ORIGINAL SCIENTIFIC ARTICLE

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REFORMS WITHOUT REFORMING: TRENDS IN LOCAL AND REGIONAL GOVERNANCE AND DECENTRALIZATION IN CROATIA

Abstract: The paper presents, analyzes, and discusses changes in the Croatian local self-government system and assesses their drivers, whether these changes can be considered real reforms, and why certain changes occur and others do not. The paper covers a 30-year time span of local self-government development – from the early 1990s, when Croatia introduced a modern local self-government, through the 2000s when Croatia transitioned to the system based on political decentralization, to recent reform activities. The paper shows that there have been several "real" reforms that have raised and addressed very important issues, while other "reforms" can mostly be described as partial changes that occur when there is significant political will for them or under strong external pressure. Political actors and their role of veto players, together with path dependency, remain crucial explanatory factors of local self-government development in the past three decades in Croatia.

Key words: Local Self-Government Reform, Decentralization, Local and Regional Self-Government in Croatia, Development Trends in Local and Regional Government.

1. Introduction: Research Objective and Methodology

The main research objective of the paper is to determine the circumstances under which local self-government reforms in Croatia take place, and especially which issues are being dealt with as the major reform issues. The paper explores the changes in the local self-government system

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from the early 1990s until today, and determine their motivational lines, trends, and real effects on the local self-government system in Croatia.

Public administration and local self-government, as its vital part, are constantly exposed to changes and adjustments of the social, political, technological, and other circumstances. These changes can sometimes be mistaken for reforms, however, it is important to be aware that reform "should not be confused with change resulting from incremental adjustments to environmental pressures, which cumulatively may be substantial." The basic research question is to assess changes in the Croatian local self-government and to determine whether these changes might be considered real systemic changes, i.e., reforms if yes - what are their drivers, and if not - why and particularly why do some changes in local self-government occur and others do not? What is the basic approach of political actors to local self-government and what have trends in the development of the entire system of local and regional self-government and decentralization led to? Paradoxically, the system of local and regional self-government is constantly being "reformed" mainly through changes of legislations that regulate different issues. Almost every change is presented as a reform, despite it being obvious that that these changes are often minor and have almost no long-term effects on the functioning of the system. Nevertheless, these changes often lead to the system remaining more or less unchanged.

The reasons for such a starting point lie in the fact that none of the implemented reforms tackle issues that are considered problematic from a political point of view. The political and public discourse in Croatia regarding local self-government revolves around the argument that structural changes of this system are unpopular and will lead to the political actors who implement them losing the next elections. This is why only marginal changes, which do not touch upon the main features of the system, are being implemented. However, this paper argues that structural changes of the local self-government system are possible when successfully implemented, which is corroborated by at least two major and several minor reforms of the local self-government system in Croatia. Nevertheless, political actors very often block the opening and implementation of significant reforms related to the most important issues of local and regional self-government.

This analysis is based on a mixture of theoretical and doctrinal insights, including an institutional theory approach, in particular historical institu-

¹ Halligan, J., Public Management Reform, in: Schedler, K., (ed.), 2022, *Elgar Encyclopedia of Public Management*, Cheltenham, Edward Elgar Publishing, p. 283.

tionalism and "path dependency",2 which shows that the current state of institutional development of local self-government in Croatia is largely the result of conditions created by previous choices and the setting of the outline of the system from the early 1990s. This is particularly the case with the territorial division of the country, which is one of the crucial elements in the inefficiency of the entire local self-government system. Also, the concept of "muddling through"³ and the incrementalism which followed from it, show the significance of piecemeal changes. In the Croatian case, these decisions, which were often made based on different external pressures and current needs, did not result in any real changes in the long run, eventually outlining the system in a certain direction while the local self-government basically remained the same. The concept of "veto players" is important for understanding the motivation of the undertaken reforms and which issues that will be publicly raised and whose resolution is the objective of the changes to the legislative framework. Finally, inter-governmental relations demonstrate the importance of the interplay between the different governance levels. However, the central government is constantly dominant and the local self-government actors accept this predominance. Thus, with the distinction of being centralized, conflicted, and multi-layered policy processes,⁵ the Croatian experience leads to a hypothesis about the dominance of a centralized approach to decentralization policy.

This paper analyzes the major changes in the local self-government system, covering the period from the early 1990s, when the new system of local self-government was introduced, to the present. The time span of the research is thirty years, with the main focus of analysis being on the changes in the past several years. The analysis provides grounds for defining several trends of the overall development of the local self-government system, regarding decentralization and intergovernmental relations. These trends are identified, analyzed and discussed toward the end of the paper.

2. Only "Reform" is Constant

After Croatia changed its sociopolitical system in 1990 and moved from self-managing socialism (samoupravni socijalizam) to a democratic

Peters, B. G., 2019, Institutional Theory in Political Science: The New institutionalism, 4th edition, Cheltenham, Edward Elgar Publishing.

³ Lindblom, C. E., 1979, Still muddling, not yet through, *Public Administration Review*, Vol. 39, No. 6, pp. 517–526.

⁴ Tsebelis, G., 2012, *Veto Players: How Political Institutions Work*, Princeton, Princeton University Press.

⁵ Kuhlmann, S. et al., 2024, New Perspectives on Intergovernmental Relations - Crisis and Reform, Cham, Palgrave MacMillan, pp. 3-6.

capitalism, several phases in the development of the local self-government system followed.^{6 7} At least two major and several smaller-scale local self-government reforms can be noted in the researched period. The first major reform took place in 1993, when the new system was established, followed by the second in 2000/2001, when the constitutional changes took effect and the general position of the local self-government was conceptually redefined. Several smaller-scale changes can also be traced over the years, mainly related to particular issues for which there was political resolve and which resulted in legislative changes.

