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DECENTRALIZATION AND SUB-MUNICIPAL GOVERNMENT IN SOUTH-EASTERN EUROPEAN COUNTRIES

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True this paper it would be analyzed sub-municipal government as a organizational form of local governance with comparative perspective, and elements which generally formed sub-municipal government as a tools for delivery of local public services and managing of local initiatives which are important for the local community. These two roles are crucial for understanding of dynamic in sub-municipal government. Special focus would be held on sub-municipal government in South-Eastern European countries, which they have a common history and institutional framework, with the main question: how can sub-municipal government contribute to strengthening of decentralization and democratic processes in the local community directly and, indirectly in whole society. Self-government systems which are highly decentralized usually have developed sub-municipal government. On the other side, in centralized countries sub-municipal government usually has reduced role which is connected with managing of public tasks connected with local community needs. The main question is how sub-municipal government can improve decentralization, and how those efforts at the end of the day contribute to better development of whole society.

Key words: Decentralization, sub-municipal government, South-Eastern European Countries

1. INTRODUCTION

Question of decentralization is one of the main issues in political, social and scientific discussion in countries of South-East Europe. Decentralization is important part of many of political programs, ideas or scientific analyses which describe possible reform of public administration (Wollman, H., 2000). But question of decentralization is not only connected with reform of administrative system, but also with other matters such as reform of political system, democratization of society, liberalization of relations in social community (Koprić, I. 2018, Southal, H., 2014)). Second important aspect of decentralization is participative role of citizens in political processes of local community and in whole society. In that sense, decentralization represents a tool for changing and reforming present relations in society. Decentralization as instrument for social pressure can open new dynamic in social relations of community. Also, it is important tool for reform

of relations between local and central government institutions and usually means higher influence of local government institutions to public policies in contemporary society (Koprić, I. – Klarić, M., 2014a).

One of the local institutions which are part of decentralization processes is submunicipal government. This type of organization can contribute to decentralization of local administrative services and competences in contemporary local government systems (Vučetić, D., 2016). This type of institution is form of local governance for managing local public tasks and services important for daily life of local community in some part of local government unit. In that sense sub-municipal government is part of local self-government system, but its role and influence depends of local government organization, decentralization of public administration and relation between central and local government bodies (Bakota, B. - Grbanović, T., 2011). In the case of centralized government, influence of sub-municipal government on local public services is relatively limited. Obligations and potentially jurisdiction of sub-municipal government is delegated from local public institutions in selfgovernment units in decentralized system of local government. Sub-municipal units in that type of government have different authorities to fulfill public needs in local community. In that case citizens have more directly impact on the local political processes, while bodies of the sub-municipal government are much close to the citizens, and possibility of influence is more intensive than in other types of selfgovernment organization.

In different counties sub-municipal units have different organizational and political position (Shlimpert, G., 1993). In some countries role of sub-municipal units is important, in other is marginal. It depends of organization of local selfgovernment system, and role of local self-government units, their size, public authorities and possibility for managing of various local public tasks (Diem, P. - Gobl.M - Saibel, E., 2002; Mühling, J., 2019). Sub-municipal units are usually created for managing of tasks important for daily life of citizens in local community (Skelcher, C., 2003). Generally, these tasks usually have direct influence on ordinary life of citizens in local community. In some of the local government systems many of these tasks are in jurisdiction of local self-government units, without or with very weak sub-municipal government. In that case, sub-municipal government units are usually having only advisory role. In opposite situation, sub-municipal government can have very strong role in managing of local public tasks. That include territorial jurisdiction of sub-municipal units for managing of local public services and tasks on a specific territorial sub-area. Secondly, they have multifunctional character which includes many goals to achieve, and these goals are defined by local public policies (Somervile, P., 2011). Thirdly, they have democratic character, because they have directly contact with citizens in local community, and they can to communicate their policies and activities with all target groups (Shapiro, M. A. – Bliss, D., 2016). Also, they are usually directly elected from the citizens on the election, and citizens have directly insight on activity of sub-municipal units, because this activity is closely connected with daily life of citizens in community (Roberts, N., 2004). Also, democratic character of sub-municipal government depends on transparent work of sub-municipal bodies and direct communication with the citizens in community (Springveld, J., 2001). Local self-government is established as an institutional answer to create balance to the central government, and sub-municipal government is established as a part of decentralization process, to improve decentralization processes in local-self-government units. The main question is how sub-municipal government can improve decentralization processes in local government units and impact on the democratization of local community (Vujić, V., 2015).

Possibility to redefine role and position of sub-municipal government in local self-government system can stimulate request for decentralization processes of political and administrative system in some countries. Sub-municipal government can take many usual and simple local tasks and services. It can provide enough space for local institutions of self-government units to create other more complex local public policies and activities. That can assure more capacities for decentralization and reorganization of administrative and political system (Skelcher, C., 2003). It can also assure transmission of public authorities from central government bodies to the local and regional government units.

In South-East European countries there are historical examples of developed organization of sub-municipal government. This type of local governance assured functioning of more local services important for local communities and also more activities and initiatives important for communal standard in community, such as local infrastructure objects, water supply management, waste management, organization of local social and cultural activities etc. Those sub-municipal units were especially important in rural areas, where initiated development of local communities. These units had one of the important roles to initiate changes in local communities. Many of local communal services has established in that period of social development, and sub-municipal government become additional institution for developing of local governance and improving direct local democracy.

