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Reforming Local Leadership and Local Democracy: The Cases of England, Sweden, Germany and France in Comparative Perspective

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ABSTRACT *In this article it is argued that with regard to characteristic features of the recent local government reform targeted at local leadership two country groups can be distinguished. On the one hand, the reforms in England and Sweden have critically focused on the traditional government by committee and its collective/collegial decision-making form. This was reformed into a 'de-collectivised', if not 'individualised' commission form, with England going furthest in concentrating the decision-making and 'executive' powers within the cabinet, while essentially restricting the elected council to a 'scrutinising' function. By contrast, Sweden, while also moving towards 'de-collectivising' and 'parliamentarising' local leadership, has basically held on to the traditional government by committee form.*

On the other hand, in Continental European, Germany's local government reform has further accentuated the traditionally 'monocratic' local leadership through the direct election of the ('executive') mayor, thus moving towards a local 'presidential' leadership; yet, at the same time, it has provided for a 'tripolar' local power balance particularly by expanding direct democratic citizen rights (i.e. the recall of the mayor, a binding local referendum). France, however, has essentially retained the traditionally predominant 'monocratic' leadership position of the formally council-elected 'executive' mayor, with the council playing a largely mayor-dependent role.

Introduction

In recent years in most European countries local government reforms have been pushed by a demand for the strengthening of political and administrative local leadership. The reform debates have been motivated and driven particularly by two concerns.

For one thing, local decision-making structures have been criticised for lacking transparency and accountability, which is reflected, not least, in falling

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voter turnouts (democratic deficit). Second, the issue has been raised that, in its traditional institutional setting, local government appears to become less and less capable of coping with ever more complex and wicked social, economic and environmental issues and challenges ('performance deficit').

This article discusses reform strategies which have been pursued in European countries in order to tackle these problems. The focus will be on Great Britain/England, France, Sweden and Germany.¹

The article is in three sections. First a conceptual and definitional framework will be proposed. Then separate reports will be presented on local government reforms in Great Britain/England, Sweden, France, and Germany with a focus on local leadership. Finally, some comparative conclusions will be submitted.

Conceptual and Definitional Framework

From an institutionalist perspective, among European local government systems three main types can be discerned whose institutional features can be summed up in three dichotomies.

Monistic versus Dualistic Competence Models of Local Government

The distinction between *monistic* and *dualistic* local government systems addresses the distribution of responsibilities/competences in the interface between the elected local council and local administration.

Monistic competence model. In the *monistic* (competence) model all powers of local government rest with the elected council (and its committees) which, consequently, act as (supreme) decision-making body/bodies as well having an 'executive' function in that they direct and control the local administrative units and staffs. From this historically followed the '(local) government by committees' system in which each of the sectoral committees is responsible both for decision-making (the *deliberative* process) and for the *executive* process, that is, for directing and controlling local administration in the respective policy/service field. The *monistic* (competence) model (and the government by committees system logically following from it) have (path-dependently) provided the basis for the local government systems in Great Britain/England and in Sweden (and other Scandinavian countries).

Dualistic competence model. By contrast, in the *dualistic* (competence) model, whilst, the (supreme) decision-making power still lies with the elected local council, at the same time (in a division of functions perhaps remotely borrowed from the division of powers concept) a separate local government body is institutionalised which, while elected by the local council, is in charge of carrying out local government tasks by exercising (*executive*) direction and control over local administration. The local executive position

may be occupied by an individual (*maire*, *Bürgermeister* – councillor or non-councillor) or may take a collegial or collective form consisting of councillors (*Magistrat*).

