the Committee of the Regions enhances regional and local democracy. This too is often perceived as a distant body with little relevance to the lives of ordinary citizens. It is probably not too exaggerated to say that, in fact, it is practically unknown to them.

Nevertheless, there exist real opportunities in this area for strengthening regional and local democracy. Europeanisation and regionalisation should be seen as two sides of the same process, but what needs to be inserted now is the element of democratic participation and accountability. First of all, more regions and local authorities need to become active in the European arena, whether through setting up offices in Brussels or through participation in activities of the Committee of the

Regions, the European Parliament, or the interregional associations. But, second, these European activities need to be brought to the attention of, and involve more closely, the average citizen. The Committee of the Regions, the European Parliament, the associations, and the individual regional and local authorities need to strengthen the feedback mechanisms between themselves and the ordinary citizens. Furthermore, the horizontal learning process across regions and local authorities needs to be strengthened. This Handbook might serve as a useful starting point for such a learning process and stimulate reflection on how the European dimension might be strengthened at the level of the grass roots.

### *2.3 Reform of the Internal Mechanisms of Regional and Local Government*

There have also been attempts to reform the institutional forms and working procedures within regional and local government itself. The following trends may be noted.

#### *2.3.1 Structural Reorganization*

In some countries there is a tendency today to strengthen the executives of regional and local governments rather than the representative assemblies with a view to providing strong, visible, and effective leadership. This has been tried in different ways in different countries. For example, by changing the position of the mayor (Italy, UK, Germany), the prefect (who has ceded executive power to the presidents of the region or the *conseil général* in France; who is now elected in Greece), or the internal committee system of the local authority (UK, Scandinavian countries). Some of the Austrian *Länder* have attempted to reform some of their parliamentary procedures and even their electoral system so as to make the political system more flexible and open. There is also a debate on encouraging a more clear-cut distinction between government and opposition rather than the traditional proportional government system as well as of extending direct elections for the post of mayor. However, this does raise questions about the role of parties and of the representative assemblies, and whether regional and local government should be simply a replica of national government or have a specifically different expression. There have also been some attempts to decentralise *within* local government, as in the creation of submunicipal committees or the greater financial authority of local authorities in Denmark. Finland, too, has experimented with decentralising policies within local authorities. However, one problem that has resulted from such decentralization is the difficulty that citizens have to find their way around the system where it is no longer clear who has responsibility for what service.

### 2.3.2 *'Marketization'*

This could be seen as another way of reducing the bureaucratic features of local government and was part of the neo-liberal agenda of the 1980s; it involved attempts to introduce 'market' principles into subnational government and also handing over some services, such as street cleansing, to outside agencies. This approach was applied most fully in the UK where it was known as compulsory competitive tendering (CCT), but one finds similar attempts in other European countries such as Finland. CCT has been replaced in the UK by the new Labour Government by the concept of 'best value', which retains some of the elements of competition from CCT but does not automatically assume that privately provided services are superior to those of the public sector.

### 2.4 *Relations Between the Political System at the Regional and Local Levels and the General Public*

In a sense, this is the most crucial indicator of the 'health' of regional and local democracy. Our survey has shown that in many European states there is a worrying disaffection from politics in general and from regional and local politics in particular on the part of European citizens. There are some exceptions to this. In the Scandinavian countries and in the Netherlands there is still a quite healthy interest in local politics, as recent surveys have shown. This is perhaps because many important social and welfare services are still delivered at this level. There is also a long tradition of participation in politics in these countries. However, elsewhere the attitude surveys show a widespread disillusionment and apathy and even in the Scandinavian countries and the Netherlands these sentiments are growing. In some countries there is a domination of local politics by the national political parties. While partisanship is not necessarily a bad thing, there is a tendency for regional and local (as well as European) elections to be simply forums for the playing out of national rather than regional, local, or European issues. Politics at the subnational levels might be simply seen in this perspective as a stepping stone to national politics. Citizens, therefore, will not be inclined to take them so seriously. Another indicator of the general switch-off of citizens from local politics is the general trend toward declining turnout in regional and local elections, except, of course, in those countries where voting is compulsory. Once again, this varies across states with some states quite healthy in this regard although they too manifest this tendency.

One of the primary challenges for enhancing regional and local democracy, therefore, is to examine how citizens might be brought more fully into the political system at these levels. The following methods have been tried in different countries:\*

- the use of local referendums (the Austrian *Länder*, some German *Länder*, Finland, Luxembourg, the Netherlands, Portugal, Sweden);
- petitions (most of the Austrian *Länder*, some of the German *Länder*, Portugal, Sweden);
- involving individuals or interest groups in decision-making through user boards (Denmark, Sweden);
- the citizens' written motion, which, if supported by 2 per cent of the population, must obtain a response from the local authority (Finland);
- prior appraisal of legislation by the public (some of the Austrian *Länder*);
- giving representation to specific categories of citizens through various forms of consultative forums (for example disabled, women, low-income, foreigners, etc.) (UK, Luxembourg, the Netherlands, Spain);
- 'future' and 'scenario' workshops—to enable citizens to participate in planning processes (Germany, the Netherlands);
- multistage dialogue—involving three stages following the schema 'look, appraise, act', which allow citizens to work out solutions to particular problems (for example xenophobic violence in Buxtehude in Lower Saxony);
- 'partnership' boards and attempts at 'social integration' (Ireland, Spain);
- citizens' juries or panels (UK, Denmark, Spain, Sweden);
- youth councils (Finland);
- the search for openness and transparency (France);
- opinion polls and consumer surveys (UK, the Netherlands, France, Spain);
- local democracy 'balance sheet' (Sweden);
- electronic democracy and use of the Internet (UK, Spain).

It is difficult to assess how successful these experiments have been. This would demand another extensive research project focusing specifically on the innovations. The general picture that seems to emerge from this study is that the use of these techniques has had only limited success in most countries. Much will depend on the particular culture and levels of socio-economic and political development of the region or locality. In some cases, there is a long-standing tradition of associationalism and active involvement in local affairs. In others, the regional or local society might be more marked by clientelistic forms of relationship or may have been devastated by serious industrial decline or economic collapse. It is clearly correct, nevertheless, that such experiments need to continue.

A major problem associated with the innovative approaches to enhancing regional and local democracy and citizen participation is how to reconcile the traditional mechanisms of liberal democratic representation (through secret ballots) with the election of councillors and the representation of specific categories of the population. Reservations on the part of the elected representatives have arisen in countries such as Ireland and Sweden. This is

similar to the problem outlined in the Introduction between reconciling individual rights and group rights. Councillors have political legitimacy won through the ballot box, while groups might be representing just themselves. Nevertheless, despite the difficulties, such experiments do point the way forward to a new kind of democratic practice. Much thought needs to go into the kind of institutionalization necessary to make it work and to avoid conflict between the two kinds of representation.

Finally, it might be remarked that our political systems derive from the institutions of the liberal democratic nation state that was invented in the nineteenth century on the basis of the principles of the Enlightenment of the eighteenth century. These institutions have served us well and are immensely preferable to political systems based on authoritarianism and dictatorship. Nevertheless, the conditions in which they were born have changed beyond recognition. The challenge facing Europeans and other citizens of the world is to reinvent their own institutions in ways that take into account the new realities of the twenty-first century. Regions and local authorities have in today's Europe a new-found freedom to engage in such experimentation. It is easier to reform a political system at this level than at the level of the nation state. The European Union provides them with a new framework in which to carry out such reforms.

We hope that this Handbook will become a useful tool enabling them to do so.