The first law regulating general local self-government issues (Local Self-Government and Administration Act) was passed in 1992. It was subsequently amended and supplemented four times (twice in 1993, and again in 1997 and 1999). This law was replaced by the current Local and Regional Self-Government Act (LRSA),⁸ which was passed in 2001 and has since been amended ten times, with the latest amendments being adopted on 15 December 2020. Furthermore, it is important to mention

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Koprić distinguishes four stages in the development of the local self-government system in Croatia. These are: multipartyism in the old institutional framework (1990-1993), centralization and etatization (1993-2001), administrative decentralization (2001-2013), and Europeanization (from 2013 onwards) (Koprić, I., Suvremeni trendovi u razvoju lokalne samouprave i hrvatska lokalna i regionalna samouprava, in: Koprić, I., (ed.), 2018, Europeizacija hrvatske lokalne samouprave, Zagreb, Institut za javnu upravu, p. 31). Development of local self-government in Croatia has been additionally described and analyzed in detail by numerous domestic authors, see Blažević, R., Dobrić Jambrović, D., Menger, M., 2021, Lokalna samouprava (Local self-government), Rijeka, Pravni fakultet; Đulabić, V., Lokalna samouprava i lokalna demokracija u Hrvatskoj: koliko prostora za demokratske inovacije? (Local self-government and local democracy in Croatia: how much space for democratic innovations?), in: Čepo, D., (ed.), 2020, European values and the challenges of EU membership, Zagreb, Centar za demokraciju i pravo Miko Tripalo, pp. 143-170; Koprić, I., Dvadeset godina lokalne i područne (regionalne) samouprave u Hrvatskoj: razvoj, stanje i perspektive (Twenty years of local and regional self-government in Croatia: development, status and perspectives), in: Đulabić, V., (ed.), 2013, Lokalna samouprava i lokalni izbori (Local self-government and local elections), Zagreb, Institut za javnu upravu, pp. 6-63; Kregar, J., Decentralizacija, in: Kregar, J. et al., 2011, Decentralizacija, Zagreb, Centar za demokraciju i pravo Miko Tripalo, pp. 1-33.

⁸ Local and Regional Self-Government Act of the Republic of Croatia, Official Gazette of the Republic of Croatia, Nos. 33/01, 60/01, 129/05, 109/07, 125/08, 36/09, 36/09, 150/11, 144/12, 19/13, 137/15, 123/17, 98/19, 144/20.

several other laws that regulate general issues of local self-government, such as the Areas of Counties, Cities and Municipalities Act, Local Elections Act, Local Taxes Act, Act on Civil Servants and Employees in Local and Regional Self-government Units, and numerous sectoral legislations that regulate various administrative areas and the affairs and powers of local self-governments in those areas.

The ratification of the European Charter of Local Self-Government (ECLS), took place in several steps. First, the Croatian Parliament (*Hrvatski sabor*) adopted the Conclusion on the acceptance and respect of the principles and institutions (provisions) of the ECLS on 28 December 1992. This was a political declaration that the principles and fundamental provisions of the ECLS would be taken into account when regulating local self-government by national legislation. However, the Charter itself was ratified in late 1997 and a minimum number of its provisions entered into force at the beginning of 1998. The full adoption of the provisions of the Charter took place in 2008.

The development of territorial self-government since Croatia's independence can be outlined through several key points elaborated in the further sections.

2.1. THE FIRST PHASE: LOCAL SELF-GOVERNMENT AND ADMINISTRATION

The Croatian local self-government and administration system, established in 1992/1993, was based on the concept of administrative decentralization, according to which local self-government was perceived as an extended arm of the central state, and not as an instrument of a division of power along the vertical dimension. The model was inspired by the French centralistic model of state organization (prior to the decentralization reforms in 1982), resulting in extensive fragmentation of the territorial organization, massive nationalization, and intensive, almost hierarchical state supervision and intervention in the local self-government system.¹³

⁹ The first law regulating this issue was passed in late 1992, followed by several amendments and additions. The law currently in force was passed in 2006, and has been amended eight times to date.

¹⁰ Local Elections Act, Official Gazette of the Republic of Croatia, Nos. 125/06, 16/07, 95/08, 46/10, 145/10, 37/13, 44/13, 45/13, 110/15.

¹¹ Local Taxes Act, Official Gazette of the Republic of Croatia, Nos. 115/16, 101/17, 114/22, 114/23, 152/24.

¹² Civil Servants and Employees in Local and Regional Self-government Units Act, Official Gazette of the Republic of Croatia, Nos. 86/08, 61/11, 04/18, 112/19.

¹³ Koprić, I., Local Government Development in Croatia. Problems and Value Mix, in: Baldersheim, H., Illner, M., Wollmann, H., (eds.), 2003, *Local Democracy in Post-Communist Europe*, Wiesbaden, Springer Fachmedien, pp. 181–210.

The major features of the first decade of Croatian local self-government development were fragmentation and reduction of the number of basic local units (towns and municipalities). Several moments during this period that had significant consequences for territorial self-government should be highlighted, with the years 1993 and 1997 standing out in particular. First, the adoption of a set of laws regulating local self-government resulted in the initial increase in the number of basic local units. The former 102 municipalities from the socialist period were replaced in 1993 with 21 counties, 2 districts (Knin and Glina), ¹⁴ 70 towns, and 419 municipalities, i.e., a total of 489 basic units. This initial period saw the largest increase in the number of basic local self-government units by 43.90 percent. Second, the next big increase in the number of municipalities and towns occurred in 1997, when many municipalities were transformed into towns, resulting in a 42 percent increase in the number of towns (from 70 to 122). New municipalities were also established during that period, resulting in 416 municipalities. All this resulted in a total of 538 basic units. It is obvious that the number of basic units ultimately arose as a result of mere coincidence and political bargaining, because "in the preparation of the law at that time [...] it was said [...] that the territorial division would be based on the existence of 16 cities and approximately 190 municipalities." ¹⁵

During the first half of the 1990s, a large number of local self-government functions, employees and civil servants were taken over by the central state, leaving local units with limited, predominantly insignificant, portion of public tasks. 16 Furthermore, the central government developed a very extensive network of its own administrative bodies, which represented a parallel administrative system throughout the country. The oversight of the local self-government was intensive and was not limited only to the supervision of legality, but often also to the supervision of expediency. The county mayor (župan) had a dominant role in hierarchization of the system, playing a dual role as the central government representative and holder of the executive power in the counties. Although the county mayor was formally elected by the county assembly, they had to be confirmed by the President of the Republic. The central government could dismiss elected local political officials at the local and county levels, for reasons that were not in accordance with the standards contained in the ECLS and the position of local self-government in the modern democratic state.¹⁷

¹⁴ These two districts never actually came to fruition due to the state of war.

¹⁵ Kregar, J., 2011, p. 11, translated by authors.

¹⁶ Koprić, I., 2003, p. 194; Koprić, I., 2018, p. 32.