Historically the dualistic competence model was ‘invented’ in France in the ‘revolutionary’ municipal legislation of 1789 when, almost reminiscent of a local ‘parliamentary’ system, the (dualistic) distinction was introduced between the local council (as *corps législatif*) and the executive function (*pouvoir municipal*), the latter being occupied by the council-elected mayor (*maire*; see Moreau, 2002: 76 ff.; Wollmann, 2000a: 40). While France’s (in every sense) ‘revolutionary’ innovation was short-lived, the dualistic competence scheme became a conceptual blueprint for subsequent continental European local government charters, at first in Germany, for instance, in the Prussian Municipal Charter of 1808 (in which it was embodied in the dualistic collegial form, *Magistrat*) and in other German states (where it was adopted in the form of an individual mayor, *Bürgermeister*; see Wollmann, 2000b: 116 ff.).

Uniform versus Dual Task Model of Local Government

Another dichotomous distinction can be made between the *uniform* and the *dual task* model.

Uniform task model. In the uniform task model all public tasks which are taken up or are assigned to the local authorities are ‘genuine’ local self-government tasks that, without exception, are decided by the elected council. This is the system in place in Sweden (and other Scandinavian countries), where it includes tasks following from the general competence clause as well as those assigned to local authorities by way of decentralisation. The uniform task model applies also to the British/English local government tradition where tasks, once they are ascribed under the *ultra vires* doctrine to the local authorities by explicit parliamentary acts, become ‘genuine’ (uniform) local government responsibilities. An instructive case in point is the issuing of building permits which, in line with the uniform task principle, are decided, both in England and Sweden, in principle, by the elected council (for a detailed discussion see Wollmann, 2007a: chapter 11.1., 11.2).

Dual task model. The dual task model, by contrast, relates to a local government model in which local authorities, on the one hand, fulfil their (genuine) local government tasks (in line with a general competence clause or pertinent legislation) but can, on the other hand, be put in charge of carrying out public tasks assigned (delegated, in German: *übertragen*) by the state.

In stark contrast to the ‘genuine’ local tasks that are decided by the local councils, the delegated tasks come solely under the responsibility of the local executive, while the elected local council has no influence or control over them.

The dual task model, too, can historically be traced back to France's municipal legislation of 1789 in which the mayor (*maire*) was assigned a dual function and also acted as an 'agent of the State' (see Moreau, 2002: 86 ff.; Wollmann, 2000a: 40). In a similar vein the dual task model was adopted in the early nineteenth century municipal charters in the German states and became part and parcel of the German-Austrian local government tradition (whence it made its way into the local government development in Central Eastern Europe; see Marcou & Verebelyi, 1993: 82 ff.; Wollmann, 2000b: 116 ff.). Again an instructive illustration is the issuing of building permits, which in France and Germany is regarded as a delegated responsibility (within the dual task model) and is decided (within the dualistic competence model) by the local executive/administration outside the influence and control of the local council (see Wollmann, 2008a: chapter 11.3., 11.4).

Separationist versus Integrationist Model

Separationist model. The distinction between separationist and integrationist models refer to the relation between the (central) government/state level and the local (government) level. The former denotes a relation which is institutionally and legally 'distanced' and 'de-coupled', whilst the latter means that that relation is institutionally and legally tighter and 'coupled'.

As in the uniform task model, the overseeing, by the state, of local government's fulfilment of a task is typically limited to a legality review. This implies, as a rule, an institutional and functional 'distance' and 'de-coupling' between the local and state levels that, in the comparative literature, has been labelled a 'separationist' model (see Leemans, 1970; Wollmann, 2000b: 125). Sweden's uniform task model perfectly corresponds with the separationist pattern (with the overseeing of Sweden's state level over local activities consisting of a 'loose' legal review and little intervention). By contrast, the English local government system which during its 'Victorian' heyday in the late nineteenth century was also exemplary of separationist intergovernmental setting, aptly called, in retrospect, a 'dual polity' (Bulpitt, 1983), has been largely bereft, since the Thatcher era, of its separationist status and has instead been placed under tight central government control and intervention (see Wollmann, 2004a: 644 ff.).