2. METHODOLOGY

In this paper will be used comparative analyses of organization of sub municipal government in South Eastern European Countries. This type of governance has specific historical development in organization of local government system and specific role in organization of common daily life activities in local communities. Sub-municipal government is a type of local governance integrated in organization of local government units, which present important element in daily life of local community (Mühling, J., 2019). Forms of sub-municipal organizations are various, and depend on importance for local services delivering and preparedness of citizens in local community for collective action and engagement in various social activities (Diem, P. – Göbl – M. – Saibel, E. 2002). In different European countries sub-municipal government have different forms of participation of citizens and organization of local activities, independent from local government

units or central government organizations with local territorial bodies (Brodauf, J., 2020). Sub-municipal governance can have significant role in democratic processes in different countries in Europe, which also include decentralization beyond the municipal tier (Hlepas, N. – Kersting, N. – Kuhlmann, S. – Swaniewicz, P. – Teles, F., 2018). Sub-municipal entities usually include type of territorial jurisdiction, partially independence from local government in managing of public affairs and form of democratic accountability and legitimacy, powered from democratic elected bodies (Kersting, N., 2018). Some of the entities include democratic elected popular assemblies. Sub-municipal governance is determined with some territorial competences, democratic approach, exclusive jurisdiction in some local affairs and proactive approach from the citizens in executive bodies of sub-municipal entities. There is different approach in organization of sub-municipal governance in urban and rural areas (Navarro, C., 2018). In urban areas sub-municipal governance helps citizens in city parts to articulate their interests and public needs. It also helps local government institutions to improve relations between citizens in local society and local institutions which provides services in community. Urban administrations are usually more bureaucratic and with distance to the citizens. Sub-municipal units can assure remedy between citizens and local government bodies (Lysek, J., 2018). In rural areas, sub-municipal government has usually various forms of selfgovernance in different countries. Their historical role is important as a voice of local community for articulation of stands and interests of the people in urban areas (Swianiewicz, P., 2018). They can be also significant as initiators of development in rural community. In countries of South-Eastern Europe sub-municipal governance is usually present as a form of self-government in local community, which is partially connected with local self-government organization and their activities in local community. There is also difference between urban and local sub-municipal government. Urban sub-municipal government represents various forms of local community engagement defined by institutional framework. Usually they canalize various forms of interests of citizens in urban areas and represent mediators between local government institutions and citizens (Copus, C., 2018).

In European countries sub-municipal government in urban areas represents one of the canals of communications with institutions in local community. In rural areas sub-municipal units generate local initiatives important for managing of local communal services and activities. Many of local infrastructure projects like water supply, waste management, local traffic infrastructure or primary health services are initiated as a result of engagement of sub-municipal units and citizens in local community (Diem, P.-Göbl, M.-Saibel, E., 2006).

South-eastern European counties have long tradition of organization of submunicipal government, especially countries which were part of ex-Yugoslavia. Analysis of this paper will be focused on those countries, because of their tradition in organization and functioning of sub-municipal government in local and regional self-government system (Koprić, I., 2010). In that sense, sub-municipal government was tool for social development of local community, especially in rural areas.

In this work will be use methodology of description and comparison to analyze role of sub-municipal government in South-eastern European countries. Descriptive method will help to analyze establishing, functioning, organizational changes and role of sub-municipal governance in local government system, regards on type of local community - urban or rural (Koprić, I. – Klarić, M., 2015). Comparison will help to analyses differences in of this type of governance, depends on administrative system and local territorial organization (Koprić, I. 2015). There are two main approaches to sub-municipal governance. According to the first, sub-municipal governance is operative tool for managing of local public services and activities in community. Second approach defines sub-municipal governance as additional and subsidiary tool in providing of local government services (Morlan, R. T., 1982). In sub-municipal government there can be also differences between urban and rural areas, where sub-municipal units can be additional organizations which can more or less efficient replace role of local government institutions in daily tasks and affairs. The question is how sub-municipal governance can help local self-government system to improve local government institutions and mechanism of direct local democracy (Ivanišević, S., 2008)? In that sense, sub-municipal government can be only analyzed in context of development local government system in comprised countries.

3. HISTORICAL BACKGROUND OF SUB-MUNICIPAL GOVERNANCE IN SOUTH-EASTERN EUROPEAN COUNTRIES

Sub-municipal governance in South-eastern European Countries has historical background in organization of local government system after Second World War (Hrženjak, J., 1963). Importance of sub-municipal governance depends on organization of local government system and local government reforms in certain countries (Bakota, B., 2014). There are two main roles of this type of local governance. First is related with urban communities, where sub-municipal government improving participation of citizens in local democracy processes. Second is connected with role of sub-municipal units in rural areas, where they supporting development of local institutions and domestic infrastructure in community. In the first case, sub-municipal government can provide various forms of citizens participations, but institutional forms of sub-municipal organization depends on legislative framework¹. In rural communities sub-municipal government can be tool for developing of local social institutions and their activities (Cvitan, O., 2005). These activities are usually oriented on quality of daily living in local community, but also they contribute to development of various communal services in local community, such as water supply, waste management, telecommunications, improving of communal infrastructure, etc (Pavić, Ž., 2001).

¹ Local participation of citizens can be presented through various forms of local governance organization, according to the principle of subsidiary (Bakota, B., 2007).