¹⁷ Koprić, I., 2000, Proširenje lokalnog samoupravnog djelokruga i sužavanje nadzora središnjih državnih organa (Expansion of the scope of competence of local self-government and narrowing of the supervision of central state authorities), Hrvatska

2.2. THE SECOND PHASE: LOCAL AND REGIONAL SELF-GOVERNMENT

The constitutional changes in 2000 introduced a transition from the semi-presidential to a parliamentary system of government which was reflected on the entire organization of the state. The previous concept of administrative decentralization was replaced by the concept of political decentralization and the principle of subsidiarity. The local self-government units were positioned as an instrument of vertical division of power in the overall constitutional and political system of the country (Art. 4 of the Constitution). The constitutional amendments defined the division of the state and local administrative structures by defining counties as units of territorial (regional) self-government and introduced a general clause determining local competences.

The constitutional changes were followed by the adoption of a new law on local and regional self-government in 2001, which represented a major change of the system after the initial change in the early 1990s. This was followed by the beginning of the decentralization process in four policy areas in 2001, namely healthcare, social care, education, and firefighting. However, the territorial organization of the country did not change, but continued to grow during this period, albeit only slightly.

2.2.1. Political Discourse on Local Self-Government System and Decentralization

After the constitutional changes and the initial decentralization measures in 2001, political support for decentralization subsided and there have been no new visions or suggestions of its future course. The 2000/2001 constitutional and legal changes represented a step toward the general democratization of society after a decade of rule and dominance by a single party (Croatian Democratic Union – HDZ). The proclaimed general goal of decentralization and transformation of local self-government was only partially accomplished. Regionalization and rationalization of the territorial structure were not achieved, although they were proclaimed important

javna uprava, Vol. 2, No. 3, pp. 391–437; Koprić, I., 2001, Uloga županija u hrvatskom sustavu lokalne samouprave i uprave 1990-ih i perspektive regionalizacije nakon promjena Ustava iz 2000. godine (The role of counties in the Croatian system of local self-government and administration in the 1990s and the perspective of regionalization after the changes to the 2000 Constitution), *Hrvatska javna uprava*, Vol. 3, No. 1, pp. 63–87.

¹⁸ Koprić, I., Đulabić, V., Evaluation of the Decentralisation Programme in Croatia, in: Koprić, I., Wollmann, H., Marcou, G., (eds.), 2018, Evaluating Reforms of Local Public and Social Services in Europe, Cham, Palgrave Macmillan, pp. 243–260.

reform goals by Government in 2000. After four years, the HDZ returned to power in late 2003 and has been governing Croatia continuously since then, with one four-year break (during Zoran Milanović's government, 2012–2015). The decentralization and strengthening of the local self-government system were left to the mercy of changing political tides. ¹⁹

The establishment of commissions for decentralization and territorial reorganization under different names, with different compositions and with different goals, has occurred several times, namely in 2004, 2010, 2012, and 2021. Although the establishment of these commissions was supposed to additionally boost the initiated decentralization process, and even propose a new territorial organization, this did not happen. The role of these commissions was mainly declarative, and perhaps even decorative in nature. They rarely adopted and published strategic documents on decentralization, and their work was not evaluated. Certainly, the most visible work in this direction was done by the Commission for Decentralization and Territorial Reorganization in 2010, which produced a document entitled Guidelines and Principles for Functional Decentralization and Territorial Reorganization. The document was adopted by the Government on 8 July 2010.20 This was the first time after the 2000/2001 reform that the Government adopted a strategic document that explicitly identified territorial reorganization as one of the fundamental reform tasks. Nevertheless, due to the short life of that cabinet, serious steps toward its implementation were never taken.

Local self-government reform was the subject of intense political debate during 2014 and 2015. First, toward the end of his first term, President Ivo Josipović launched a project to draft a new Constitution with which he sought to win a second term. In that draft, the local self-government reform, decentralization and regionalization of Croatia were very important parts. However, since he did not win a second presidential term, by a small margin, this reform project fell into oblivion. Also, before and after the 2016 parliamentary elections, it was publicly emphasized that the implementation of the local self-government reform (including the reduction of the number of counties) was a prerequisite for forming a coalition government between the two center-right parties (HDZ and Most). This did not suit the powerful political structures in the counties, who had invested a great deal of political and public effort to demonstrate the justification of the county system.²¹

¹⁹ Koprić, I., 2003, pp. 204-205.

²⁰ Koprić, I., 2010, Prijedlozi za reformu lokalne i regionalne samouprave u Hrvatskoj (Proposals for the reform of local and regional self-government in Croatia), *Hrvatska javna uprava*, Vol. 10, No. 4, p. 944.

²¹ Such a position is clearly illustrated by one of the many public statements in 2016, by Goran Pauk, the then president of the Croatian Association of Counties: "We have

At the time the Most political party assumed responsibility for the ministry of public administration, with the mandate to implement a more serious reform. Some initial steps were taken in that direction, but the reform was never implemented due to subsequent political turmoil. The coalition broke up soon after, the parliamentary majority was rearranged, and the reforms were stopped. After that, the local self-government reform was not the subject of such intense political discourse in the parliamentary or presidential elections.

The current ruling parliamentary parties have a kind of "tacit consensus" on maintaining the existing territorial division of the country. The exception is the biggest opposition party, which reopened this issue in late 2021, but this did not elicit much public response. Also, there are several smaller centrist and liberal parliamentary parties, with only one or two MPs, which have been continuously advocate territorial restructuring (e.g., Glas, Centar, DOSiP).

Over the years, local self-government became part of several strategic documents on the development of public administration. This first happened in 2015 when the Croatian Parliament adopted the Strategy for the Development of Public Administration for the 2015–2020 Period.²³ This document addressed local self-government as an essential component of the public administration strategic development for the first time. However, the actual implementation of this document was very poor. Local self-government also found its place in the currently valid National Development Strategy of the Republic of Croatia until 2030, which was adopted by the Croatian Parliament in February 2021.²⁴ Within the

²³ years of practice of such regional and local self-government, and I believe that counties are the most justified structure of the entire state sector: without scandals, and with little financial resources, we have done a lot of good things. However, we need better cooperation with state and European authorities on development visions. Territorial organization is less important, and public administration reform is much more important, that is our position." Varošanec, S., Filipović Grčić, A. M., 2016, Javna uprava treba se vratiti pod skute županije, na to smo odmah spremni (Public administration should return to the control of counties, we are ready for that immediately), *Poslovni.hr*, 28 March, (https://www.poslovni.hr/poduzetnik/javna-upravatreba-se-vratiti-pod-skute-zupanije-na-to-smo-odmah-spremni-310808, 29. 4. 2025), translated by authors.