#### NOTE

- We have included the names of some of the countries that are using these methods. There may be others that have not come to our attention.
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# Index

- administration
  - professional, 3
- Alpe Adria, 182
- Arge-Alp, 182
- assembly
  - representative, 3
- Assembly of European Regions, 10, 146
- Austria, 7, 335, 337
  - 1907 elections, 226
  - accession to European Union, 227
  - Association of Austrian Industrialists, 240
  - Austrian Trade Union Federation, 239–41
  - authoritarian corporate state, 225
  - basic constitutional laws of 1867, 225
  - Catholic Church
    - historical influence, 226
    - partner for local authorities, 241
  - chambers, 239–41
    - heads of, 244
  - change in form of democracy, 227
  - changes in state and society
    - influence on subnational government, 242
  - citizens' initiatives, 227
  - civil wars, 226
  - coalitions, 236–7, 239, 243
  - compared to Germany, 228
  - conflicts between federalists and centralists, 229
  - consensus-based democratic model, 242
  - corporatist relationships, 243
  - council of ministers, 231
  - decline in political allegiance, 238
  - declining party membership, 238, 242
  - development of centralized state, 229
  - division of federal tax revenues, 232
  - electoral law, 230
  - environmental movement in the 1980s and 1990s, 243
  - establishment of united state, 229
  - Federal Assembly, 233
  - federal chancellor, 226, 231
    - powers of, 231
  - Federal Council, 227
  - federal government, 226, 231–5, 237, 240, 242
  - federal laws, 231–3
  - federal president, 226, 233
  - financial compensation, 232–3
    - primary, 233
    - secondary, 233
  - financial redistribution
    - negotiations, 240, 243
  - First Republic, 225
  - five-party system, 237
  - forms of direct democratic action, 227
  - framework laws, 232
  - full sovereignty, 225, 227
  - greater fluidity in politics, 242

high level of stability, 226  
 implementing legislation, 232, 235  
 indirect federal administration,  
     232  
 instruments for reducing conflict,  
     226  
*Länder*, 225, 227–36, 238–42,  
     244–8, 337  
     administration, 244  
     Burgenland, 225, 235, 244, 246  
     Carinthia, 225, 228, 235, 238–9,  
         244  
     direct democracy, 245–7  
     enquiry commissions, 245  
     flexible party lists, 244  
     government, 234–8, 242, 244–7  
     government reform, 244  
     government tasks, 235  
     history, 228  
     investigative committees, 244–5  
     legislative process, 234  
     loss of powers, 229  
     Lower Austria, 225, 228, 245–6  
     Middle Ages, 228  
     nature of the political system,  
         236  
     parliament, 227, 230, 233–5,  
         237–9, 244, 246–7  
     parliamentary tasks, 234  
     petition, 246–7, 339  
     political and cultural identity,  
         235  
     referendum, 245–7, 339  
     rigid party lists, 244  
     Salzburg, 225, 228, 244–7  
     Styria, 225, 228, 242, 244–7  
     Tyrol, 225, 228, 237, 239, 244–  
         7  
     Upper Austria, 225, 228, 244–6  
     Vienna, 225, 228, 230, 234–5,  
         23–9, 242, 244, 246  
     Vorarlberg, 225, 228, 234, 244–

    7  
 local authority bodies, 236  
     Association of Austrian  
         Municipalities, 240  
     Association of Austrian Towns,  
         240  
 Local Government Act of 1862,  
     229  
 local government bodies  
     district administrative board,  
         230  
     district council, 230  
     mayor, 230, 236, 238, 246  
 local government unit  
     *Gemeinde*, 229  
     statutory cities, 230  
 March revolution of 1848, 229  
 mass unemployment, 243  
 membership of main parties, 238  
 model of administration  
     shift in, 248  
 moving away from grand  
     coalitions, 237  
 National Assembly, 226–7, 230–1,  
     233, 237, 239, 243  
 neo-absolutist period, 229  
 old-style electoral system, 226  
 ombudsman, 245  
     environmental, 245  
 parliamentary system of  
     government, 225  
 part of Third Reich, 225  
 participation in government  
     associations, 235  
     individualist, 242  
     new forms of, 244  
 permanent neutrality, 227  
 petition, 227, 231, 246–7  
 political equilibrium, 226  
 political parties  
     Austrian Conservative Party,  
         228, 231, 233, 235, 237–9,

- 244–6
- Austrian Freedom Party, 226, 231, 233, 237–40, 245–6
- Christian-Social Party, 226
- different movements, 226
- Freedom Movement–Citizens' Alliance, '98, 239
- Green Party, 237, 239, 245
- Liberal Forum, 237
- Social Democratic Party, 226, 228, 231, 233, 235, 237–9, 243, 245–6
- politico-cultural diversity, 228
- principles of social state, 225
- principles of welfare state, 225
- prior appraisal, 247, 339
- privatization, 243
- proportional government, 226, 234–6, 246–7
  - criticism of, 226, 242
  - discussion of, 245
- Protestant Church
  - partner for local authorities, 241
- Provisional Local Government Act of 1849, 229
- public finance, 232
- public opinion, 228
  - approval rating, 241–2
- referendum, 225, 227, 243
  - conditions, 227
  - limitations, 246
- removal of federal structures, 229
- Second Republic, 225, 237
- security policy, 227
- social partnership, 240–1, 243
  - as (neo-)corporatist vehicles, 240
- social spending
  - cuts in, 243
- territorial individuality, 228
- tradition of central government, 229
- traditional economic-growth model
  - criticism of, 243
- universal suffrage, 226
- Vienna Environmental Expertise Centre, 248
- WEU observer status, 227
- women's movement, 244
- women's organization of Social Democratic Party, 239
- Austro-Hungarian Empire, 1
- Basque Country, 110, 112, 116–17, 119, 128–9, 131
  - Basque Statute, 110
- Belgium, 5–6, 198, 200, 203, 215–16, 220, 335
  - administration, 20, 31–2
  - advisory bodies, 36
  - advisory councils, 38–9
    - practical involvement, 39
  - Augusta affair, 36
  - bilingual capital, 19
  - Brussels, 19, 21, 25–6, 29–32, 37
  - Brussels Capital Council, 25–6
  - central government, 20, 21, 27–8, 30
  - clientelism, 24
    - disadvantages, 24
  - college of provincial governors, 31
  - communities, 19–22, 25–7, 29, 38
    - responsibilities, 25
  - consensus democracy, 23
  - cooperative federalism, 20
  - Council of the German-speaking Community, 22, 26
  - covenants, 41
  - Dehaene, Jean-Luc, 20
  - depillarization, 33
  - districts, 31
  - dual federation, 20
  - Dutch-speaking area, 19
  - Dutch-speaking north, 19

Dutroux affair, 36  
 electronic voting, 39  
 elitism, 25  
 federal government, 20–2, 27, 29, 31  
 federalization, 27, 32  
 Flanders, 19, 20, 23, 25, 35–7, 40–1, 43  
     activist regional government, 38  
     ascendancy, 20  
     economic rise, 36  
 Flemish Council, 22, 26  
 Flemish government, 26, 32, 41  
     leaning towards independence, 20  
 French Community Commission of Brussels, 25–6  
 French Community Council, 22, 26  
 French-speaking area, 19, 25  
 French-speaking south, 19  
 German-speaking area, 19, 27  
 grass-roots participation, 35  
 House of Representatives, 21  
 inclusive planning, 40  
 individualization, 33  
 individual-related matters, 25  
 joint administration, 28  
 joint municipal authorities, 30–2  
 King, 21–2  
 language frontier, 20, 36–7  
     established 1963, 19, 20  
 Law on Open Government, 39  
 left–right divide, 36  
 linguistic communities, 21  
 local authorities, 27, 39  
 local elections, 34, 37  
 local government  
     equal representation of women, 39  
 Local Government Act, 39  
 local government bodies  
     aldermen, 27  
     mayor, 27–8, 32, 34, 42  
     municipal council, 27–8, 31  
     municipal executive, 27  
 local referendum, 39  
 Lower House, 21–2  
 management by objectives, 42  
 materialistic ‘old’ politics, 34  
 municipalities, 19, 27–32, 34, 37–9, 41–3  
     radical internal reorganizations, 42  
     small share in state spending, 29  
 new municipal accounting system, 42  
 new political culture, 37, 39–40  
 new political movements  
     interest in, 34  
 new public management, 41–42  
 ombudsman, 39  
 partnership democracy, 42  
 permanent deputation, 29–30  
 pillars, 23  
     Catholic, 23  
     Christian-democratic, 23  
     liberal, 23  
     socialist, 23  
 political appointments, 24  
 political culture  
     Latin characteristics, 33  
 political levels, 21  
 political parties  
     *Agalev*, 40  
     *Agir*, 36  
     Christian People’s Party, 37  
     Flemish Liberals and Democrats, 40  
     *Front National*, 36  
     Party for Freedom and Modernization, 40  
     Socialist Party, 37  
     *Vlaams Blok*, 36–7, 41