Integrationist model. In the conduct of delegated tasks in the dual task model, local authorities come under an overview by the state which typically goes beyond the legality review (in German *Rechtsaufsicht*) and extends into and covers appropriateness, merit, and soon (in German: *Fachaufsicht*; see Wollmann 2000b: 118). This kind of extended state supervision tends institutionally and functionally to 'couple' the local government level with

the state level to the point of, to an extent, 'integrating' it into it. In the comparative literature of the subject, the term 'integrationist model' has been suggested for this (see Leemans, 1970).

Submitted Typology: Two Groups/'Families' of Countries

In drawing on and applying these three dichotomies it appears heuristically and analytically meaningful and useful, particularly when applying an institutionalist lens, to distinguish two groups or 'families' of countries:

- The British/English and Scandinavian group, exemplified by England and Sweden, which are rooted in the monistic competence model and the uniform task model, and which historically revolve around a government by committees system and, historically, leaning towards the separationist model (which no longer applies, as pointed out, to England).
- The continental European group, represented by France and Germany, which are premised on the dualistic competence model (marked by the coexistence of the elected council and the local executive) and the dual task model, and which tend towards the integrationist model.

This typology differs, both in its 'typology-building' characteristics and in the resulting grouping, from other typologies proposed in the pertinent literature. This applies particularly to the (much quoted) three group typology ('Anglo', 'Franco', 'Northern-Middle European') submitted by Hesse and Sharpe (1991). But this also holds true for the typologies that, on the basis of slightly different arguments, settled on a 'North-South' divide (see Mouritzen & Svara, 2002; Bäck, 2004, Borraz & John 2004, see also Steyvers *et al.* in the introduction to this collection). While our typology also arrives at a 'North-South' juxtaposition, it highlights institutional features as 'type-forming' characteristics which, as far as the 'Southern' dimension is concerned, seem to be captured (and analytically employed) more appropriately under the term and concept 'continental European'.

Reports by Country on Local Government Reforms Focusing on Local Leadership

Great Britain/England

Historically premised on the monistic competence model and the uniform task model, the English local government system has come to exemplify government by committee (see Stewart, 2003: 55). But over the years, particularly since the 1960s, the traditional committee system came under mounting criticism, particularly for the 'sectoralisation' of local government activities and for the lack of coherent local leadership (see Leach & Percy-Smith, 2001: 60).

Following the 1998 White Paper *Modern Local Government: In Touch with the People* (DETR, 1998) the New Labour government passed the Local Government Act 2000 (see Stewart, 2003: 60 ff.; Rao, 2005: 45 ff.), which constituted ‘almost a revolution’ (Wilson & Game 2002: 92) particularly on two scores. For one thing, the time-honoured committee was completely abolished and replaced by an executive committee or ‘cabinet’ system. Secondly, two of the three options proposed to local authorities as the new leadership form hinged on a directly elected mayor which was (if one leaves aside the introduction, by way of referendum, of a directly elected Mayor of Greater London in May 1998, see Wilson & Game, 2006: 74 ff.) unprecedented in England’s local government history.

The Local Government Act 2000 obliged all local authorities in England (with a population of more than 85,000) to choose from among the three models spelt out in the legislation, with the government leaving no doubt that it strongly preferred the directly elected mayor model. The three legislative options are (for a concise description of the three options see Wilson & Game, 2006: 105):

- *Cabinet with leader*: The leader is elected by the council majority while the (*executive*) councillors are either also elected by the council majority or appointed by the leader.
- *Directly elected mayor and cabinet*: The mayor is elected by the local population and appoints a small cabinet of councillors, each covering a major policy area.
- *Directly elected mayor with council manager*: The mayor is elected by the local population. The council appoints a council manager and possibly other chief officers, too.

The cabinet with a leader form that was, against the government’s wishes, adopted by 81 per cent of the 316 local authorities (see Rao, 2005: 45) hinges on the executive committee (or, as it has been labelled, cabinet) and on its leader. The leader is elected (and can be made to resign) by the council majority. The cabinet is made up of (executive) councillors who are either elected by the council majority or appointed by the leader, are assigned certain sectoral responsibilities (portfolios) and work on a full-time salaried basis. Unmistakably modelled, as shown by its terminology, on the national government by cabinet system, the cabinet with leader resembles a local ‘parliamentary (cabinet) government system’ with local ‘ministers’ and a local ‘prime minister’. There is a considerable variation in the detail of the cabinet with leader form, depending on the local constitution which each local authority is supposed to spell out and to adopt.