²² In late 2021, the SDP published a document entitled Polazne točke za reorganizaciju lokalne i regionalne samouprave u Republici Hrvatskoj (Starting points for the reorganization of local and regional self-government in the Republic of Croatia), which is available at: http://www.sdp.hr/wp/wp-content/uploads/2022/01/Polazne_tocke_za_reorganizaciju_lokalne_i_regionalne_samouprave_u_RH3.pdf.

²³ Strategy for the Development of Public Administration for the 2015–2020 Period, Official Gazette of the Republic of Croatia, No. 70/15.

²⁴ National Development Strategy of the Republic of Croatia until 2030, Official Gazette of the Republic of Croatia, No. 13/21.

framework of strategic objective 3 entitled "Efficient and effective judiciary, public administration and state asset management", one of the document's five priorities related to public administration is "improving the functionality and sustainability of regional and local self-government." One of the main mechanisms for optimizing the local self-government system is to encourage functional and possibly actual mergers of local units. The National Recovery and Resilience Plan for the 2021–2026 Period was adopted in the meantime. In it the Government of the Republic of Croatia defined that one of the goals of the Plan is a functional and sustainable local self-government, setting an ambitious goal of a 20% of the local units (111 of them) actually merging by the end of 2026, and 40% of them (222) becoming functionally merged.²⁵ However, after several years of implementation, data shows that there is very little interest in functional mergers and there is practically no interest in the actual merger of local units. The set goal will be very difficult to achieve by 2026.

2.2.2. Territorial Organization, Staff, and Administration

After 2000 the number of basic units continued to grow slightly and it is currently stabilized at 556 basic units, or 128 towns (including the City of Zagreb) and 428 municipalities.²⁶ Unlike the number of basic units, which grew from the initial 70 towns and 419 municipalities to today's number, the number of counties has been stable at 20 from the beginning. The introduction of so-called "big towns", as a special subcategory of local self-government units, took place in 2005. The limit for big towns was set at 35,000 inhabitants, which was far too low, and the county seat towns that do not meet this population criterion were elevated to them. These big towns were granted insignificant additional functions (issuing of building permits, spatial planning, and maintenance of public roads) compared to ordinary towns. However, even though they are legally defined as promotors of development of the surrounding area, some "big towns" lack the capacity to develop functions that are necessary to take on the significant development momentum and serve as development engines of their wider areas.²⁷

Jurlina Alibegović, D., 2023, Interes općina i gradova za dobrovoljno spajanje (Interest of municipalities and cities in voluntary merger), *Informator*, Nos. 6786–6787, pp. 1–4.

²⁶ The last change in the number of basic units occurred in 2013, when the municipality of Popovača was granted town status.

Dulabić, V., Regionalni razvoj i županije u Hrvatskoj (Regional development and counties in Croatia), in: Barbić, J., (ed.), 2015, *Nova upravno-teritorijalna organizacija Hrvatske*, Zagreb, Hrvatska akademija znanosti i umjetnosti, pp. 139–159.

The results of the 2021 population census were also reflected in the general indicators of the local self-government system. Namely, according to the 2021 census, Croatia has 3,888,529 inhabitants, which is 396,360 inhabitants fewer than in the 2011 when it had 4,284,889 inhabitants. Thus, Pannonian Croatia, which includes eight counties, has 1,025,221 inhabitants, Adriatic Croatia, which includes seven counties, has 1,303,428 inhabitants, the City of Zagreb has 769,944 inhabitants, and Northern Croatia, which includes five counties, has 789,936 inhabitants. In terms of territorial self-government, the results of the 2021 census led to a decrease in several average indicators shedding new light on the overall local and regional self-government. Thus, due to the decrease in the number of inhabitants, the average size of a local unit decreased from 7,706 inhabitants to 6,994 inhabitants, which is a decrease of about 700 inhabitants per unit.

Table 1: Change in the number of local units and population (1993–2021)

	No. of local units			Average f inhabitants	Total (local units)	
Year	Towns	Municipalities	Towns	Municipalities	No. of units	Average no. of inhabitants
1991	-	102	-	_	102	46,904
1993	70	419	28,124	4,700	489	9,784
2011	127	429	18,500	3,194	556	7,707
2021	128	428	15,899	2,568	556	6,993

Source: authors, based on Census 1991, 2011, 2021.

Table 1 shows that the data are even more alarming at the level of the individual types of local units. Thus, the average municipality has fallen to just 2,568 inhabitants, and the average city to 15,899 inhabitants. This is an average municipality size reduction of 45 percent, and an average city size reduction of 43 percent. Nevertheless, Croatia has not changed the number of its basic local self-government units in the past ten years, so it is classified as a country with averagely small local units and is one of 11 European countries that did not change the number of their territorial

Since the beginning of 2021, Croatia has been divided into the four 2nd level statistical regions (so-called NUTS II). Before that, since 2013, it was divided into two NUTS II regions (Continental and Adriatic Croatia), and before that, since 2007, it was divided into three NUTS II regions (Northwestern, Central and Eastern (Pannonian) and Adriatic Croatia.

self-government units between 2012 and 2021.²⁹ Recent studies of the correlation between the size and efficiency of local government units in Croatia, which are based on economies of scale, show that the vast majority of local units have a suboptimal population. Namely, 388 local units (69.8 percent of the total number of local units) have fewer inhabitants than the optimum.³⁰

Year	Municipalities	Towns	Counties	City of Zagreb	Total	Increase
1995	2,131	5,422	944	2,564	11,061	- (100%)
2002	2,285	7,170	1,237	2,564	13,238	2,177 (19.7%)
2012	4,317	9,024	2,061	2,753	18,155	4,917 (37.1%)
2022	6,502	11,013	4,118	3,198	24,831	6,676 (36.8%)

Table 2: Local administration and staff

Source: authors, based on Ministry of Finance, Report on the Execution of Local Budgets

The data in Table 2 shows that the number of employees in the local administration has been constantly increasing, despite the fact that general indicators such as the average number of inhabitants have been decreasing. The growth is partially due to decentralization measures, which included transfer of state civil servants to local civil servants. However, the number of employees in the municipalities that did not gain new competences in the decentralization process has also grown significantly (50% between 2012 and 2022). Also, deeper examination of the growth of the number of civil servants in big towns shows that in some towns decentralization measures were used for additional, nontransparent and needless employment.³¹ The data on the number of local and county administration offices shows that there were 1,175 offices in total in 2018: 191 county offices, 509 town offices, 22 offices of the City of Zagreb, and 453

²⁹ The latest data on changes in the territorial structure of European countries can be found on the website of the Council of European Municipalities and Regions (CEMR), which has conducted an analysis of territorial changes in 40 European countries, (https://terri.cemr.eu/en/, 27. 5. 2025).