- post-materialist 'new' politics, 34
- pragmatism, 23
- professionalism, 42
- provinces, 19, 27, 29–31, 37, 40
- provincial authorities, 27–8
- provincial council, 29–31, 39
- provincial governor, 29–31
- public centres for social welfare, 31
- public participation, 36
  - conventional, 33
  - forms of, 33
  - unconventional, 34
- pyramid of power, 25
- regional development
  - corporations, 30
- regions, 19–22, 25–27, 29
  - responsibilities, 25
- Senate, 21–2
- sovereignty, 20–2
- St. Michael's Agreement, 20, 39
- state reform, 19
- territorial matters, 25
- Upper House, 21
- urban environment policy, 41
- Wallonia, 19, 20, 34, 36–7, 43
  - economic decline, 36
- Walloon Regional Council, 26
- White Movement, 36
- capitalism
  - link with nation state, liberal democracy, 2
- Catalonia, 110–12, 117, 125, 131
  - autonomous institutions, 110
  - Open Parliament, 130
  - parliament, 130
  - Tarradellas, Josep, 111
- centralization of power
  - in financial domain, 335
- Channel Islands, 305, 324
- citizen
  - attitudes of ordinary, 8
  - informed, 8
  - involvement in subnational government, 8
- citizenship, 1–2
  - criteria of aptitude, 1
- city states
  - Greek, 1
  - Italian, 8
- collective action
  - participation in traditional forms of decline, 11
- Committee of the Regions, 5, 7–8, 10, 12, 71, 100, 104–105, 129, 146, 181, 336–7
  - enhancing local and regional democracy, 336
- Common Agricultural Policy, 162
- competition
  - among regions and cities, 10
- Conference of Peripheral Maritime Regions, 10, 146, 263, 316
- Congress of Local and Regional Authorities of Europe, 312
- Constitution
  - Austria, 225
    - allocation of responsibility, 232
    - amendments, 245
    - foundation, 225
    - principles, 225
    - reflecting compromise, 225
  - Belgium, 19, 31, 38
  - Denmark, 48
  - Finland, 270, 277
  - France, 137, 141, 143
  - Germany, 65–6, 69, 71, 75–6
    - recognizing political parties, 66
  - Greece, 96–7, 103–104
  - Ireland, 151, 153
  - Italy, 172–3, 183
  - Luxembourg, 188–9, 192
  - Netherlands, the, 195–7, 199, 201

- Portugal, 252–3, 255, 264–5
  - socialist orientation of, 252
- Spain, 109, 111–14, 116–18, 122, 125–6, 129–30
- United States, 1
- control
  - local, 10
- Cotrao, 182
- Council of Europe, 336
  - Charter of Local Self-Government, 193
- Council of Ministers, 7–8, 71
- decentralization, 335, 337
  - within* local government, 337
- democracy
  - collapse of, 7
  - direct, 1
  - European invention, 1
  - grass-roots, 79
  - liberal, 1–3, 5, 7
    - threat from Soviet Union, 7
  - participatory, 1
  - practice of, 4, 13, 305, 333–4, 336, 340
    - approximation of elusive ideal, 334
  - representative, 1
  - variety of meanings, 1
- democratic government
  - subnational levels of, 3
- democratic life
  - challenge, bringing citizens in, 338
  - enhancement of, 333, 335
- democratic practice
  - influence on, 9
  - new models of, 10
- democratic system, 3, 7
  - entrenchment in European Union member states, 3
- Denmark, 267, 269, 276, 335, 337
  - 1970s economic and political crisis, 47
  - annual economic agreement, 57
  - central v local level, 49
  - citizens' panel, 61, 339
  - City of Copenhagen, 50–1, 54, 60–1
  - compared to other Nordic countries, 48
  - consensus, 47, 49, 61
  - constitutional monarchy, 49
  - cooperation across political lines, 47
  - corporatism, 47, 49
  - counties, 50, 52, 60
  - county councils, 50, 52, 60
    - functions, 52
    - reorganization, 52
  - county supervisory committee, 52
  - decentralization, 58–9
  - direct democracy, 48–9, 62
  - economic problems, 58
  - electoral turnout, 50, 53, 59
  - EU membership, 48, 51, 54, 56
    - effect on local authorities, 56
  - free commune experiment, 61, 335
  - grass-roots activities
    - participation in, 54
  - information offices, 56, 59
  - local authorities, 50–2, 54, 56–61
    - functions, 51
    - general competence, 51
    - reduce size of council, 59
  - local decision-makers
    - decreasing confidence in, 55
  - local democracy
    - satisfaction with, 54
  - local government, 51, 56–60, 62
    - equal representation of women, 54
    - fragmentation, 59
    - important role of, 335
    - reorganization of, 52–3, 58
  - local government bodies

- mayor, 49, 51–2, 54
- local politicians, 55, 62
  - 1990s increasing confidence in, 55
  - negative attitude of, 49
- local referendum, 49, 54, 62
- local self-government
  - protection by Constitution, 50
- local-authority-wide surveys, 54–5
- loss of Schleswig and Holstein to Prussia, 47
- management by objectives and results, 59
- minority governments, 50
- municipal council, 51, 54, 59
- municipalities, 50–4, 59–61
- new parliamentary practice, 50
- number of committees
  - reduction of, 59
- obligatory user boards, 60, 339
- parliament, 48–51, 60
- parliamentary instability, 50
- political decision-making
  - public involvement in, 48
- political parties
  - Centre Democrats, 50
  - Conservative People's Party, 47, 52, 60
  - difficulties for, 47
  - emergence of new, 47
  - Liberal Democratic Party, 52
  - local v national level, 52
  - number of, 49
  - Progress Party, 50
  - protest parties, 50
  - Social Democratic Party, 52, 60
- privatization, 59
- professional networks, 49
- public participation
  - decline in, 54
- public services
  - contracting out of, 59

- reductions in central government grants, 58
- referendum, 48–9, 51
- regional restructuring, 56
- relative social and ethnic homogeneity, 47
- representative democracy, 48, 59, 61–2
- right to vote, 53
- royal autocracy, 47, 49
- state county prefect, 52
- steering and governing public activities
  - new ways of, 59
- submunicipal committees, 54, 61–2
- system of democracy
  - features, 48–9
- taxes as source of finance, 57
- two-chamber assembly, 47
- universal suffrage, 47
- user influence, 48–9, 54, 60–2
- voluntary organizations, 49
- wait-and-see policy, 56
- welfare state model, 335
- welfare system, 47–8, 50
  - transformation of, 48
- Directorate General
  - XVI, 5
- disaffection from politics, 338
- disillusionment and apathy, 338
- divine right of kings, 1
- Economic and Monetary Union, 5
- electoral system
  - bonus system
    - Italy, 174
  - first-past-the-post
    - Scotland, 319–20
    - United Kingdom, 306
- plurality
  - Scotland, 320
  - United Kingdom, 306–307

- proportional representation
  - Austria, 230
  - d'Hondt system, 112, 119, 253, 255
  - Denmark, 49, 53
  - Finland, 267, 269, 273
  - France, 137, 140, 142
  - Germany, 69, 74
  - Ireland, 154
  - Italy, 172–4
  - Luxembourg, 188, 191
  - Netherlands, the, 197
  - Northern Ireland, 307, 323
  - Portugal, 252–4
  - Scotland, 320
  - Spain, 112, 116, 119
  - Sweden, 284, 288
  - United Kingdom, 306
- electoral turnout
  - declining, 338
- Enlightenment, 134, 340
- entertainment
  - new forms of, 11
- Environment Centre of the European Mediterranean Regions, 106
- Europe
  - as distant from citizens, 336
- Europe of the Regions, 146
- Europe with the Regions, 5
- European challenges and opportunities
  - responses to, 336
    - *attentiste*, 336
    - passive, 336
    - proactive, 336
- European Charter of Local Self-Government, 312
- European Commission, 162, 164, 167, 336
- European Community, 98, 146, 181, 251–2, 263, 265
- European Council, 8
- European Parliament, 5, 7–8, 135, 153, 162, 320, 336–7
- European policy-making system
  - role of regional and local authorities, 336
- European Regional Development Fund, 98, 162
- European Union, 3, 5–10, 12, 128, 146, 181, 251–2, 262–3, 333, 336, 340
- Europeanization, 10, 56, 96, 146, 181, 243, 252, 316, 336
- Faroe Islands, 49–51
  - autonomous status, 51
  - independence, 51
- fascism, 2
- federalism
  - cooperative, 5
  - dual, 5
- federalization, 335
- federation
  - different types of, 4
- Finland, 48, 56, 58, 335, 337–8
  - Åland, 270
  - Association of Finnish Local and Regional Authorities, 271, 273, 275
  - bilingual population, 271
  - citizens' written motion, 279, 339
  - civil war, 267
  - consensus, 267–8
  - contemporary Finnish politics and society, 267
  - decentralization, 277
  - electoral participation, 269, 273
  - electoral turnout, 269, 273
  - EU membership, 268–70, 274–5
  - Finnish-speaking population, 267–8, 271
  - free commune experiment, 274, 278, 335
  - grand duchy within Russian