In ex Yugoslavia sub-municipal government has long tradition and was called "local community². Sub-municipal units had jurisdiction over some local services regarding of local communal infrastructure and communal services. Sub-municipal government was autonomic organization independent from local government units. with sub-municipal budget and specific authorities such as consumer protections and possibility to initiate local political initiatives to promote some social activities in society. Some of the main local activities in local communities were maintaining of water supply network, sewerage system, local public roads, electrification, development of telecommunication network, initiative for establishing of kindergartens and elementary schools, managing of local political, cultural and other manifestations and activities (Klarić, M., 2019). New Constitution of Socialistic Federative Republic of Yugoslavia from 1974 recognized local communities as a specific form of sub-municipal government (Jusić, M., 2015). One of the main purposes of sub-municipal government in Yugoslav government system was organization of the strength integration of local communities on the ground level, with their own local budget and autonomous administrative bodies (Cvitan, O, 1985). Those bodies have capacity for organization of local initiatives important for development of local communal and social infrastructure. First moment in development of sub-municipal governance was characterized by weak public authorities, limited autonomy and low budget. Next phase in development was oriented in institutional strengthening of sub-municipal authorities and enlarging of sub-municipal fiscal capacity. Those tendencies lead to new definition of role and position sub-municipal government in local community. Sub-municipal units in ex Yugoslav republics had legal personality, financial independency, financial transfers from central or local government or from additional local taxes to submunicipal budgets, their own employees, offices and property (Hrženjak, J., 1974). Property of sub-municipal units was important tool for activation of local economic development and managing of local public services. Organizational structure was determined as assembly of local community as a representative body and advisory council as executive body. Representatives in assembly of sub-municipal units was partially elected by citizens, and partially nominated from the workers in public utilities or representatives in non-governmental organization. Various forms of participations of citizens in sub-municipal units were public meetings. Second important tool for decision making processes were local referendums, where citizens could express their opinions and expectations from local institutions. Executive body of sub-municipal units called council of local community was part of submunicipal assembly, and operatively managed by local public policies defined in sub-municipal units. In every local government units was established network of sub-municipal governance. Those networks operatively maintained daily local tasks, important for local relations and temporally public needs in community.

² It can be also used term "domestic community" as a political and social commuty which provide communal and social services infor some part of local government units, but it seems that it would be better for understanding to use term "local community".

At first, interest for engagement in sub-municipal government was significant. Citizens participate in many of social activities and support many of local policies to assure better quality of life in local community. Direct approach and straightaway communication with the citizens assured possibilities for changing of life conditions in sub-municipal units (Hrženjak, J., 1974). This type of local political engagement was efficient to improve daily communal services in local community. This participation and interest for social engagement in local community with time decreased, because of limited possibility to impact on local political processes in local government units (Cvitan, O., 1985). Sub-municipal units can provide better local services for some part of municipality or city, or influence on some local initiatives or activities. But in the same time, they have very limited ability of influence on development of local self-government, because of limited capacity of sub-municipal governance.

Relation between sub-municipal government and local government units was defined with their size and institutional capacity. Local government units were territorially large with developed institutional capacity to manage many of local communal and policy projects (Tomac, Z., 1990; Pusić, E., 1975). Sub-municipal government with legal personality and their own public incomes was large enough to manage some infrastructural project and local social activities. Local government units were focused on large local development projects, important for whole local community in units. Sub-municipal units were focused on daily infrastructure projects important for part of local community, or some daily services. Tradition of organization of sub-municipal governance in Southeastern European countries still exists regardless of new organization of local self-government in various countries, but the role and the influence are not so significant such as in past.

4. COMPARATIVE VIEW OF SUB-MUNICIPAL GOVERNMENT

In Serbia, sub-municipal governance as a form of territorial governance still exists. There are various organizational forms of sub-municipal governance: quarters, rejoins and neighbourhoods. Sub-municipal governance also has legal personality. The main purpose of this type of local governance is to fulfil local public needs and satisfy daily interest in sub-municipal units (Bećirović, S. – Plojović, Š. – Ujkanović, E., 2012). This type of units has been constituted in directly elections regulated by local government statute. The statute also regulates number, organizational form and general authorities of sub-municipal government. The Statute predicted that some local public tasks in jurisdiction of local government units can be managed by sub-municipal units. The main sub-municipal organizational forms are supervisory board and advisory council. Supervisory board is institutional body with control position in sub-municipal units. Advisory council is executive body monitored from supervisory board. Main incomes for financing of sub-municipal governance are provided in local public spends of local government units, donations from companies and citizens and voluntary fees. Sub-municipal government can organize activities

and generate incomes for their costs and financing of local services and other public activities generated by sub-municipal units. The main forms of participation of citizens are referendums, public meetings and initiatives of citizens (Mihajlović, S., 2006). These forms have significant role in interactive communication between citizens and local institutions and they can help in predicting of expectations, interests and public needs on local level (Milosavljević, B. – Jerinić, J., 2016). The role of sub-municipal governance depends on local self-government units which constitute them and regulate their position in local community. But the main purpose is promotion and encouraging of participation citizens in local social processes (Kuzmanović, I., 2018). The specific types of sub-municipal units are town-municipalities, as a specific form of sub-municipal governance, with specific organizational position which can provide more complex local public tasks and services.

In Montenegro sub-municipal government can be established by the free will of citizens in local community (Lepetić, J., 2008). If the citizens want that type of territorial government, they can initiate procedure of constitution of submunicipal units, to improve cooperation and coordination between local and central government authorities. First possibility will be constitution of sub-municipal government establishing from assembly of citizens. Second depends on will of self government units, which representative bodies can also decide to constitute submunicipal governance. This type of territorial governance has legal personality and possibility to take some authorities from local government units, especially regards with communal infrastructure and manages local citizens' initiatives for improving of local communal services. Sub-municipal units can be tool for fulfilling of local public interest and needs³. Local government units regulate election processes in submunicipal units, and decide about type of election: public or secret. The main local tasks organized by sub-municipal government are housing, consumer protection, local cultural initiatives, sport activities and other citizens' incentives for improving a quality of life in local community. Operative bodies of sub-municipal government are supervisory board which is control body and advisory council which is executive body. Besides by elections, citizens can participate in sub-municipal governance in local referendums, public initiatives and other forms of citizen's participation.