³⁰ Buljan, A., Deskar-Škrbić, M., Švaljek, S., 2021, In Search of an Optimal Size for Local Government: An Assessment of Economies of Scale in Local Government in Croatia, *Croatian National Bank Working Papers*, No. W-62, p. 23.

³¹ Marčetić, G., Lopižić, I., 2017, Utjecaj procesa decentralizacije na jačanje personalnih kapaciteta hrvatske lokalne i područne (regionalne) samouprave (The influence of the decentralization process on personnel capacity strengthening in Croatian units of local and regional self-government), *Hrvatska i komparativna javna uprava*, Vol. 17, No. 3, p. 429.

municipal offices.³² While the number of county administration offices grew over the following period (reaching 203 offices in 2023),³³ the City of Zagreb reduced number of its offices to 12.

2.2.3. Reforms and "Reforms"

After the constitutional changes in 2000 and the decentralization in 2001, the changes in the local self-government system can be grouped around democratization (introduction of the direct elections of mayors in 2007), decentralization (abolition of first-instance state administration bodies in 2019), and rationalization (reduction of the number of local councilors in 2020). Additionally, in the past several years, Croatia has witnessed the implementation of recentralization measures in different administrative areas.

The direct election of mayors was introduced in 2007 and implemented in local elections in 2009, with the promise and expectation of greater democratization, efficiency, and strengthening the developmental potential of local self-government.³⁴ However, the evaluation of this innovation showed that most of the goals have not been met.³⁵ The additional strengthening of the role of mayors was introduced through the adoption of the so-called "lex sheriff" in 2017. This 2017 amendment of the LRSA was particularly problematic because "this is an example of a bad law, whose conceptual idea deviates from the basic idea and purpose of local self-government, and instead of strengthening democracy, it supports an authoritarian model of government. At a time when the democratic deficit around the world, and especially in Europe, threatens the institutions of representative, liberal democracy, such a legal project should be analyzed with special attention. In the long term, it will certainly reduce the

³² Dadasović, B., Načelo samostalnosti lokalnih jedinica pri određivanju vlastitog unutarnjeg ustrojstva (The principle of autonomy of local units in determining their own internal organization), in: Koprić, I., (ed.), 2018, Europeizacija hrvatske lokalne samouprave (Europeanization of Croatian local self-government), Zagreb, Institut za javnu upravu, p. 534.

³³ Lopižić, I., Manojlović Toman, R., 2023, Institutional and Performance Effects of Administrative Decentralization in Croatian Territorial Governance Setting, *Studia Iuridica Lublinensia*, Vol. 32, No. 5, p. 202.

³⁴ Koprić, I., 2005, O neposrednom izboru gradonačelnika i općinskih načelnika (On the direct election of mayors), *Informator*, Vol. 53, No. 5399, p. 9.

³⁵ Koprić, I., Škarica, M., Evaluacija neposrednog izbora načelnika i župana u Hrvatskoj nakon dva mandata: korak naprijed, dva nazad (Evaluation of direct elections of mayors and county prefects in Croatia after two terms: one step forward, two back), in: Gongeta, S., Smoljić, M., (eds.), 2017, *Zbornik radova 7. međunarodne konferencije Razvoj javne uprave*, Vukovar, Veleučilište Lavoslav Ružička, pp. 156–172.

citizens' trust in the institutions of local democracy and contaminate the very idea of decentralization, i.e., strengthening local self-government, as an institution for achieving vertical division of power."³⁶

The abolition of county state administration offices (CSAOs), as first-instance central administrative bodies in the counties, and the transfer of their tasks to the county self-government (within the "delegated scope of competences") took place in 2019. This reform measure represents one of the more significant decentralization activities since the decentralization in 2001, because the counties took over more than 60 administrative tasks from the central level. This was considered a serious reform aimed at "decentralization and rationalization of state administration". However, it seems that the real motive behind this decentralization was the additional strengthening of the position of the counties and the county mayors and securing the existing territorial division of the country.³⁷

The reduction in the number of local councilors in representative bodies by approximately 10 percent, and several other technical improvements in the operation of local self-government, took place in 2020. Although this is labelled as a reform aimed at the rationalization of public expenditures, these changes cannot be considered a significant and necessary reform, because the adopted legal "amendments do not solve any strategic issue of the Croatian local and regional self-government, because the basic model of local self-government, characterized by territorial fragmentation and high centralization, remains unchanged." ³⁸

Recentralization has been observed in different policy areas during and after the COVID pandemic. Namely, this has been observed in preschool education, earthquake reconstruction, waste management, and water supply. Furthermore, recentralization even occurred in policy areas that were decentralized in 2001, such as firefighting, social care services, education, and healthcare. The recentralization was incited by inadequate local self-government capacities to provide services in complex settings arising from multifaceted crises. This was justified by the necessity for

³⁶ Koprić, I., 2017, Novela Zakona o lokalnoj i područnoj (regionalnoj) samoupravi iz 2017. (Amendment to the Act on Local and Regional Self-Government from 2017), Hrvatska i komparativna javna uprava, Vol. 17, No. 4 special issue, p. 59, translated by authors.

³⁷ Manojlović Toman, R., 2019, Prethodna evaluacija ukidanja ureda državne uprave u županijama (Preliminary evaluation of the abolition of state administration offices in counties), *Zbornik Pravnog fakulteta u Zagrebu*, Vol. 59, Nos. 5–6, pp. 835–870.