- Empire, 267
- growing political discontent, 274
- independent state, 267, 269
  - conflicts within, 267
- intermunicipal cooperative
  - arrangements, 270
- joint municipal authorities, 270
- language division, 268
- Left-Wing Alliance, 272
- legitimation crisis, 274
- local authority, 268, 270–1, 273–7, 279
  - autonomy, 270
- local government, 268–9, 274–9
  - equal representation of women, 271, 273
  - important role of, 335
  - reorganization, 277
- Local Government Act, 271, 278
- local government bodies
  - council, 271, 273, 278–9
  - executive committee, 271
- local referendum, 273, 339
- local self-government, 269, 277
- multiparty system, 268
- municipalities, 269–71, 273–9
  - kommuner*, 269
  - kunta*, 269
  - sources of income, 275
- one-chamber Assembly, 267
- parliamentary democracy, 269
- policy diffusion from Sweden, 268
- political cleavages, 268
- political parties
  - Centre Party, 272
  - Communist Party, 268
  - Conservative Party, 269
  - National Coalition, 272
  - Social Democratic Party, 268–9, 272
- position between East and West, 267

- president
  - elected, 269
  - role of, 269
- public sector
  - characteristics of, 268
  - welfare model of, 268
- referendum, 269
- regional councils, 270–1, 278–9
- regional influence, 270
- right to vote, 273
- semi-presidential system, 269
- socio-economic division, 268
- Swedish Assembly, 268
- Swedish-speaking population, 267–8, 271
- transfer of functions
  - central to local, 276
- transformation of the regional level, 277
- transfrontier cooperation, 275
- universal suffrage, 267
- welfare state model, 335
- westward orientation, 267
- youth councils, 279, 339
- Four Motors of Europe, 140, 146, 182
- France, 175, 182, 251
  - advisory council, 139
  - Ancien Régime*, 139
  - as model of state organization, 133
  - authoritarian regime, 138
  - authoritarian tradition, 134
  - autogestion*, 144
  - autonomy, 134, 141, 144
  - Capetians, 133
  - centralization, 133, 143
  - centralized administration, 133
  - centralized democracy, 138
  - centralized state, 133, 135, 144
  - chambers, 143
  - Chirac, Jacques, 137, 141
  - Colbertism, 133

*collectivité territoriale*, 141  
 Community Support Frameworks, 146  
 concept of the nation state, 133  
*Conseil constitutionnel*, 141  
*contrats de plan Etat-Région*, 140  
 Corsica, 135, 141, 144, 253  
 cross-border programmes, 141  
*cumul des mandats*, 133, 136, 139, 142  
 De Gaulle, Charles, 137, 143  
 decentralization, 133, 135–6, 139–42, 144–8  
 democratic legitimacy, 136  
 departmental council, 136, 142  
 departmental councillors, 137–8  
 departmental model, 133  
 departmental structure, 139  
 departments, 134, 136–7, 139–2, 144–5, 147  
     as political and administrative entities, 145  
 district councillors, 138  
 elected mayor, 141, 145  
 elections, 134–6, 138–40, 142–3, 145, 148  
 Europe  
     attitude towards, 145  
 Fifth Republic, 137, 143  
 fragmentation of political system, 136, 142  
 French system, 143  
     inspiration, 133  
 institutionalizing negotiation and concertation, 147  
 Jospin, 137, 139  
 Joxe, Pierre, 141  
 judicial courts, 134  
 judiciary, 135  
 Kingdom of France, 133–4  
 legal systems, 134  
     Germanic common law, 134  
     written Roman law, 134  
 local authorities, 135, 137–8, 142, 144–5  
 local democracy, 136, 138–9, 144, 147  
 local government, 135–6, 138  
     easier access to, 147  
 local political system, 136, 143  
 local politicians, 136, 138, 145–6  
 Louis XVI, 133  
 mayor, 135–9, 141  
 metropolitan departments, 141  
 Middle Ages, 138  
 Mitterand, François, 137, 144  
 monarchy, 133  
 multiple holding of offices, 133  
 municipal council, 138–9  
 municipal councillors, 138  
 municipal level, 134  
 municipalities, 135–6, 138–9, 141–2, 144–5, 147  
     attachment to, 138  
 Napoleon, 135, 138–9  
 National Assembly, 137  
 network of counterbalances, 133  
 new social order, 134  
 oligarchy, 134  
 one and indivisible Republic, 133, 140  
 openness, 147, 339  
 opinion surveys, 147, 339  
 overseas departments, 135, 141  
 overseas territories, 135, 141  
 Paris, 133–5, 139, 141, 143  
 parliament, 137, 141–2  
 participatory democracy, 147  
 pays d'Etats, 134  
 political parties, 140, 142  
     Anarchist Party, 144  
     French Communist Party, 144  
     Radical Party of the Left, 144  
     Rally for the Republic, 142

- Union for French Democracy, 142
- politico-administrative system, 140
  - incorporating periphery in centre, 133
- prefect, 136, 138–9, 145
- president, 137, 139, 141, 146
- provinces, 134
- rationalization of administrative system, 147
- rebuilding local citizenship, 147
- referendum, 137, 146
- regional council, 133–4, 136, 140–2
- regionalism, 140
- regionalization, 140
- regions, 134, 136, 140–2, 144–8
  - as union of departments, 140
  - with special status, 141
- representative democracy, 135, 147
- Republican tradition, 134
- republican vision of the nation state, 133
- Revolution, 133–4, 137, 139
- Saint-Just, 134
- semi-state bodies, 137, 143
- sovereignty, 135
- subdepartmental territorial units, 139
- Third Republic, 1, 134–5, 138, 143
- Vichy France, 134
- Galicia, 110, 112, 117
  - Galician Statute, 110
- general will, 1
- German Democratic Republic, 67, 75–6, 85
- Germany, 2, 5–7, 9, 197–8, 215–16, 335, 337
  - ‘round-table’ participation, 85, 88
- accumulation of votes on one candidate, 86
- administrative reform, 68, 75, 84, 89
- banks, 68, 78
- Basic Law, 65–6, 68–72, 74, 77, 83, 85
- Bundesrat*, 66, 70–1, 76, 83
- Bundestag*, 66, 69, 71, 75–76, 83, 85
- business associations, 67
- charitable associations, 78, 84
- churches
  - influence on policy, 78
- citizens’ action groups, 67, 78–9
- coalition, 69, 76
- constitution
  - Magistrat*, 74
  - northern German council constitution, 74
  - southern German council-mayoral constitutions, 74
- constitutional theory, 68
- corporatism, 84
- direct democracy, 66, 72, 74, 80, 85, 87, 89
  - advisory councils, 86
  - citizens’ assemblies, 86
  - participation in parliamentary committees, 86
  - urban areas, 86
- elected mayor, 74, 76
- electoral turnout, 76
  - downward trend, 76, 89
- Ernst Commission, 83
- federal chancellor, 69, 76
- federal legislation, 68, 70–1, 85
- federal president, 69
- federalism, 67–8, 89
- framework legislation, 69
- future workshops, 88, 339
- German Association of Rural

- Districts, 77
- German Association of Towns, 77
- German Confederation, 67–8
- German Federation of Towns and Local Authorities, 77
- interest groups, 67, 78
- internal party democracy
  - debate on strengthening of, 77
- Land* elections, 76
- Länder*, 66–73, 75, 77–87, 89–90, 114, 228–229, 235
  - Baden-Württemberg, 74, 83, 85, 87
  - Bavaria, 74, 83, 85, 87
  - Berlin, 71
  - Brandenburg, 75, 83
  - Bremen, 71, 83
  - budget policy, 76
  - financial room for manoeuvre, 82
  - financial-equalization scheme, 72
  - government, 71, 76–77, 87
  - Hamburg, 71, 83
  - Hesse, 74, 83
  - involvement in federal legislation, 70–71
  - Lower Saxony, 74, 83, 88
  - ministerial conferences, 77
  - North Rhine-Westphalia, 71, 74, 84–85
  - parliament, 71, 77, 87, 89
  - petition, 75, 85, 87, 339
  - referendum, 85, 87, 339
  - responsibility of, 68
  - Rhineland-Palatinate, 74, 83
  - Saarland, 74, 83
  - Saxony-Anhalt, 75, 89
  - Schleswig-Holstein, 74, 83, 85
  - shortage of funding, 80
- local authorities, 68–71, 73, 75–78, 80–84, 85, 87, 88–90
  - integrated network of policies, 82
  - remit, 73, 81, 83
  - revenue, 73
- local elections, 76
- local government
  - responsibility of, 69
- local government bodies
  - aldermen, 74
  - Magistrat*, 74
- local self-government, 66, 68–9
- mass unemployment, 82
- ministries for women, 82
- multistage dialogue, 88, 339
- municipal statutes, 74–5
- new social movements, 67, 79
- North German Confederation, 67
- Parliamentary Council, 66
- plebiscites, 66, 85, 87
- political parties
  - Alliance '90/The Greens, 66–7, 75–6
  - Christian Democratic Union, 75–8, 85
  - Christian Social Union, 75–6, 78, 85, 87
  - decline in strongholds, 76
  - Free Democratic Party, 75–7, 85
  - Green Party, 67, 77, 79
  - National Democratic Party of Germany, 76
  - Party of Democratic Socialism, 75–6
  - Republicans, 75
  - Social Democratic Party of Germany, 66, 75–7, 83
- popular decision-making, 75, 85, 87
- referendum, 66, 72, 83, 85
- sectoral associations
  - lobbying activities, 78
- self-help groups, 78