In North Macedonia sub-municipal units are urban committees in city municipalities and local committees in rural self-government units. There is not mandatory type of organization, and their establishing depends by will of local government units (Todorovski, I., 2001). Their organizational structure is regulated by local government units and they represent local interests of citizens. They need to improve communication and coordination between the citizens in local community and local government administration and political institutions which define local public needs and interests. The main purpose of urban committees is participation

³ Good governance in local government units and position of local government institutions as a tools for participation and higher engagement of the citizens in Montenegro are described in *Dobro upravljanje u lokalnim samoupravama u Crnoj Gori* - https://www.crnvo.me/sites/crnvo/files/article_files/dobro_upravljanje_u_lokalnim_samoupravama_2_0.pdf

and inclusions of citizens in local political life of urban communities. In villages and rural areas the main purpose of local committees is to improve local infrastructure conditions and local services and accelerate development of local societies. Submunicipal government define proposals and starting initiatives about local public needs and activities. They can also organize some local public tasks, delegated from local government units. Bodies of sub-municipal units are advisory council and president of advisory council. Financing of this type of units is regulated with state laws, which define primary background for functioning of this type of local governance. Forms of directly participation of citizens in sub-municipal government are public meetings and initiatives of citizens.

Sub-municipal government in Slovenia are organised as a urban, local or village community units. Those types of units are one of the forms of local governance, incorporated in local government system. There are less important in rural municipalities, but they can have significant role in urban municipalities, which can be carrier of local political engagement in urban communities (Haček, M. – Grabner, A., 2013). They are important in urban areas while urban municipalities are usually larger then rural municipalities, and social initiative in those sub-municipal units depends on local organizational structure. Sub-municipal units usually participate in managing of local communal tasks, such as local services, development of communal infrastructure, managing of local communal property and promotion of cultural and social activity in community. In Slovenia sub-municipal activities are financing from municipal units. Sub-municipal units don't have legal personality, and they have mostly advisory role in local politics. But their role can be significant, if they are financing by donations or property incomes. The forms of participating of the citizens in local political life are public meetings, public initiatives, referendums and other forms of participation of citizens.

In Bosnia and Hercegovina sub-municipal government is regulated separately by the regulations of two entities - Federation of Bosnia and Hercegovina and Republic of Srpska (Jusić, M., 2015). Local Government Act by Republic of Srpska don't define sub-municipal government as a institutional form of local governance, but it predicts this type of institutional organization on local level, which can be constitute and regulate by regulations of local government units. In Federation of Bosnia and Hercegovina this type of local participation in public affairs are predicted and more present than in Republic Srpska. There are newly researches of sub-municipal government in Federation of Bosnia and Hercegovina, which describe and analyze different aspects of sub-municipal organizations such as territorial organization, communication, internal organization, financing, legal personality and position, professionalization, election of the bodies within submunicipal units and control. Those researches shows that role of sub-municipal governance can be significant and relevant in creation of regulatory and institutional framework for participation of citizens in local affairs. In complex organization such as political system of Federation of Bosnia and Hercegovina sub-municipal governance can improve influence of citizens on local political affairs in community

and assure them possibility to initiate different activities and processes in daily life of local communities⁴.

In Croatia sub-municipal government is established as a part of local government organization, which is constitute on sub-municipal level, according to the statute of local government units, and other local regulations created from municipal or city units. Sub-municipal government is focused on citizens in local city districts, parishes or villages (Hrženjak, J., 2011). This type of local units is organized to manage some local public tasks and fulfil local needs, connected with daily activities in local community. The main principle for functioning of local governance is principle of subsidiary, which is constitutional part of European charter of local self-government. According to this Charter, main principle for organization of local public services is institutional capacity of local units which are closer to the citizens in community. Those units must have institutional capacity for managing local public tasks and services. Sub-municipal units have two main purposes: active participation of citizens in local community and creation of citizens control mechanism for local government institutions (Rešetar, V., 2011). They can be important part of local government system important for functioning of local government institutions. Submunicipal bodies can provide multiple tasks for strengthening of local democratic processes and support creation of programs of local society development and their implementation on local level.

In practice, in Croatia sub-municipal government has mostly advisory role and its jurisdiction depends on local government institutions and bodies (Manojlović, Toman, R. – Vukojičić Tomić, T. – Koprić, I., 2019). There are two possible positions of sub-municipal units in system of local governance. If local government units need to delegate some local public tasks to sub-municipal government, than sub-municipal governance can have significant role in local government units. If they manage local public tasks independently without influence of sub-municipal units, then sub-municipal governance only has marginally role in local government units. Croatian sub-municipal governance lay dawn between these two possible positions in local-government system. In Croatia, large local government units define sub-municipal governance as a one of institutional and organizational forms for improving participation of citizens in local units, which include different citizens' initiatives, round tables, public meetings, referendums and other forms of democratic inclusions in local life of community. On the other hand, smaller local government units define sub-municipal governance as a form of citizens' participation which only has advisory role in local governance. In that case, they maintain activity in local community and suggest possible solutions for improving local governance. Local government units mostly coordinate their local politics according to the suggestions ob sub-municipal units. In some very small local government units there are no existing sub-municipal units, because the role and the functions of those types of

⁴ See more aspects of development sub-municipal governance in Bosnia and hercegovina in "Nova vizija mjesnih zajednica", in project "*Jačanje uloge mjesnih zajednica u Bosni i Hercegovini*" Švicarska agencija za razvoj i saradnju SDC, Švedska i UNDP, 2018.

institutions are covered by local government bodies and institutions. The main stand towards this issue has been created that such a small local units are no needing this type of citizens' participation due to proximity of local self-government institutions to the local community. Croatia has a large number of local government units, with different size of territory, population and institutional capacity (Koprić, I., 2015, Đulabić, V., 2015). Because of those specific occasions in local governmental structure, position and organization of sub-municipal government is different and depends on capacity of local government institutions.