The directly elected mayor and cabinet form has been adopted in only ten (or about 3 per cent of the 316) local authorities (see Rao, 2005: 45). Under this form most of the council committees are abolished and most of their powers are transferred into the hands of the mayor who appoints a small

cabinet of councillors, each covering a major policy area. The mayor is elected by the population for four years and cannot (unlike the council-elected cabinet leader) be made to resign by the council (see Wilson & Game, 2006: 105). With the introduction of the directly elected mayor, who resembles a 'local president', the traditional monistic trajectory has been abandoned and a dualistic one adopted.

While the (monistic) decision-making power has been largely shifted to and concentrated with the group of executive councillors forming the cabinet, the non-executive councillors or backbench councillors (as, again echoing parliamentary parlance, they are called) have been essentially reduced to a scrutinising function meant to oversee the cabinet and its executive councillors through scrutiny and oversight committees. In hitherto observable council practice, however, the scrutiny committees largely fail to exercise effective scrutiny. The main reason for this lies in the 'extreme (party) politicisation of British local government' (Rao, 2005: 54) as, particularly in councils with a single party executive, the ruling council majority is hardly interested or willing to undertake scrutiny work to control the executive (Ashworth & Snape, 2004: 552; Rao, 2005: 54).

Sweden

Sweden's two-tier local self-government (*kommunal självstyrelse*) in the towns (*kommuner*), and counties (*länsting kommuner*) is historically premised on the monistic competence model and the uniform task model. So it has been another leading example of the government by committee principle with its sectionally responsible (executive) standing committees (*nämnder*).

Since about the 1970s, the traditional local government system has seen significant changes particularly on two scores. First, in order to enable the committees, traditionally made up of laymen-councillors, to exercise their executive guidance over the expanding professional staffs of local administration, a group of leading councillors, particularly the chairpersons of the standing committees and most members of the 'main committee' (*kommunstyrelse*), have become, as it were, 'professionalised' as they now occupy full-time and salaried positions as 'commissioners' (*kommunalråd*; see Bäck, 2004).

Second, and even more important, party political and majoritarian rule has been introduced as since the 1980s it has become increasingly common practice in Sweden's local politics for the chairpersons of the (standing) committees and the chairpersons (and vice chairpersons) of the *kommunstyrelse* to be elected by the council majority party (or coalition majority), using the time-honoured proportionate principle (see Strömberg & Westerståhl, 1984: 39). The majority party rule relates particularly to the chairman of the 'main committee' who is often the leader of the majority

party and the 'political strong man in town', assuming the position and prestige of an 'informal (executive) mayor' (see Montin, 2005: 129). This 'majoritarian' local government form has been labelled a 'kind of parliamentarism' (see Strömberg & Westerståhl, 1984: 39) or 'semi-parliamentarism' (Bäck, 2002) – the qualification ('semi') indicating that, while majority party rule does now extend to leading positions in the committee system, it refrains (unlike England's new local government form) from establishing a single majoritarian 'cabinet'. Except for these leading council and committee positions, the traditional proportionate principle continues to be followed in the election of the other committee members, including the 'main committee' (see Strömberg & Westerståhl, 1984: 39).

In sum, notwithstanding the strengthening of political and administrative leadership through the majoritarian 'quasi-parliamentarisation' of leading council positions, Sweden's local government still remains, as Montin (2005: 130) put it, a system of 'many actors but few, if any strong leaders'.