social disintegration, 76  
 social state, 65–6  
 subsidiarity principle, 79  
 ticket splitting, 86  
 trade unions, 67, 78–9, 84  
 unification, 66, 69, 71, 75–6, 79,  
     82–3, 85  
 Weimar Republic, 66–7  
 women's agencies, 82  
 women's equality boards, 82  
 women's movement, 82  
 globalization, 9–10, 243  
 governance, 9  
     European, 5, 13  
 Greece, 2, 7, 261, 335, 337  
     administrative reforms, 106, 108  
     ancient Athens, 94  
     Balkan War, 93  
     centralized system of government,  
         93, 107  
     centralized tradition, 99  
     Civil War, 94–5  
     communities, 94–5, 98, 100–104,  
         107  
     concept of democracy, 94  
     conflict with neighbours, 93  
     consultative prefecture councils,  
         100  
     courts, 96–7  
     Crete, 93, 96  
     decentralization reforms, 107  
     decentralized clientelism, 94  
     development syndicates, 102  
     elected mayor, 95–6  
     EU membership, 98, 105, 107  
         as uneasy interdependence, 106  
     French system of centralized state,  
         93  
     Grecianism, 93  
     Hellenism, 93  
     institutional and organizational  
         fragility, 93  
     Law 1235/1982, 100  
     Law 1622/86, 98, 99  
     Law 2539/1997, 102, 104  
     legal system  
         influences, 97  
     legislature, 96  
     local government, 93–6, 98–104,  
         106–107  
         fractionalized nature of, 101  
     local government reforms, 101  
     London Protocol, 93  
     military dictatorship, 94–5, 97  
     ministers, 96–7, 105  
     monarchy abolished, 97  
     monastic community, 101  
     municipal enterprises, 102  
     municipalities, 93–6, 98, 100–104,  
         106–107  
         amalgamations, 102  
         types of, 100  
     *nomarch*, 99  
     oligarchic parliamentarism, 94  
     Orthodox Church, 97  
     parliament, 94, 96, 99, 105  
     parliamentary republic, 97  
     part of the Ottoman Empire, 93  
     partial liberation, 93  
     planning contracts, 102  
     political parties  
         Communist Party of Greece,  
             94–5  
         Liberal Party, 94  
         New Democracy, 100, 103  
         Pan-Hellenic Socialist  
             Movement, 100–101, 103,  
             106–107  
     prefect, 95, 96, 98, 105  
         elected, 100  
     prefecture, 95–96, 98–101, 105–  
         107  
     president, 94, 96–7  
         reduction of powers, 97

- prime minister, 96–7
- proportional electoral law, 101
- province, 98
- recent addition, 93
- referendum, 97
- regional governor, 99
- regional level of government, 96
- regional structures
  - lack of, 98
- regionalist movements, 96
- regions, 98–9, 104, 106–107
  - as deconcentrated
    - administrative entities, 99
  - strong governmental authority, 93
  - tiers of local government
    - second, 98
- transition to democracy, 96
- Greenland, 49, 51
  - autonomous status, 51
- Hanseatic League, 8
- horizontal learning process, 337
- Iceland, 273
- imperialism, 2
- individual, 1, 11
- individualism, 11
- Industrial Revolution, 303
- innovative approaches, 339
  - limited success, 339
  - problems with, 339
- institutional change, 340
- Integrated Mediterranean
  - Programmes, 98, 106
- internal committee system, 337
- Internet, 130–1, 318, 327, 339
- Interreg, 336
- interregional associations
  - trans-European, 336
- Ireland, 2, 5, 175, 260–1, 263, 305, 308, 316, 323–4, 333–5, 340
  - Act of Union, 151
  - Anglo-Irish Treaty, 152
  - area-based partnerships, 164–7
    - as part of United Kingdom of Great Britain and Ireland, 151
    - Barrington Report, 162
    - benefits of economic success, 164
    - Catholic Church, 152
    - Catholics, 152–3
      - as nationalists, 152–3
      - assuming impornt roles, 152
    - centralization, 153
    - Civil War, 152
    - clientelism, 153, 157, 159, 162
    - Common Travel Area, 154
    - community development, 157, 164–7
    - Community Directors' Forum, 159
    - counties, 151, 154, 161, 163
    - county borough corporations, 154
    - county councillors, 163, 166
      - as conduits between local and central, 155
    - county councils, 154
    - county enterprise boards, 164, 167
    - county manager system, 158
    - county strategy groups, 167
    - decentralization, 161
    - democratic experimentalism, 164
    - democratization, 151, 153
    - Department of Finance, 161–2
    - Department of the Environment, 164–5
    - Devolution Commission, 160, 164–5
    - Dublin Castle, 151, 153
    - electoral turnout, 156, 160
    - Emancipation Act, 152
    - EU membership, 160, 162
    - famines, 152
    - Free State, 151
    - growth pole idea, 161
    - Home Rule, 151–2
    - Hume, John MEP, 162
    - Industrial Development Agency,

- 161
- integrated rural development, 166
- land ownership
  - conflict over, 152
- land reform, 152
- local authorities, 153, 155, 157, 159, 162–4, 165, 167
  - financial base, 155
  - functions, 155
- local councillors, 159, 162, 167
  - elected, 167
- local development, 159, 164
- local elections, 154–6, 160
  - disaffection towards, 156
  - seriousness of, 155, 156
- local government, 151, 153, 155, 157–62, 164–7
  - marginalization of, 160
  - problems of tradinional form of, 164
- Local Government Act, 151–2, 162
- National Development Plans, 162–3
- nationalism, 152–3, 160
- nationality, 152–3
- non-party councillors, 156
- Operational Programme for Local Urban and Rural Development, 167
- parliament, 305
  - Dáil*, 153–5
  - for entire island, 151
  - Lower House, 153
  - Oireachtais*, 151
  - Seanad*, 154
  - Upper House, 154
- partition, 305
- partnership approach, 163–4, 166–7, 339
- patronage, 153, 159
- planning regions, 161
- political culture, 151–2, 159, 162, 167
  - distinctive nature of, 151
- political parties, 155
  - Fianna Fáil*, 153, 156
  - Fine Gael*, 153, 156
  - Labour Party, 156
  - Progressive Democrats, 156
- Protestants, 152
  - as unionists, 152
  - minority, 151
- regional authorities, 162–3
- regional development
  - organizations, 161
- regional government, 157, 162
- regional level of administration, 157
  - EU encouragement, 163
- regionalization, 161
  - of planning, 161
- religion, 152–3
- semi-state bodies, 161
- strategic policy committees, 165
- transformation of economy and society, 160, 167
- Údarás na Gaeltachta*, 157
- understanding of democracy, 152
- unionism, 153
- unionists, 152
- War of Independence, 151
- White Paper on local government, 161, 165
  - women elected
    - number of, 157
- Isle of Man, 305, 324
- Italy, 2, 7, 335, 337
  - alliance between North and South, 171
  - as union of many Italies, 171
  - Bicameral Constitutional Committee, 179, 182–3
  - Cattaneo, 171

central government, 174, 177, 183  
 centralized state, 171  
 clean hands investigations, 176–7  
 clericalism, 172  
 Committee of National Liberation, 172  
*Conferenza permanente stato-regioni*, 174  
 Constitutional Court, 173, 181  
 decentralization, 178  
 elected mayor, 174, 181, 183  
 elected presidents of the provincial councils, 181  
 elected regional presidents, 182  
 electoral alliances  
     Freedom Pole, 180  
     Olive Tree, 180  
 Electoral Referendum Movement, 180  
 Fascism, 172  
 Fascist state, 172  
 federal design, 171  
 French Jacobin state model, 171  
 general elections, 177  
 interregional associations, 182  
     Latin Arc, 182  
 judiciary, 173  
 Law 142, 181  
 legislature, 173  
 local government, 173, 181–2  
     reforms of, 173–4  
 local government bodies  
     executive, 173–4, 181–2  
     mayor, 174–5, 177, 181  
 local referendum, 181  
 monarchy, 171–2  
 municipalities, 173–4, 178  
 Mussolini, 172  
 nationalism, 172  
 new political forces, 177  
     ecologists, 177  
     feminists, 177  
     new regionalists, 177  
 North, 171, 173–5, 178, 183  
 parliament, 173, 179–80, 182  
     types of, 179  
 parliamentary democracy, 173  
 parliamentary groups, 180  
 petitions, 181  
 Piedmontese elites, 171  
 political parties  
     Christian Democratic Centre, 180  
     Christian Democrats, 172, 177, 180  
     Communist Refoundation, 180  
     *Forza Italia*, 180  
     Italian Communist Party, 172, 180  
     Italian Liberal Party, 172  
     Italian People's Party, 180  
     Italian Renewal, 180  
     Italian Socialist Party, 172  
     *La Rete*, 177, 180  
     Left Democrats, 180  
     List Aosta Valley, 175  
     National Alliance, 180  
     Northern League, 175, 180  
     post-war regime based on, 177  
     Sardinian Action Party, 175  
     South Tyrolean People's Party, 175  
 popular action, 181  
 post-war regime, 177  
 provinces, 173–4, 182  
 referendum, 172–3, 177, 180, 182–3  
 regions, 173–6, 178, 180–3  
     ordinary, 173–4, 182–3  
     organization of, 174  
     special, 173  
 resistance and reconstruction, 172  
 Risorgimento, 171  
 socialism, 172