Empirical research of sub-municipal government in Croatia shows two main roles of sub-municipal governance. First role is representation of citizens interests and needs in local community. In that sense, sub-municipal institutions are tool for articulation of main attitudes, perceptions, expectations and thoughts from local government institutions. Second important function is organization of local initiatives and actions for improving quality of life in local community, which include different social activities and services (Koprić, I. – Klarić, M., 2014b). On the other side, many of citizens cannot recognize directly engagement of submunicipal units in their local community. There are not satisfied with engagement of sub-municipal government in local self-government units. They think that activity of sub-municipal governance need to be more visible and proactive in the life of local community. Most of them think that position of sub-municipal government must be more significant in daily life of local community and contribute to development of local democracy. That includes improving participation of the citizens in local political processes, which can be support to the further democratization of social institution not only in local community, but also in society. Future of sub-municipal government for the citizens is important for further development and democratization of local self-government and strengthening of local political institutions, which can be important for democratic development of whole Croatian society. That includes intense development of sub-municipal institutions with enlarging of their institutional capacity. That capacity can assure managing of different local services and tasks important for development of local communities and strengthening of democratic processes in community.

5. MAIN SPECIFIC ASPECTS OF SUB-MUNICIPAL GOVERNMENT IN SOUTH-EASTERN EUROPE

As a form of local governance, sub-municipal government has long tradition and continuity. This tradition can be occurred in all maintained South-Eastern European countries with some specific elements that are relatively different than in other countries. In historical sense, sub-municipal government in South-Eastern had significant role, because it was one of the initiators of development in local community, especially in rural areas. That was important for modernisation of social life those communities, which was include construction of communal infrastructure, organization of communal services and improving quality of daily

living (Milosavljević, B. – Jerinić, J., 2016). Communities which were relatively underdeveloped gave the opportunity and chance with collective action of submunicipal governance to accelerate their development dynamics. As a result of those activities, many of local communities got various communal services and modernize communal infrastructure. One of the reasons why sub-municipal government had increased role in local governance lay down in reason that collective action in local communities has been important part of Marxist doctrine of social dynamic, where small communities like sub-municipal units represents accelerators of social development (Tomac, Z., 1977). Second important thing was role of sub-municipal units in large urban units, where they represent tool for participation citizens in local government activities and local initiatives. In socialistic period they have many formal different authorities such as consumers' protection rights, organization of consumers' councils for regulation of local market conditions, possibility of regulation of some domestic communal services and activities and organization of directly form of democratic participation such as local referendums, citizen's initiatives and assembly of citizens.

In newly established system of local government sub-municipal government has been loosed formal public authorities in local communities, but still has informal organizational influence in local community and it can initiate various forms of citizens' participation and activities. In small local government units their role is not so important, because those units have possibility of initiation of directly participation citizens in activities of local community. In large local government units sub-municipal government is important for inclusion of citizens in local activities and for advisory position in improving of local services and tasks. Position of sub-municipal governance depends on local government politic and decision of local government bodies what is the main role of sub-municipal governance in local governmental processes. In most cases, this role is informal, and usually advisory.

The reason why sub-municipal government usually has informal and advisory character is in characteristics of local government systems in South-Eastern. Size and institutional capacity of local government units are relatively small, and local units can perform directly participation of citizens in local political processes and initiatives countries. On the other side, small institutional capacity of local government units usually doesn't allow possibility for organization and managing some complexes local tasks and services (Manojlović Toman, R. – Vukojičić Tomić, T. – Koprić, I., 2014). In that situation, advisory function of sub-municipal governance is primary, and possibility for organization some local or communal tasks are only facultative characteristics for this type of local institution. For strengthening of sub-municipal government is need to change institutional framework of local self-government, with reorganization of local government jurisdiction and authorities, which include large local government units with strong institutional capacity and political, fiscal and administrative decentralization. Those changes open possibility for renew of sub-municipal governance and strengthening of their position and role in local government. Only large local government units, with extensive institutional capacity for complex administrative and political tasks, can open enough space for effective functioning of sub-municipal units. That assures more possibilities for developing of jurisdiction and authorities of sub-municipal government, which can provide various local tasks important for daily life and functioning of local community.

6. SUB-MUNICIPAL GOVERNANCE AS A POSSIBLE TOOL IN DECENTRALIZATION OF LOCAL SELF-GOVERNMENT

Sub-municipal government can be one of the key parts for decentralization processes in public administration. In countries of South-Eastern Europe submunicipal units had large local public authorities because of the size of local government units and their jurisdiction. Large local government units were disposed with more administrative functions, and sub-municipal government was managed local public tasks as a one of the forms of local governance. In local government units sub-municipal government has important role in maintaining of local infrastructure. Also, many of local communal jobs important for local community or part of local community were organized by sub-municipal units. Sub-municipal government in local community became important part of local governance and improved participation of citizens in local life of community. This type of units was important for political control over local political institutions. They contributed to strengthening of political framework in local government units. The present system of local self-government was abounded with dissolution of ex Yugoslavia, and new territorial organization defined new territorial forms of local government. New organizational structure was created from many small local government units, which had enough capacity for organization of local communal tasks. Many of them were too small for some complex local government services. They can organize only simple tasks which can be in some cases also provide by sub-municipal governance. In that situation, position of sub-municipal government depends of organizational structure of local government units and present system of local government. Large fragmentation of local government system with small local government units doesn't get enough space for development of sub-municipal governance. On the other side, administrative and political decentralization with strengthening of local government units open space for development of sub-municipal governance. Key points which characterize organization of sub-municipal government are local character of communal tasks and activities, intensive political and social participation of citizens in life of local community and various instruments and tools of social and political control mechanism such as assembly of citizens, local referendums, different forms of collective action and directly engagement of the citizens in organization of local social activities.