France

As has already been highlighted, it was the (short-lived) municipal legislation which France's revolutionary *Constituante* adopted on 12 December 1789 that 'invented' a local government scheme which, in spelling out the dualistic competence model, the dual task model and the council-elected (individualised, monocratic) mayor (*maire*), not only produced the conceptual blueprint for the later (path-dependent) development of local government (*administration libre*) in France, but also turned out to be the conceptual pace-setter for the more immediate development of local government from the early nineteenth century in other continental European countries, such as Germany.

In its current institutional setting in local government (*système local*; Mabileau, 1994), which falls in line with its path-dependent historical blueprint, the municipal council (*conseil municipal*) is formally designed to be the supreme decision-making body, while, within the dualistic competence model, the council-elected mayor exercises the executive function in directing and controlling municipal administration.

In the realities of the *système local* the mayor, despite being formally elected by the council and thus formally dependent on the council, has risen to a formidable position of political and administrative leadership for a number of reasons.

For one thing, the electoral process has, as it has been put, been 'turned upside down' (Mény, 1992: 17), and what is formally the election of the council and competition between political parties for council seats with the subsequent election of the mayor by the council – in other words, what formally is an indirect election of the mayor – has transmuted, in the real world of French local politics and electoral practice, into a competition between mayoral candidates and into the quasi-direct election of the winner.

To describe this reversal of the electoral process and logic, it has been pointedly said that it is not the council and its councillors that choose the mayor but the mayor who 'co-opts' the council and the councillors (see Mény, 1992: 17; Hoffmann-Martinot, 2003: 163). Thus the *système local* has moved, in real terms, to a kind of local presidential system, if not, as it was somewhat ironically has been termed, into a 'municipal monarchy' (*monarchie municipale*; Mabileau, 1997: 353).

The political command of the mayor over the council has been heightened, in municipalities of over 3,500 inhabitants, by a provision in the electoral law according to which the winning mayoral candidate can harvest a political reward in that 'his' political group receives additional seats which provides the winning mayoral candidate with a comfortable majority of council seats, that is of party followers on whose political loyalty he can count (see Hoffmann-Martinot, 2003: 163). As a result of the mayoral grip on the council majority, the council minority party and its opposition and control have become concomitantly feeble and often reduced to the 'role of spectators' (Kerrouche, 2005: 160).

The mayor's political leadership is institutionally anchored in his position as ex-officio chairman of the council so that he is master of the agenda of the full council and its committees. His political leadership is paralleled and complemented by the superior administrative leadership capacity which he wields, within the dualistic competence model, in his (executive, 'CEO') function in directing and controlling municipal administration. The salience of the mayor's executive function is accentuated by the dual task model under which certain responsibilities (such as the issue of building permits) have been assigned ('delegated') to the municipalities and which are typically carried out by the mayor outside the influence and control of the council. In the French local government tradition the dual task model has been further enlarged (to make it, as it were, a triple task model; see Moreau, 2002: 86) by delegating additional state responsibilities (such as civil registry, *état civil*) to the mayor which he discharges as an 'agent of the state' (*agent d'Etat*). While, in the conduct of delegated functions of the dual task sort, the municipal administration appears somewhat 'integrated' into state administration (fitting the 'integrationist model'; see Leemans, 1970), in his 'agent of the state' role the mayor appears in a downright etatist guise which, in many a citizen's and actor's eyes, adds prestige to his status.

Finally, yet another power resource of the mayors stems from the time-honoured practice of the 'accumulation of elective mandates' (*cumul de mandats*) according to which mayors may hold elective positions in the upper levels (in departmental councils, *conseils généraux*), the National Assembly, the Senate; see Mabileau, 1994). Such accumulation of mandates provides a significant power base particularly for political 'heavyweights' (*grands notables*) who are often members of the National Assembly (*députés-maire*) or of the Senate (*sénateurs-maire*). Notwithstanding the legislative act

of 1988 which was intended to curb such 'multiple memberships', in 1998 it was still the case that about half of the members of the National Assembly and of the Senate were municipal mayors (see Hoffmann-Martinot, 2003: 167).