- South, 171, 177–8, 180
  - unification, 171–2
- Japan, 10
- law
  - underpinning systems, 3
- LEADER programme, 164, 166, 260
- liberal democracy
  - link with nation state, capitalism, 2
- local politics
  - dominated by national political parties, 338
- local self-government, 8
  - Austria, 229
- Luxembourg
  - Benelux treaty, 187
  - compulsory voting, 191
  - constitutional monarchy, 188
  - consultative committees, 194
  - consultative forum, 339
  - controlled innovation, 190
  - Council of State, 189
  - cumul des mandats*, 189
  - democratic-corporatism, 190
  - district commissioner, 190, 192
  - economic and monetary union with Belgium, 187
  - electoral system
    - absolute-majority system, 191
    - party-list system, 189, 191
  - German Customs Union
    - inclusion in, 187
  - government
    - chosen by Grand Duke, 188
  - Grand Duke, 188–90, 192
    - as head of state, 188
  - independence, 187
  - local elections, 191
  - local referendum, 191–3, 339
  - Municipal Act of 1988, 193
  - municipal cooperation, 193
  - municipal council, 190–2
  - municipality, 190–3
- prime minister
  - chooses members of government, 188
  - chosen by Grand Duke, 188
- referendum, 189
- representative democracy, 187–8
- single legislative chamber, 187
- single-issue parties, 193
- Social Economic Board, 190
- stabilized innovation, 192
- stable social relationships, 190
- subnational government, 187
- unity with Belgium and Netherlands, 187
- marketization, 338
- mayor
  - position of, 337
- member states, 5, 7–9, 12, 105–106, 181, 212, 251–2, 263–4, 273, 334
  - central-local relations in
    - role of EU in, 336
  - reform efforts, 334
  - responses to challenges, 334
- Metternich, 229
- Montesquieu, 1
- nation
  - French understanding of, 2
  - Germanic understanding of, 2
- nation state, 1–3, 5, 7–8
  - link with capitalism, liberal democracy, 2
  - normative dimension, 1
- nationalism, 2
- Nazism, 2
- neo-liberal agenda of the 1980s, 335, 338
- Netherlands, the, 19, 23, 32, 34–5, 38, 40–2, 338
  - Amsterdam Forum*, 220
  - Arnhem 2015, 219
  - Batavian-French period, 195, 200
  - Batavian-French system, 195

benchmarking, 217  
 central government, 196, 199,  
     201–202, 219  
 centralization, 195, 197  
 citizens, 199, 207, 213–15, 218,  
     220–1  
     prominent place in decision-  
         making, 217  
 civic polls, 217, 339  
 co-government, 196, 202–203  
 consensus, 196–8, 214, 218  
 consensus model, 197  
 constitutional democracy, 197  
 consulting the public  
     new ways of, 210  
 contract management, 216–17  
 co-production, 216, 218  
 debates on the future, 219  
 decentralization, 195–7  
 dehierarchization, 213  
 demands and expectations, 214  
 depillarization, 213  
 deregulation, 217  
 elections, 200, 206, 209, 215  
     local, 204–206, 209, 215, 217  
     nationalization of local, 205–  
         206  
     provincial, 209  
 electoral turnout, 209, 212  
 extreme right, 215  
 forgotten citizen, 217  
 formal institutions expressing  
     democratic relations, 197  
 German historical school of law  
     influence of, 196  
 indicators, 217  
 institutional reform, 215  
 institutionalization, 198, 216  
 institutionalization of  
     interdependence, 202–203  
 interactive decision-making, 200,  
     218  
 interactive project development,  
     219  
 joint decision trap, 196  
*Kop van Zuid*, 219  
 local authorities, 196–7, 199–204,  
     206–209, 211–12, 216–20  
 local government, 196, 199, 201–  
     202, 207, 210, 215–16, 218  
 local politicians, 211–12  
 local referendum, 200, 214, 220–1,  
     339  
 local services, 202  
     satisfaction with, 207  
*Locale Agenda 21 Velsen*, 219  
 major town policy, 219  
 management evaluation, 217  
 measured autonomy, 203  
 meso-government, 214  
 metropolitan regions, 214  
 models of citizenship, 198, 213–14  
 modified cogovernment, 203  
 municipalities, 195, 206, 208–209,  
     211–12, 216–19, 221  
 Municipalities Act, 196, 201  
 new public management, 216–18,  
     221  
     taking root in local politics, 216  
 new social movements, 205, 212  
 open budget, 196, 199  
 open-plan procedures, 218  
 opinion polls, 221  
*Opzoomeracties*, 218  
 parliament, 197–8  
 party system, 197, 204, 208  
 permanent development process,  
     218  
 political culture  
     northern model, 199  
 political involvement  
     differences between men and  
         women, 208  
 political parties

- Christian Democratic Party, 204
- Democrats 66, 204
- Green Party, 204
- Labour Party, 204, 217
- local, 204–205
- People's Party for Freedom and Democracy, 204, 206
- political protest
  - acceptance of, 212
- political system, 197–8, 212
- politicians, 205, 209, 215, 217
  - as distant from citizens, 215
- power distribution, 196
- power-sharing, 195, 198
- privatization, 217
- product-oriented budgetting, 217
- provinces, 195–201, 214–15, 220
- Provinces Act, 196, 201
- provincial council, 200, 209
- public marketing, 218
- public participation, 209–12
  - affected by size of local authority, 211
- quantifiable policy goals, 217
- Randstad, 9
- referendum, 220–1
- Republic of the Seven United Provinces, 195–6, 198
- Rotterdam 2005, 219
- scenario workshops, 219, 339
- simulation games, 219
- social regeneration, 218–19
- Spanish-Hapsburg rule, 195
- surveys, 217, 221
- Thorbecke, J. R., 196, 198, 201–202
- Tilburg model, 216, 221
- town council consultations, 221, 339
- urban market survey, 221
- Westminster model, 197
- Nordic model, 47
- Northern Ireland, 6, 151, 162, 305, 307–308, 311, 317, 323–4, 326
- British-Irish Intergovernmental Conference, 324
- discrimination against Catholic minority, 305
- local government
  - responsibilities, 307
- Northern Ireland Assembly, 323
- Northern Ireland Centre in Europe, 316
- Northern Ireland Civil Service, 305
- North–South ministerial council, 323
- parliament, 305
  - domination by Ulster Unionist Party, 305
- political parties
  - Ulster Unionist Party, 305, 308
- political parties
  - Alliance Party, 309
  - Democratic Unionist Party, 308
  - Progressive Unionist Party, 309
  - Social and Democratic Labour Party, 308
  - Ulster Democratic Party, 309
- Norway, 48, 58, 269, 273, 276, 279
- participation
  - local, 10
- partnership, 5
- Partnership for Peace, 227
- party system
  - pluralistic, 3
- people
  - definition of who constitutes the, 3
  - notion of the, 1, 3
- policy community, 9
- policy network, 9
- policy networks
  - Austria, 239
- policy styles, 4