Different position of sub-municipal government depends on organizational aspects of local government system. In South-Eastern European countries sub-municipal government has advisory and participatory role. Their advisory role is visible in engagement of the citizens in daily activities and initiatives of local government units. Participatory role is visible in possibility of sub-municipal units

to manage different forms of citizens' inclusion in daily life of local community. For stronger public authorities and institutional influence of sub-municipal government it is need to decentralize organization of local government and strength institutions of sub-municipal government, which can be tools for managing of some local public tasks. This situation depends on local government reforms and position of local government units in various South-Eastern European states. In that sense, main role of local government in public administration system determine position of sub-municipal government. If local self-government has significant role in public administration system, sub-municipal government can be important tool for managing of local public tasks and services. Otherwise, sub-municipal government doesn't have enough space to take serious role in daily life of local community.

7. CONCLUSION

Sub-municipal government is a form of local governance which can be efficient tool for managing various local public tasks and services. Different countries can use sub-municipal governance as important and significant tool of directly participation citizens in local political, economic and social activities important for daily life of local community. Experiences in different countries are various, but the role of sub-municipal government is more or less relevant for the citizens in local government units. In some states sub-municipal governance has significant and influential role on performing local public tasks and services. In others it is instrument of local citizens' activism and mechanism for their participatory role in local activities.

Sub-municipal governance in South Eastern European Countries has long tradition. The role of this policy instrument was different, according to the social and political occasions. In contemporary local government systems of South Eastern European Countries sub-municipal government has mainly advisory role in activities of local community. But democratic potential this type of local governance can be more influential in decentralization processes. In this moment, local activities are governed by institutions of local government units, which are mostly limited with authorities and competencies by central government administration. In that sense, role of sub-municipal government can be more relevant in decentralised local government systems.

In urban communities sub-municipal governance provide possibility for different activities in daily life of local communities. In rural communities local government assure better communications between local political institutions and citizens. It also provides possibility for improving local services and renewing of local communal infrastructure. But this role is limited with official authorities which they dispose.

Stronger position of sub-municipal government depends on political, financial and administrative decentralization of South Eastern European Countries. Without organizational strengthening of local government role position of sub-municipal units is limited and depends on local government units and their institutions. Stronger

presence of sub-municipal government in daily functioning of local government units includes strengthening of local governance and new organization of local self-government, according to the principle of subsidiary. Only these reforms with large administrative, fiscal and organizational decentralization can change position of sub-municipal government and redefine its role in contemporary local self-government systems in South Eastern European Countries.

SOURCES

- 1. Bakota, B: Local and Regional Government Reform in Croatia: Subsidiarity and Innovation in an Era of Austerity, in Nunes, Silva, C.- Buček, J: Fiscal Austerity and Innovation of Local Governance in Europe, 2014., pp. 113-128.
- 2. Bakota, B.: *Problemi primjene načela supsidijarnosti*, Pravni fakultet u Osijeku, Osijek, 2007.
- 3. Bakota, B.-Grbanović, T.: *Reforma lokalne i regionalne samouprave s posebnim osvrtom na funkcije županije*, Pravni vjesnik, Vol 27, Issue 2, 2011., pp 179 199
- 4. Baskin, M.: *Local governance in Kosovo: a link to democratic development?*, in Knudsen, T. B. Laustsen, C. B. (ed.): *Kosovo between War and Peace*, Routledge, 2006., pp 76 94.
- 5. Bećirović, S. Plojović, Š. Ujkanović, E.: *Finansiranje mjesnih zajednica u Srbiji*, Ekonomski izazovi, Vol 1, No 2, 2012, pp. 35 48.
- Borchmann, M. Breithapt, D. Kaiser, G.: Kommunalrecht in Hessen, Deutscher Gemeindeverlag GmbH and Verlag V. Kohlhammer GmbH, Stuttgart, 2006., pp 157.-158.
- 7. Brodauf, J.: *Kiez für Kiez: 80 Spanziergänge durch ganz Berlin*, Verlag Klaus Scheddel, Berlin, 2020.
- 8. Copus, C.: Decentralization, Democratization and Delivery: English Sub municipal Devolution, in Komninos Hlepas, N. Kersting, N. Kuhlmann, S. Swianiewicz, P. Teles, F.: Sub Municipal Governance in Europe. Decentralization Beyond the Municipal Tier, Palgran Macmillan, 2018.
- 9. Cvitan, O. (ur.): *Samoupravno teritorijalna transformacija Općine Split*, Sveučilište u Splitu, Pravni fakultet Split, Split, 1985.
- 10. Diem, P.-Göbl, M.-Saibel, E.: *Die Wiener Bezirke. Ihre Geschichte, ihre Persönlichkeit, ihre Wappen*, Perlen Reihe Verlag, Wien, 2002.
- 11. *Dobro upravljanje u lokalnim samoupravama u Crnoj Gori*, Centar za razvoj nevladinih organizacija i OSCE, https://www.crnvo.me/sites/crnvo/files/article_files/dobro_upravljanje_u_lokalnim_samoupravama_2_0.pdf
- 12. Đulabić, V.: *Regionalni razvoj i županije u Hrvatskoj*, in Barbić, J.(ur): *Nova upravnoteritorijalna organizacija Hrvatske*, HAZU, Zagreb, 2015., pp. 139. 159.
- 13. Haček, M. Grabner, A.: *Local Sub-Decentralization and Sub-Municipal Divizions in Slovenia*, Croatian and Comparative Public Administration, Vol 13, No 1, 2013., pp. 213. 230.