³⁸ Đulabić, V., 2021, Mogu li se nove izmjene propisa o lokalnoj i područnoj (regionalnoj) samoupravi smatrati reformom? (Can the new changes of the regulation on local and regional self-government be considered a reform?), *Informator*, No. 6662, p. 2, translated by authors.

greater efficiency, uniformity, and cost savings in service provision.³⁹ For example, the new Social Welfare Act, which entered into force in February 2022, significantly centralized this sector as local units lost control over social welfare centers, which were merged into a single Croatian Institute for Social Work, controlled by the central government.⁴⁰ Centralization was also implemented in healthcare, with hospitals being taken away from counties and the City of Zagreb and placed under the control of the central government. This resulted in some counties (Krapina-Zagorje, Međimurje, and the City of Zagreb) seeking a review of the constitutionality of the legal amendments before the Constitutional Court.⁴¹

3. Trends in Local and Regional Self-Government Institutional Development

The above analysis shows that there have been quite a few reform efforts, of greater or lesser significance and intensity, since Croatia became independent. However, the question remains what effect these efforts have had and how thought-out, scientifically—and professionally-founded they have been. Based on the presented data, the review and analysis of the development of local and regional self-government in Croatia, several trends that have marked this development can be identified. These trends revolve around several key dimensions of territorial self-government, and it is possible to label them as "5C trends": conservation, capacity, competence, confusion, and control.

3.1. CONSERVATION

The first trend is the conservation of inadequate territorial organization, at both the local and county levels. As previously elaborated, Croatia

³⁹ Đulabić, V., Škarica, M., Lopižić, I., 2023, Analysis of centralization as a response to polycrises: evidence from local self-government in Croatia, paper presented at scientific conference steering European Union through Poly-Crises Storms: The Role of Public Administration.

⁴⁰ For evaluation of this reorganization see Džinić, J., Lopižić, I., Manojlović Toman, R., Reorganizacija sustava socijalne skrbi: priprema, provedba i perspektive (Reorganization of the Social Care System: Preparation, Implementation and Perspectives), in: Barbić, J., (ed.), 2025, Priprema i provedba reformi u javnoj upravi i pravosuđu Republike Hrvatske (Preparation and implementation of reforms in the public administration and judiciary of the Republic of Croatia), Zagreb, Hrvatska akademija znanosti i umjetnosti, pp. 65–87.

⁴¹ Đulabić, V., 2024, "Silent capture": Undemocratic tendencies in Croatia, Zagreb, Friedrich Ebert Stiftung.

initially increased the number of its basic units by almost five times in 1993. This number grew further over the years and finally became stable in 2013. However, this was not the result of systematic thinking, but rather of chaotic development and a somewhat romantic notion of the role of local self-government in a young, independent state. Although the number of counties has not changed since 1993, it has been irrational and excessive from the beginning. Counties do not represent natural regional entities, but are artificially created units with a low degree of population identification. ⁴² Despite the growing awareness of the irrationality of the territorial division, which is further intensified by the decrease in the population in Croatia and the consequential decrease of the average size of local and regional units, the governing political parties is not taking any action to rationalize the territorial division.

The public debate on territorial organization has taken on different intensities at different times. The academic and professional community continuously advocates rationalization of the territorial organization, but political structures refuse to address the issue and make serious efforts in this direction. They assume the role of strong "veto players" regarding this issue. The public debate on territorial reorganization was at its peak between 2014 and 2016, but due to political turbulence in the new ruling coalition at the time – nothing was done, and it subsequently simply died down. Instead of amalgamating local units, the central government is trying to achieve some results by encouraging functional mergers and hoping to achieve voluntary actual mergers, but the results of these efforts have been quite modest.

3.2. CAPACITY

Another noticeable trend concerns the differentiated capacity of different types of territorial units to perform public tasks at a satisfactory level. The legal difference between municipalities and towns is not essential, given the almost identical scope of tasks that is assigned to them by the Constitution and sectoral legislation. However, the real differences between municipalities and towns are quite large, as can be seen from the average number of inhabitants in each type, which then has a significant impact on the capacity to perform public tasks. This especially refers to the possibility of expanding the range of the self-government scope of affairs, where the capacity is far greater in the average town than in the average municipality.

⁴² For the recent analysis of regional and regional self-government in the countries of former Yugoslavia see Đulabić, V., (ed.), 2024a, *Regionalism and Regional Self-Government in South-East Europe*, Cham, Springer.

Additionally, low local capacities are the greatest factor leading to the unwillingness of local units to take on new decentralized functions.⁴³ By introducing the category of "big towns" and "county seat towns", which are equated with big towns, an attempt was made to create space for an asymmetrical approach to decentralization. However, even these two categories are not completely equal, given that there are as many as eight county seat towns that are below the legal population threshold of 35,000, and some of the county seat towns have population that are even below 10,000, which is the legal criterion for obtaining town status under regular circumstances. The analysis of the financial expenditure that the central state assigns to local units to perform decentralized functions indicates great discrepancies between local units in efficiency and economy while performing decentralized functions.⁴⁴

The capacity issue is especially notable in municipalities whose average size after the 2021 census dropped to about 2,500 inhabitants. This is negatively reflected in the capacity for conducting the local affairs and providing public services. There is, however, the possibility that small municipalities, together with other local units from their surroundings, can participate in a very small proportion of only a few percent in the ownership of joint utility companies. They can also partake in the establishment of joint kindergartens and libraries, and the organization of joint municipal police (*komunalno redarstvo*) or other similar utilities. This condition is clearly illustrated by the fact that 148 municipalities, i.e., 34.6 percent of all municipalities, currently have no "budget users". This practically means that these municipalities have only a directly elected

⁴³ Đulabić, V., 2018a, *Lokalna samouprava i decentralizacija u Hrvatskoj* (Local self-government and decentralization in Croatia), Zagreb, Friedrich Ebert Stiftung, p. 8.

⁴⁴ Jambrač, J., 2015, Funkcionalna decentralizacija u Hrvatskoj: petnaest godina poslije (Functional decentralization in Croatia: fifteen years later), *Hrvatska i komparativna javna uprava*, Vol. 17, No. 2, pp. 189–216.

The trend of functional mergers has been notable in the past several years as a result of the central government's policy stimulating such functional connections. For example, in 2023, as many as 243 municipalities (57 percent of the total number) were without any budget users. However, in 2024, that number decreased to 186, which is 43.5 percent of all municipalities, with 38 of them using financial incentives provided by the Government for functional mergers and establishing joint utility companies or other joint institutions (Jurlina Alibegović, D., 2025).