political decentralization, 335  
 political leaders  
   methods for electing, 4  
 political philosophy  
   common European heritage of, 3  
 Portugal, 7  
   abstention rate, 261  
   administrative regions, 253–5,  
     260, 263  
     constitutional provisions for,  
       264  
   Agencies for the Promotion of  
     Regional Development, 260  
   anti-European sentiments, 263  
   attitudes of politicians and  
     interest-group leaders, 262  
   *autogestion*, 252  
   autonomous regions, 253, 255  
   Azores, 251, 253, 255, 258, 265  
   borrowing experiences  
     Basic Law of Germany, 251  
     presidential tradition of the  
       French Fifth Republic, 251  
     Westminster-type  
       parliamentarism, 251  
   citizen groups as electoral  
     candidates, 264  
   citizens' attachment to country,  
     261  
   citizens' attachment to town, 261  
   citizens' attitudes towards Europe,  
     263  
   consensus, 252, 258, 265  
   constitutional revisions, 253, 255  
   country of contrasts, 251  
   cross-border links with Spanish  
     regions, 263  
   cross-party collaboration, 259  
   decentralization, 253, 264  
   democracy  
     consolidation of, 263  
     historical roots, 251  
     democratic experimentation, 252  
     democratization, 251–2  
     direct democracy, 251–2, 265  
     electoral turnout, 258  
     *Estado Novo*, 252  
     EU membership, 251, 263  
     extraordinary meetings, 264  
     interpersonal relations among  
       politicians and citizens, 258–9  
   Kingdom of Spain  
     break from, 251  
     liberal democracy, 252, 265  
     linguistic community, 251  
     linguistically, 251  
     Lisbon, 255, 261, 264  
     local authorities, 253, 263–4  
     local democracy, 252, 259, 264  
     Local Employment Development  
       Action, 260  
     Local Employment Initiatives, 260  
     local government, 252–3, 259, 261  
       equal representation of women,  
         259  
     local people's organizations, 264  
     local politicians, 263, 265  
     local referendum, 264, 339  
     local-level community groups  
       absence of, 260  
     lusophone, 251  
     Madeira, 251, 253, 255, 258, 265  
     membership of pan-European  
       associations, 263  
     Middle Ages, 251  
     minutes of meetings, 264  
     municipal assemblies, 125, 254,  
       258–9  
     municipal chambers, 259  
     municipal representatives, 254  
     municipalities, 253  
     parish assemblies, 259  
     parish boards, 259  
     parish elections, 264

parishes, 253–4, 265  
 parliament, 252–3  
 participatory democracy, 251  
 partnership approach, 259, 261  
 party implantation  
     regional dimension to, 257  
 party system, 261  
     at local level, 258  
     bipolar nature of, 255  
 personalization, 258, 261, 265  
 petition, 265, 339  
 plenary assembly of voters, 265  
 political culture  
     at local level, 258  
 political parties  
     Democratic and Social Centre, 255  
     Popular Monarchist Party, 255  
     Popular Party, 255  
     Portuguese Communist Party, 255  
     Social Democratic Party, 255, 258  
     Socialist Party, 255, 258, 263  
 pragmatism, 259  
 president, 252–3, 255  
 public meetings, 264  
 publication of decisions, 264  
 referendum, 264–5  
 Regional Development Plan of Portugal, 260  
 regional government, 253–4  
 regional level, 259, 262  
 regionalization, 262–5  
 Revolution of Carnations, 251–2  
 sociologically, 251  
 special association of municipalities, 255  
 territorial development of, 251  
*vote utile*, 258  
 voting against setting up of regions, 335  
 press  
     free, 3  
 pressure groups, 9  
 public administration  
     modernization of, 335  
 referendum, 4  
 reform of parliamentary procedures, 337  
 region  
     ways of defining, 5  
 regional aid programmes  
     cuts in, 10  
 regionalism, 5–6  
     competitive, 333  
     early, 5  
     modernizing project, 5  
     old and new, 5  
     progressive form of, 5  
 regionalization, 6, 335–6  
 respect for regional and local cultures, 10  
 Revolution  
     French, 1  
 Rights of Man and the Citizen, 1  
 Rousseau, 1  
 Scotland, 5–6, 304–307, 311, 316–17, 320–2, 324, 326  
     Convention of Scottish Local Authorities, 311, 320  
     democratic deficit, 304  
     parliament, 319, 320–1, 324, 326  
     legislative powers, 320  
     taxation, 320  
     referendum, 319–21  
     White Paper on devolution, 320  
 self-determination of peoples  
     principle of, 2  
 Silicon Valley, 9  
 Single European Market, 5, 10, 56  
 societal change, 10  
 Soviet Union  
     collapse of, 267, 276

- countries of the former, 2–3
- threat to Western liberal democracy, 7
- Spain, 6–7, 251, 263, 265, 335
  - 1868–73 period, 109
  - administrative court, 126
  - autonomic state, 335
  - autonomous cities, 126
  - autonomous communities, 111–14, 116–30
    - common institutional features, 116
    - differentiating factors, 117
    - features shared with European federal systems, 118
    - financing of, 116
    - types of, 114
    - undeveloped relations, 117
  - Ceuta, 126
  - citizens' panels, 339
  - civil governors, 110
  - civil war, 109–10
  - confederation, 124–5, 128
  - Congress of Deputies, 112–13, 122
  - Constituent Parliament, 111
  - Constitutional Court, 112–14, 116–18, 129
  - corruption scandals, 128
  - decentralization, 110–11, 129
  - declaration of citizens' rights, 111
  - Decree of 29 September 1977, 111
  - democratic elections
    - first, 111
  - Diputación*, 119
  - direct democratic participation, 129
  - elected mayors, 130
  - Euzkadi ta Azkatasuma*, 124
  - Ferdinand VII, 109
  - First Republic, 109–10
  - forums, 131, 339
  - Franco regime, 109–10, 112, 127
  - General Council of the Judiciary, 113
  - government regulations
    - involvement of individuals in, 129
  - guiding idea structuring democracy
    - absence of, 111
  - historic territory, 119
  - Infoville programme, 131
  - Interterritorial Compensation Fund, 116
  - islands
    - governing council, 119
  - joint official status of languages, 117
  - joint sovereignty, 128
  - King, 109, 112
    - as symbol of unity, 112
  - liberalism, 111
  - local authorities, 120, 125–6, 131
    - Cinderella role of, 118
    - empowering movement, 125
    - financial autonomy of, 126
  - Local Finance Act, 126
  - local government, 120, 125
  - local government bodies, 118
    - mayor, 119, 125, 130
  - Local Network programme, 131
  - local pact, 125, 129
  - Mancomunidad*, 110
  - Melilla, 126
  - municipal council, 119, 127
  - municipal tax revenues, 126
  - municipalities, 110, 119, 121, 124–6, 128–31
    - dissatisfaction with minimal operational capacity, 125
    - low level of organizational independence, 125
  - nation

- concept of, 112
- national parliament, 110, 112–14, 116, 122, 127
- nationalist movements, 110
- nationalities, 112–13, 122
- Núcleos de Intervención Participativa*, 131
- Open Parliament, 130
- Organic Law on the Financing of the Autonomous Communities, 116
- participatory consultation bodies, 131
- party system, 121
- party-political system
  - preventing creation of, 109
- policy encouraging mergers of municipalities, 124
- political parties, 113, 121, 128
  - Aragonese Regionalist Party, 122
  - Basque Nationalist Party, 121–2
  - Canary Island Coalition, 122
  - Communist Party of Spain, 121
  - Convergence and Union, 121–2
  - Democratic and Social Centre, 121
  - Galician Nationalist Bloc, 122
  - Popular Party, 121–2
  - Spanish Socialist Workers' Party, 114, 121–2, 128
  - Union of the Democratic Centre, 114, 121
  - Union of the People of Navarre, 122
  - United Left, 121
- popular legislative initiatives, 129
- primary elections, 128
- prime minister, 113, 128
- provinces, 110, 113, 119–20, 125
- referendum, 110, 129
- regional autonomy, 110
  - regional civil law, 117
- Restoration, 109
- right of self-determination, 128
- Rivera, Primo de, 110
- Second Republic, 109–10, 113
- Senate, 112–13, 128
- social integration, 339
- state
  - concept of, 112
  - Suárez, Adolfo, 111, 121
  - survey, 339
  - traditional languages, 110
  - types of law, 113
    - organic laws, 113, 116, 122
  - urban planning, 126
- state
  - nature, role, and function
    - change in, 336
- state organization, 3
  - federal, 4, 6–7
    - Belgium, 19
  - union, 5, 304
  - unitary, 4–7
    - Belgium, 19
    - centralized, 5
    - decentralized, 5, 19, 196, 198, 202, 216, 335
    - Germany, 67, 79
    - Luxembourg, 187, 192
    - Netherlands, the, 196, 198, 202, 216
    - regionalized, 5
- state tradition, 3
  - Mediterranean, 4
  - Napoleonic, 3
  - national, 3
  - United Kingdom
    - lack of, 303–304
- strengthening executives
  - rather than assemblies, 337
- strengthening regional and local democracy