In sum, France's *système local* is marked by a striking asymmetry and disproportion in the power balance between the elected local councils and the mayors in that the latter have risen to a position of overwhelming political and administrative local leadership while the local councils have become largely sidelined, if not dwarfed, as political players and political counterweights to the mayor.

Germany

Dating back to the early nineteenth century when, in the then multitude of separate German states, local government systems were put in place (see Wollmann, 2000a: 44, 2000b: 116), the dualistic competence model and the dual task model, borrowed from France's post-revolutionary municipal legislation of 1789, have become a path-dependent blueprint for the development of Germany's local self-government (*kommunale Selbstverwaltung*). For institutionalising a (council elected) local executive (within the dualistic model), either a collegial (council) board (*Magistrat*) or an (individualised) mayor (*Bürgermeister*) was chosen (for accounts of further historical development see Wollmann, 2004b, 2005 with references).

When democratic local government was re-established after 1945, the local government forms that were put in place in the newly created (West) German *Länder*, while largely following the traditional dualistic competence model and dual task model, varied significantly in the institutionalisation of the local executive and of the leadership dimension. Arrangements ranged from having a council-elected executive mayor and council-elected executive board (*Magistrat*) to, in a conspicuous innovation, having a directly elected executive mayor (in the South German *Länder* Baden-Württemberg and Bayern).

In a remarkable deviation from the traditional dualistic trajectory, in two *Länder* (first in Nordrhein-Westfalen) a monistic local government form was introduced that was based on the English local government model. This was due to the influence of the British Occupation Force which, nota bene, was eager to do away with the traditional chief executive (CEO) mayor position because it was seen a potential 'authoritarian' threat to local democracy.

The different local government forms remained in place in the *Länder* until the late 1980s – serving as a kind of laboratory of competing local government forms. In the early 1990s, with stunning rapidity, the 'South German' local government model with a directly elected executive ('CEO') mayor was adopted in all (West as well as East) German *Länder* (see Wollmann, 2004a, 2005 with references) in a reform wave in which the

'South German' model was expected to do better than the other models in overcoming the 'democratic deficit' and the 'performance deficit' in local government and governance.

The institutional strength of the 'South German' mayoral system is based particularly on three features. First, he is ex-officio chairman of the local council and its committees, which makes him master of the council's agenda and proceedings. Second, in acting, in line with the dualistic model, as chief executive ('CEO') and directing and controlling local administration, he is solely responsible for the conduct of the tasks which are, within the dual task model, 'delegated' (*übertragen*) to the local administration by the state. This especially applies to the larger ('county free', *kreisfreie*) cities and towns and to the counties (*Kreise*; for instance, regarding the issue of building permits). As the mayor discharges these delegated tasks with independent responsibility outside the formal influence and control of the elected local councils, this realm of activities considerably strengthens his functional weight vis-à-vis the council. Since the conduct by the mayor of delegated matters is subject to tight overview (*Fachaufsicht*) by the state level, this makes for some 'integration' into the state administration (fitting the 'integrationist' scheme; see Leemans, 1970). Third, the 'South German' mayoral form is rooted in, and draws crucial political resources from, its direct democratic legitimacy.

In 50 years of this system in the two south German *Länder*, particularly Baden-Württemberg, it is interesting to note that generations of directly elected mayors have, over the years, striven for and moved increasingly towards, the 'non-partisan' profile of a 'local president' or, as it was somewhat ironically put, of an 'elected (local) monarch' (*Wahlkönigtum*; Wehling, 1986: 88). The reason for this development may be seen, first, in the fact that in Baden-Württemberg (as in most of the *Länder*) the mayoral election and the council elections take place on entirely different dates (often years apart), so that the nomination of mayoral candidates and the mayoral campaign are significantly de-coupled from party political competition and hinge on the election of 'personalities' rather than of party politicians (see Wehling, 1999; Bogumil, 2001: 186). Another reason probably lies in Baden-Württemberg's political culture in which consensual or consociational democratic (*konkordanzdemokratisch*) political values are preferred over majoritarian or competitive democratic (*konkurrenzdemokratisch*) ones (see Holtkamp, 2003: 19 ff.; Bogumil, 2001).