⁴⁶ Term "budget user" in local self-government is an institution whose exclusive founder is the local or regional self-government unit, whose payroll expenses and/or material expenditure are provided for in the budget and/or who generate revenues from the budget and/or on the basis of public powers, laws and other regulations, and these revenues are 50 percent or more of the total revenues or which is a source of income budget of local and regional self –government units in the amount of 50 percent or more (see Pravilnik o načinu vođenja registra proračunskih i izvanproračunskih ko-

mayor, who, as a rule, receives a full salary – and several people employed in the municipal administration (which is formally established as a "single administrative office").

The biggest winners of such situations are the counties that have established themselves as a solution for the weak capacity of the municipalities, providing local public services instead of those municipalities. The counties have a significant capacity that allows them to provide local services in their area despite the fact that there are too many counties. However, there are also great differences between the counties themselves regarding their size, budget, organization, and development index. A direct consequence of this is the difference in the scope, quality and standard of public services provided to the citizens. An analysis of the performance of decentralized social services at the county level indicates great disparity among the inhabitants of different counties due to the significant differences in their capacities. As

3.3. CONFUSION

The next tendency in the development of local self-government in Croatia is confusion regarding decentralization. The evaluation of the decentralization process launched in 2001 showed that it was "confusing decentralization because goals, responsibilities, resources, local capacities, monitoring and evaluation mechanisms were neither coherently designed nor well connected. Its effects have not been systematically evaluated, sometimes not even registered, by the respective authorities." The abolition of the CSAOs in 2019 cannot be considered genuine decentralization since the counties perform these decentralized functions as the extended arm of state. These functions are performed as *transferred competences* and not as *self-governing competences*. This further leads to the diminishing of the political role of the counites and strengthening their administrative role. ⁵⁰

risnika (Rulebook on the manner of keeping the register of budget and extrabudgetary users), *Official Gazette of the Republic of Croatia*, No. 150/2024, Art. 2/1/1).

⁴⁷ Đulabić, V., Harmonizacija regionalne samouprave u Europi i regionalno pitanje u Hrvatskoj (Harmonization of regional self-government in Europe and regional question in Croatia), in: Koprić, I., (ed.), 2018b, *Europeizacija hrvatske lokalne samouprave* (Europeanization of Croatian local self-government), Zagreb, Institut za javnu upravu, p. 460.

⁴⁸ Babić, Z., 2018, Decentralizacija socijalne skrbi i socijalne nejednakosti: slučaj Hrvatske (Decentralization of social care system and social inequalities: the case of Croatia), Revija za socijalnu politiku, Vol. 25, No. 1, pp. 25–48.

⁴⁹ Koprić, I., Đulabić, V., 2018, p. 253.

⁵⁰ Lopižić, I., Manojlović Toman, R., 2023.

Moreover, some previously decentralized sectors (e.g., healthcare) are now witnessing centralization processes, while other sectors (e.g., state property management) are experiencing decentralization. This is happening without any clear decentralization strategy on the part of the central level, which further supports the confusion tendency notion. The wave of recentralization in recent years also shows different facets; it occurs in different forms and on different scales with no clear rationale and with questionable results. ⁵¹ These and other examples show that there is no coherent and well-thought-out decentralization policy, but rather a chaotic process that depends on the political circumstances. On the other hand, significant decentralization is also not possible given the weak capacities of numerous local units and the inadequate territorial structure that generates them.

3.4. COMPETENCES

Local and regional self-government competences are blurred, overlapping, narrow and incomplete. The analysis of sectoral legislation shows that Croatian local units are autonomous only in communal affairs, while other competences are sporadically and unsystematically assigned to local government units. In the areas of education, healthcare, social services, and firefighting, the powers of local units are mostly administrative, technical, and auxiliary to the powers of central state administration bodies. To exercise their functions, local units often need approval from central bodies, which diminishes their capacity for strategic planning and the creation of public policies. The "general clause" prescribed in the Constitution has been turned into the detailed and exhaustive enumeration of affairs in sectoral legislation, seriously limiting local autonomy.⁵²

Regarding the functional relations between counties and local units, the Croatian legislator took different positions by assigning to counties public affairs that are constitutionally guaranteed as local unit affairs (e.g., primary healthcare, education, and social services, plus environmental protection), or by giving counties and local units overlapping functions (e.g., in fire-fighting protection, civil protection, traffic, pre-school care and education, culture), or by limiting the local unit's autonomy by giving counties

⁵¹ Đulabić, V., Škarica, M., Lopižić, I., 2023.

⁵² Škarica, M., Lokalni djelokrug u svjetlu novih funkcija i uloga lokalne samouprave (Local scope of competence in the light of new functions and roles of local self-government), in: Koprić, I., (ed.), 2013, *Reforma lokalne i regionalne samouprave u Republici Hrvatskoj* (Reform of local and regional self-government in the Republic of Croatia), Zagreb, Suvremena javna uprava, pp. 55–98.

coordinative or almost hierarchical powers over local units (e.g., environmental protection, pre-school care and education, libraries, waste disposal).⁵³ The ECLS monitoring reports on Croatia, by the Council of Europe Congress of Local Regional Authorities, consistently warn about the aforementioned problems regarding the powers of local and regional units.⁵⁴

3.5. CONTROL

Lastly, control of the local self-government units is very complex, weak, and situationally driven. The overview of control mechanisms for the local self-government shows that there are almost 30 different types of control procedures, bodies, and mechanisms, ranging from judicial and administrative, to control by civic and independent bodies. However, control is rather inefficient, featuring a predominantly legal approach and random application of control standards. This is mostly the result of the overall politicization of the system and weak central state capacity to perform control of all 576 local self-government units.⁵⁵

The abolition of the CSAOs additionally weakened the central state control capacity since general local acts are now supervised directly by line ministries instead of the previous CSAOs, as the first instance control bodies. ⁵⁶ On the other hand, local and regional units initiated several proceedings before the Constitutional Court in order to assess the constitutionality of adopted laws (e.g., in the field of healthcare, water supply, etc.) which encroach on the right to local self-government. The Constitutional Court frequently does not decide on these requests within the legally prescribed period, thereby further undermining the position of the local self-government.

⁵³ Škarica, M., Funkcionalni odnos lokalne i područne (regionalne) samouprave u Hrvatskoj u svjetlu odredaba Europske povelje o lokalnoj samoupravi (The functional relationship between local and regional self-government in Croatia in light of the provisions of the European Charter on Local Self-Government), in: Koprić, I., (ed.), 2018, Europeizacija hrvatske lokalne samouprave (Europeanization of Croatian local self-government), Zagreb, Institut za javnu upravu, pp. 493–519.