- 14. Hrženjak, J.: Mjesne zajednice u komunalnom sistemu, Informator, 1963.
- 15. Hrženjak, J.: *Mjesna zajednica: osnove sistema neposredne socijalističke demokracije u mjestu stanovanja*, Globus, 1974.
- 16. Hrženjak, J.: *Ustrojstvo i funkcioniranje mjesne samouprave u Gradu Zagrebu*, Croatian and Comparative Public Administration, Vol. 11, No 1, 2011., pp. 43 69.
- 17. Ivanišević, S.: *Europska iskustva u decentralizaciji upravljanja velikim gradovima*, Croatian and Comparative Public Administration, Vol 8, No 2, 2008., pp. 407 420.
- 18. Jusić, M.: Mjesne zajednice u Bosni i Hercegovini. Izazovi i perspektive institucionalnog razvoja, Analitika, Sarajevo, 2015.
- 19. Kersting N.: Sub-Municipal Units in Germany: Municipal and Metropolitan Districts, in Hlepas, N. Kersting, N. Kuhlmann, S. Swaniewicz, P. Teles, F. (ed.): Sub-municipal Governance in Europe. Decentralization Beyond the Municipal Tyer, Palgrave-Macmillan, 2019., pp. 93. 118.
- 20. Klarić, M.: Capacity of sub-municipal government for decentralization, IPSA Conference "Decentralization policies": Resshufling the scene, Dubrovnik, 2015.
- 21. Klarić, M.: *New Perspectives in Development of Sub-Municipal Government*, Public Administration in a Democratic Society: Thirty Years of Democratic Transition in Europe, Dubrovnik, 3 6 October 2019.
- 22. Klarić, M.: *Pojmovnik*, Croatian and Comparative Public Administration, Vol. 11., No 3, 2011., p. 879.
- 23. Hlepas, N.: *Between Identity Politics and the Politics of the Scale: Sub-municipal Governance in Greece*, in Hlepas, N. Kersting, N. Kuhlmann, S. Swaniewicz, P. Teles, F. (ed.): Sub-municipal Governance in Europe. Decentralization Beyond the Municipal Tyer, Palgrave-Macmillan, 2018., pp. 119. 143.
- Hlepas, N. Kersting, N. Kuhlmann, S. Swaniewicz, P. Teles, F.: *Decentralization Beyond the Municipal Tier*, in Komninos Hlepas, N. Kersting, N. Kuhlmann, S. Swaniewicz, P. Teles, F. (ed.): Sub-Municipal Governance in Europe: Decentralization Beyond the Municipal Tier, Palgrave Macmillan, 2018., pp. 1 24.
- 25. Koprić, I.: *Teritorijalna organizacija Hrvatske: prema novom uređenju*, in Barbić, J.(ur): *Nova upravno-teritorijalna organizacija Hrvatske*, HAZU, Zagreb, 2015.
- 26. Koprić, I.-Klarić, M. (a): *New Developments in Local Democracy in Croatia and Its Neighbouring Countries*, Paper for the IPSA/AISP XXIII World Congress of Political Science Challenges of Contemporary Democracy, Montreal, 19-24 July 2014. Research Committee RC 05 Comparative Studies on Local Government and Politics, Panel Contemporary tools for Healing Local Democracy.
- 27. Koprić, I. Klarić, M. (b): Research of perception of municipal sub-government in 4 Dalmatian counties, Institute for Public Administration, 2014.
- 28. Koprić, I. Klarić, M.: *New Developments in Local Democracy*, Croatian i Comparative Public Administration, Vol 15, 2015., Issue 2, pp. 389. 414.
- 29. Koprić, I.: *Prijedlozi za reformu lokalne i regionalne samouprave u Hrvatskoj*, Znanstveno-stručni skup "Teritorijalni ustroj i regionalizacija Republike Hrvatske u kontekstu europskih integracija, Split, 2010.

- 30. Koprić, I. (2018). Suvremeni trendovi u razvoju lokalne samouprave i hrvatska lokalna i regionalna samouprava. In Koprić, I. (Eds.): Europeizacija hrvatske lokalne samouprave. Dva desetljeća primjene standarda Europske povelje o lokalnoj samoupravi. Institut za javnu upravu, Zagreb.
- 31. *Kommunalpolitik verstehen im Lande Berlin. Für eines junges Politikkveständnis*, Friedrich Ebert Stiftung, Berlin, 2010., pp. 12. 18.
- 32. Kuzmanović, I.: Mesne zajednice daleko od građana i pod palicom vlasti, https://www.021.rs/story/Novi-Sad/Vesti/185604/Mesne-zajednice-daleko-od-gradjana-i-pod-palicom-vlasti.html. Objavljeno 08. 04. 2018. Preuzeto 15. 04. 2020.
- 33. Lepetić, J.: Građani i lokalna samouprava u Crnoj Gori, Strani pravni život, Vol 52, No 2, 2008., pp. 195. 216.
- 34. Lysek, J.: The "Little Town-Halls" in the Czech Republic: *An Unexploited Potential of Functional Decentralization*, in Hlepas, N. K. Kersting, N. Kuhlmann, S. Swaniewicz, P. Teles, F.: *Sub Municipal Governance in Europe. Decentralization Beyond the Municipal Tier*, Palgrave MacMillan, 2018.
- 35. Manojlović, Toman, R. Vukojičić Tomić, T. Koprić, I.: Neuspješna europeizacija hrvatske mjesne samouprave: nedovoljna atraktivnost ili loše institucionalno oblikovanje, Godišnjak Akademije pravnih znanosti Hrvatske, Vol 10, br. 1, 2019., str. 185. 210.
- 36. Mihajlović, S. (ur.): Korak ka građanima: vodič kroz mesnu samoupravu u Srbiji, Centar za slobodne izbore i demokratiju, Beograd, 2006.
- 37. Morlan, R. T.: *Sub Municipal Governance in Practice: The Rotterdam Experience*, Political Research Quarterly, Vol 3, No 3, 1982., pp. 425 441.
- 38. Narodne novine No 19/1983.
- 39. Milosavljević, B. Jerinić, J.: *Status of Serbian Towns in the Light of recent Efforts Towards a National Decentralization Strategy*, Croatian and Comparative Public Administration, Vol. 16, No 1, 2016., pp 77 106.
- 40. Mühling, J.: *Berlin: Spaziergänge durch alle 97 Ortsteile*, Rowohlt Taschenbuch Verlag, Hamburg, 2019.
- 41. "Nova vizija mjesnih zajednica", in project "Jačanje uloge mjesnih zajednica u Bosni i Hercegovini" Švicarska agencija za razvoj i saradnju SDC, Švedska i UNDP, 2018.
- 42. Navarro, C.: Rural and Urban Sub-Municipal Governance in Spain, The Contrasting Worlds of Lilliput and Brobdingnag, in Hlepas, N. Kersting, N. Kuhlmann, S. Swaniewicz, P. Teles, F. (ed.): Sub-municipal Governance in Europe. Decentralization Beyond the Municipal Tyer, Palgrave-Macmillan, 2019., pp. 227. 246.
- 43. Pavić, Ž.: Od antičkog do globalnog grada, Pravni fakultet Sveučilišta u Zagrebu i Društveno veleučilište u Zagrebu, Zagreb, 2001.
- 44. Pusic, E.: *Intentions and Realities: Local Government in Yugoslavia*, Public Administration, Vol 53, No 2, 1975., pp. 133. 152.
- 45. Roberts, N.: *Public deliberation in an age of direct citizen participation*, American Review of Public Administration, Vol. 34, No 4, 2004., pp. 315- 353.