- opportunities for, 336
- strengthening the centre
  - at expense of regional and local levels, 334
- Structural Funds, 56, 163, 335
- subnational level
  - of democratic government, 3
- subsidiarity, 5
- Sweden, 48, 56, 58, 61, 261, 267–9, 276, 335, 340
  - amalgamation reforms, 285, 288
  - central-local relations
    - informal, 292
    - mutual trust and understanding, 292
  - citizens' panel, 297, 339
  - conflict management, 281
  - consensus, 281
  - constitutional monarchy, 284
  - cooperation, 281
  - corporatism, 284
  - corporatist democracy, 282
  - counties, 285–7, 292, 295–6
    - reduction in number of, 285, 296
  - county council, 286–8, 290, 292, 296–7, 299
  - decentralization, 283, 294–5
  - decorporatization, 283
  - democracy
    - conceptualization of, 281
    - organization of, 282, 284
  - demonstrations, 289
  - direct contact with officials, 289
  - economic, social, and political development, 281
  - education system
    - under local-government control, 283
  - electoral turnout, 285, 287
    - non-Swedish citizens, 287
  - establishment of market-like

- relationships, 293
- EU membership, 283, 291–92, 296
- Federation of County Councils, 292, 296
- finding right officer or decision-maker, 295
- fraud scandals, 291
- free commune experiment, 297, 335
- governing by objectives, 283, 293
- homogeneous character of, 282
- local authorities, 282, 284–6, 289–95, 297–8
  - functions of, 286
  - involvement in international organizations, 291
  - open question sessions, 297
- local democracy
  - annual evaluation, 298
- local government, 282–5, 290, 291–4
  - changing situation, 293
  - equal representation of women, 288
  - financial resources, 292–3
  - important role of, 335
  - position of, 282–3
  - professionalization, 290
  - relative autonomy, 285
  - source of income, 292
- Local Government Act, 297
- local government bodies
  - executive, 286, 290–1
- local internationalization
  - strategies, 292
- local politics
  - interest in, 289
- local referendum, 289, 297
  - called by minority, 298
- local-democracy balance sheet, 298, 339
- local-government services, 293



- municipal committees, 286, 288, 295
- municipal council, 286–8, 297–8
- municipal organization
  - changes in, 295
- municipalities, 285–9, 291–2, 294–9
- open government
  - tradition of, 285
- parliamentary commission
  - suggestions, 298
- petition, 289, 339
- political decision-makers
  - increasing mistrust towards, 290, 293
- political parties
  - changes regarding, 283
  - Christian Democrats, 283
  - cooperation between, 287
  - declining membership of, 283
  - emerging new parties, 283
  - Environmental Party, 283
  - New Democracy, 283
  - prominent role of, 282
  - Social Democrats, 282–3, 295
  - strong position in local councils, 286
- political transformation, 281
- privatization, 284
  - continuation of, 295
  - new ideas about, 295
- public participation, 289, 298
- public sector, 281–3, 295
  - commitment to welfare, 281
- purchaser-provider models, 293
- referendum, 285
  - on EU membership, 292
- regional level, 286, 296, 299
- regional model of decision-making
  - encouragement of, 296
- regional transformation, 299
  - format of, 296
- right to initiate council agenda issues, 298
- submunicipal committees, 294–5, 297, 299
  - directly elected, 298
  - non-party elections, 297
- Swedish Association of Local Authorities, 292
- tax rates
  - highest in western world, 281
- trade unions
  - membership, 282
- transformation of society, 281
- twin-city relationships, 291
- unemployment, 284, 287, 293–4
- user boards, 295, 339
- welfare services
  - reductions in, 282, 293
- welfare state model, 335
- youth council, 298
- Swedish model, 281–2, 335
  - changes in, 282
- technological development, 11
- Treaty of Versailles, 2
- Treaty on European Union, 10, 66, 71, 112
- ultra vires*
  - Ireland, 151
  - Scotland, 320
  - United Kingdom, 307, 309
- United Kingdom, 1, 5, 151–3, 155, 162, 175, 196–7, 254, 334–5, 337
  - 1997 General Election, 319
  - Act of Union, 304–305
  - administrative regions, 324
  - advisory panels, 313
  - agentization, 307
  - Anglo-Irish Agreement, 316, 324
  - Audit Commission, 313
  - beacon councils, 325
  - best value, 325–6, 338
  - Birmingham City Council, 316

cause groups, 312  
 central government  
     unpopularity of, 313  
 Central Local Partnership  
     Meeting, 325  
 centralization, 307, 316  
 citizens' juries, 313, 318–19, 327,  
     339  
 Commission for Local  
     Democracy, 313, 318  
     final report, 313  
     recommendations, 313  
 community forums, 313, 328–9,  
     339  
 compulsory competitive tendering,  
     307, 325–6, 338  
 concept of democracy, 303  
     primacy of the individual, 303,  
     308  
 constitutional reform, 319  
 consultative forums, 318, 329  
 customer panels, 318–19, 329  
 democracy  
     improvement of, 326  
 democratic deficit, 317, 319, 323  
 devolution, 335  
     administrative, 304  
 different electoral systems, 6  
 diversity at regional level, 311  
 elected mayor, 313, 318, 320, 323,  
     325–7  
 electoral turnout, 315, 325  
 electronic democracy, 318, 327  
 elitism, 311  
 European dimension  
     constitutional issues, 316  
 federalization, 321  
 Good Friday Agreement, 305,  
     316–17, 324, 326  
 Greater London Authority, 323  
 institutional changes, 307  
 Labour Government, 307, 312–13,  
     316–17, 323–6  
 liberalism, 304  
 local authorities  
     enabling role of, 307–308  
     European activity of, 316  
     mobilization of, 316  
 local government, 303–304, 306–  
     11, 313–14, 318, 320, 322–3,  
     325, 327  
     as form of government, 306  
     committee system, 307, 318,  
     325  
     community involvement, 319  
     crisis, 312  
     criticism of, 313  
     declining power of, 306–307,  
     312  
     difficulties, 313  
     favourable view of, 314  
     financial accountability, 325  
     ignorance about, 314–15, 317  
     limits to services, 307, 312  
     new political structures, 325  
     partnership, 325  
     party politics, 308  
     reforms, 325–6  
     relation to central government,  
     317  
     representation at national level,  
     311  
     services, 306–307, 310, 312,  
     314, 325–8  
     White paper, 325  
 Local Government (Ireland) Act,  
     151  
 Local Government Association,  
     311, 313, 325–6  
 local government bodies  
     backbench councillors, 310  
     mayor, 310–11, 323  
     officers, 310  
 Local Government Commission

- for England, 312, 314
- local-authority-wide surveys, 318, 328
- lower classes, 303
- mayor
  - role of, 325
- nationalist movement, 305
- neo-liberalism, 308
- nightwatchman state, 304
- opinion polls, 313, 328, 339
- parliament, 151, 153, 303–307, 314, 320–1
  - doctrine of sovereignty of, 303
- participatory democracy, 318
- party system, 303
- performance programmes, 313
- political parties
  - affecting democracy, 309
  - Conservative Party, 304, 307–10, 321
  - independents, 308
  - Labour Party, 303–304, 308, 310, 312–13, 317, 319, 321, 324
  - Liberal Democratic Party, 308, 310, 319
  - Liberal Party, 303
- pressure groups
  - community groups, 311
  - economic groups, 311
  - producer groups, 311
  - voluntary sector groups, 312
- privatization, 307
- public hearings, 313
- quangos, 304, 312, 319, 321–2
- reduced autonomy, 308
- referendum, 325
  - London, 320, 323
  - regional government
    - England, 320, 323–4
  - regionalism, 317
    - tradition of, 324
  - representative democracy, 308, 318
    - improvements, 318
  - rights, 303–304
  - Scottish Office, 304, 320
  - trade unions, 303
  - two monarchies held by same person, 304
  - unionist movement, 305
  - welfare state, 304, 307–308
  - Welsh Office, 304, 321–2
  - White Paper, 325
  - Widdicombe Report, 307, 314, 318
- United States, 1, 5, 9–10, 158, 198, 217
- Wales, 5–6, 304–305, 307, 311, 316–17, 321–2, 324, 326
  - democratic deficit, 304
  - local government
    - modernization of, 322
    - partnership, 322
  - National Assembly, 321–2
    - legislative powers, 321
    - parliamentary features, 321
  - Partnership Council, 322
  - referendum, 319, 321–2
  - Wales European Centre, 316
  - Welsh Local Government Association, 311, 316, 322
  - Welsh National Assmby, 6
  - Wilson, Woodrow, 2



European Commission

**Regional and local democracy in the European Union**

Luxembourg: Office for Official Publications of the European Communities

1999 — XIV, 367 pp. — 16 x 23 cm





EN

Price (excluding VAT) in Luxembourg: EUR 52



OFFICE FOR OFFICIAL PUBLICATIONS  
OF THE EUROPEAN COMMUNITIES

L-2985 Luxembourg

ISBN 92-828-7618-7



9 789282 876183 >

GF-24-99-081-EN-C

EUROPEAN UNION



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