⁵⁴ See the most recent CoE report, Congress of Local and Regional Authorities, 2024, Monitoring of the application of the European Charter of Local Self-Government in Croatia, co-rapporteurs: Gobnait NI MHUIMNEACAIN, Irland (L, ILDG) and Cecilia DALMAN EEK, Sweden (R, SOC/G/PD), CG(2024)46-18, 28 March, (https://search.coe.int/cm?i=0900001680aecea2, 23. 4. 2025).

⁵⁵ Koprić, I., Crnković, M., Lopižić, I., Control of local governments in Croatia: Many components, still weak control, in: Max-Geis, E., Guérard, S., Volmerange, X., (eds.), 2018, *A threat to autonomy? Control and supervision of local and regional government activities*, Paris, Institut Universitaire Varenne, pp. 91–112.

⁵⁶ Lopižić, I., Manojlović Toman, R., 2023.

4. Conclusion

The paper shows that since the establishment of modern local self-government, there have been several real local self-government reforms that have opened up and addressed very important issues. Other changes can mostly be described as partial attempts that did not lead to significant changes in terms of the main fundamental characteristics of local self-government in Croatia. The main reasons for this situation are certainly the institutional structures that emerged in the early 1990s and have managed to survive to this day in an almost unchanged form. This confirms the conclusions based on the historical institutionalism,⁵⁷ which shows that institutions have the ability to survive despite the formal changes that have occurred in the meantime. Path dependency has emerged as a constant in the institutional development of local and regional self-government in Croatia over the past 30 years.

It has been confirmed that the ruling political actors are proving to be exceptionally strong veto players. The analysis of the institutional development of local and regional self-government in the past three decades shows that, despite the given institutional path, some significant changes still occur when there is sufficient political will for it. In addition, incentives and pressures from the environment are effective only when they are in line with the attitudes and orientation of the ruling political elite. Other demands for reform coming from the environment, such as academia, the media and the general public, are systematically ignored and removed from the policy agenda. Political actors have proven to be unresponsive to the demands by the general public, media and academic community for the reform of the territorial organization as one the main and pressing issue of local self-government. This reform, along with capacity strengthening, local competences and finances, is one of the fundamental issues that have to be addressed in order to increase the functionality of the entire local and regional self-government in Croatia.⁵⁸

⁵⁷ Peters, B. G., 2019.

This is because "the territorial administrative system in our country has a network of identical spatial administrative units with equal political powers, regardless of the huge differences in power, size and position in relation to others. This equality is in many ways reminiscent of the well-known political equalization of forces and functions, like in some utopian world where there is a uniformity in the distribution of wealth, size, power, and rights. In practice, such a system slows down rather than encourages development, is more in line with the central state authority than with the people in the local community, emphasizes social and solidarity attributes more than active productive tendencies, and supports the success of some sort of decentralized centralism more than democracy, which is otherwise extremely emphasized".

The issue of territorial organization is inextricably linked to the possibility of implementing a significant decentralization policy and strengthening the overall capacity of local and regional self-government. It is confirmed that the decentralization policy – if such a systematic policy even exists in Croatia – is completely centralized and often confusedly led by the central government, with excessive control and narrowing of the self-governing scope of the competences of the local and regional units. Its evolution and eventual transition from a "centralized model of decentralization policy" to a "multi-layered decentralization policy process" requires addressing the fundamental issues, directed toward strengthening the local and regional self-government outlined in this paper.

The fundamental contemporary roles of local self-government ⁶⁰ have not been sufficiently taken into account in its development to date. If viewed through the amendments to the basic law governing local and regional self-government, previous reform activities mainly aimed to change some, often unimportant, political elements of local and regional self-government. In addition, elements that are crucial for the realization of the contemporary roles of local self-government appear only sporadically and separately from the systemic regulation of local and regional self-government.

Overall, the current local self-government, and especially its territorial structure, does not serve economic and societal development. It remains an open question to what extent it fulfills other roles of modern local and regional self-government, especially those related to the EU's Structural and Investment Funds,⁶¹ and whether it meets the requirements of modern local self-government, which should also have the right to manage a significant share of public affairs.

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⁵⁹ Kuhlmann, S. et al., 2024, pp. 3-6.

⁶⁰ Koprić, I., Marčetić, G., Musa, A., Đulabić, V., Lalić Novak, G., 2021, *Upravna znanost: Javna uprava u suvremenom europskom kontekstu – 2. izmijenjeno i dopunjeno izdanje*, Zagreb, Pravni fakultet, p. 274.

⁶¹ Đulabić, V., Lokalna i regionalna samouprava i korištenje sredstava iz fondova Europske unije, in: Boban, M., Vukušić, I., (eds.), *Zbornik radova Pametna lokalna samouprava*, 2017, Novalja, Split, Zagreb, Grad Novalja.

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REFORME BEZ REFORMIRANJA: TRENDOVI LOKALNE I REGIONALNE SAMOUPRAVE I DECENTRALIZACIJE U HRVATSKOJ

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APSTRAKT

Cilj rada je prikazati, analizirati i raspraviti promjene u hrvatskom sustavu lokalne samouprave te procijeniti koji su njihovi pokretači, mogu li se te promjene smatrati pravim reformama te zašto do nekih promjena, a do drugih ne. Članak pokriva 30-godišnji raspon razvoja hrvatske lokalne samouprave – od ranih 1990-ih, kada je uvedena moderna lokalna samoupravu, do 2000-ih, kada je Hrvatska prešla na sustav temeljen na političkoj decentralizaciji te nedavne reforme. Pokazuje se da je bilo nekoliko pravih reformi lokalne samouprave koje su otvorile i riješile vrlo važna pitanja, dok se ostale "reforme" uglavnom mogu opisati kao djelomične promjene koje se događaju kada za to postoji značajna politička volja ili pod jakim vanjskim pritiscima. Politički akteri i njihova uloga veto igrača (veto players) zajedno s ovisnošću o prijeđenom putu (path dependency) ostaju ključni doktrinarno-teorijski čimbenici koji objašnjavaju razvoj lokalne samouprave u posljednja tri desetljeća u Hrvatskoj.

Ključne riječi: reforme lokalne samouprave, decentralizacija, lokalna i regionalna samouprava u Hrvatskoj, trendovi razvoja lokalne i regionalne samouprave.

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