- 46. Rešetar, V.: *Istraživanje mjesne samouprave i neposrednog sudjelovanja građanau javnim poslovima na mjesnoj razini*, Croatian and Comparative Public Administration, Vol 11, No 1, 2011, pp. 71. 98.
- 47. Shlimpert, G.: Schlawische namen in Brandeburg in Schich, W.(ed.): Beitrage zu Enstethung und Entwicklung der Stadt Brandeburg in Mittealalter, de Guyter, 1993.
- 48. Shapiro, M. A. Bliss, D.: *Rewards and Konsequences: Redistricting on the Chicago City Council*, Local Government Studies, vol 42, no 1, 2016, pp. 139 163.
- 49. Skelcher, C.: *Governing Communities: Parish Pump Politics or Strategic Partnership*, Local Government studies, vol 29, no 4, 2003., pp 1-16.
- 50. Somervile P. (ur,): *Multyscalarity and Neghbourd Governance*, Public Policy and Administration, Vol. 6, No 1, 2011., pp. 81. 105.
- 51. Southal, H.: *Reboulding the Great Britain Historical GIS, Part 2, a Geo-Spatial Ontology of Administrative Units*, Historical Metods, A Journal of Quantitative and Interdisciplinary History, vol 45, no 3, 2014., pp 119 134.
- 52. Springveld, J.: *Kotarska vijeća u Haarlemu*, u Brunčić, D. (ed.): *Lokalna samouprava hrvatska i nizozemska iskustva*, Hrvatski institut za lokalnu samoupravu i Interkerkelijk Vredesberaad, Osijek, 2001., p. 102.
- 53. Swianiewicz, P.: New Experiments of Maintenance of Old Traditions? Dual system of Sub-Municipal Units in Poland, in Hlepas, N. Kersting, N. Kuhlmann, S. Swaniewicz, P. Teles, F. (ed.): Sub-municipal Governance in Europe. Decentralization Beyond the Municipal Tyer, Palgrave-Macmillan, 2019., pp. 167. 192.
- 54. Todorovski, I.: Local Government in the Macedonia, in Kandeva, E (ed.): Stabilization of Local Governments, Open Society Institute, Budapest, 2001., pp. 241. 288.
- 55. Tomac, Z.: Novi komunalni sistem, RANS "Moša Pijade" i Porodica i domaćinstvo, Zagreb, 1990.
- 56. Tomac, Z.: Razvoj i osnovne karakteristike primarnih lokalnih zajednica u socijalističkoj Jugoslaviji, časopis za suvremenu povijest, Vol 3, No 3, 1977., pp. 81. 106.
- 57. Vučetić, D.: *Decentralisation of City Administration and Competences of Decentralysed City Units*, Croatian and Comparative Public Administration, Vol. 16, No 1, 2016., pp 707 136.
- 58. Vujić, V.: *Nova uloga i teritorijalna organizacija hrvatske lokalne i regionalne uprave i samouprave*, in Barbić, J.(ur): Nova upravno-teritorijalna organizacija Hrvatske, HAZU, Zagreb, 2015., pp. 171. 178.
- 59. Wollman, H.: Local Government Modernization in Germany: Between Incrementalism and Reform Waves, Vol. 78, No 4, 2000, pp. 915 936.

DECENTRALIZACIJA I MUNICIPALNE VLASTI U ZEMLJAMA JUGOISTOČNE EUROPE

U radu se analizirala institucija podopćinskog poglavarstva kao organizacijski oblik lokalne uprave sa komparativnom perspektivom i elementi koji su općenito činili podopćinsku vlast kao oruđe za pružanje lokalnih javnih usluga i upravljanje lokalnim inicijativama važnim za lokalna zajednica. Ove dvije uloge su ključne za razumijevanje dinamike u podopćinskoj vlasti. Poseban fokus stavljen je na podopćinske vlasti u zemljama jugoistočne Europe, koje imaju zajedničku povijest i institucionalni okvir, s glavnim pitanjem: kako podopćinska vlast može pridonijeti jačanju decentralizacije i demokratskih procesa u lokalnoj zajednici izravno i neizravno u cijelom društvu. Sustavi samouprave koji su visoko decentralizirani obično imaju razvijenu podopćinsku upravu. S druge strane, u centraliziranim zemljama podopćinska vlast obično ima smanjenu ulogu koja je povezana s upravljanjem javnim zadacima povezanim s potrebama lokalne zajednice. Glavno pitanje je kako pod-općinska vlast može poboljšati decentralizaciju i kako ti napori na kraju dana doprinose boljem razvoju cijelog društva.

Ključne riječi: decentralizacija, subopćinska vlast, zemlje jugo-istočne Europe