By contrast, in the *Land* of Nordrhein-Westfalen, where a directly elected mayor was introduced only in the late 1990s, the development observed so far points to a much more 'party political' profile of mayoral candidates and mayors. This can be accounted for, first, by the fact that in Nordrhein-Westfalen (as in three other *Länder*) the mayoral and council elections are held on the same date and on the same ballot, which is conducive to intensifying political party strife. Furthermore, Nordrhein-Westfalen's political culture has, over the years, shown traces of competitive rather

than consociational democracy (see Bogumil, 2001: 183 ff.; Holtkamp, 2003).

In the 'bi-polar' relations between council and mayor, the 50-year-long practice in Baden-Württemberg indicates that, on the one hand, the political and administrative position of the mayor has proven to be very strong indeed and poses a permanent challenge to the political role of the council. On the other hand, local councils have, to a large degree, succeeded in holding their ground as influential political actors and counterpart to the mayor (see Katz, 2006: 871). The existence of active political parties in the local arenas (and of political party groups, *Fraktionen*, within the councils) contributes to this. Recently this has been particularly evident in Nordrhein-Westfalen where, amidst that *Land's* competitive democratic political culture and due to the 'party politicisation' of the mayor, the latter is exposed to a higher rate of political conflicts inside and outside the council.

Moreover, in most *Länder* recall procedures have been introduced along with the direct election of the mayors. Thus, mayors can be removed from office by binding local referendums (see Wollmann, 2005: 36 with references; see Vetter, 2005: 260 for a useful table). As most local councils have the right to initiate such recall referendums, they may employ this as a kind of local 'impeachment' against the 'local president' which they put to the local population to decide upon in a local referendum. In the precarious 'bi-polarism' between the council and the mayor this can be seen as kind of Damoclean Sword in the hands of the council in order to keep the mayor at bay.

At this point it should be recalled that at the heart of the introduction of the direct election of the executive mayor was a dialectic in that, while it was meant to strengthen mayoral leadership and to redress a 'performance deficit' by giving it direct democratic legitimacy, at the same time it aimed to tackle the 'democratic deficit' by establishing a direct democratic link of responsiveness and accountability between the executive leadership and the local population in order to strengthen the basic 'tri-polarism' (population, council, mayor) in local politics. The right of the local population to decide on a recall procedure in a local referendum and the right of the population, stipulated in some of the *Länder*, to also initiate such a recall procedure constitute a crucial direct democratic instrument to keep the powerful local executive mayor in check.

With regard to the momentous task the directly elected mayor faces, particularly in a large city in his 'CEO' function of running the municipal administration it should be borne in mind that, premised on the traditional concept that the mayoral position is an intrinsically political one, anybody, 'layman' or not, has the right to run for mayoral office as no legal ('professional') qualification requirements are laid down in the pertinent *Länder* legislation. Little wonder that occasionally concern has been voiced that this might allow incompetent, if not 'maverick' populists

to become mayors. However, the 50-year-long practice in Baden-Württemberg shows that, notwithstanding the lack of a legal requirement, there has been a remarkable 'professionalisation' of mayoral candidates as well as mayors. About 90 per cent of elected full-time mayors have an administrative background, and many of them have had a legal and/or administrative training (Bogumil, 2001: 185 ff., Wehling, 2003, Bogumil *et al.*, 2003). The main reason for this (no doubt, surprising) development is probably that the voters have come to appreciate (and anticipate) candidates with 'professional' qualifications and make their choice accordingly. In the meantime, becoming a (full-time and salaried; well-paid, by the way) mayor has become a career for which ambitious local politicians as well as practitioners prepare through professional education and/or 'on the job' training in municipal administration. Once elected, many seek re-election and often turn the mayoral position, if successful, into a lifetime career which, needless to say, intensifies their 'on the job professionalisation'.

Again the picture in Nordrhein-Westfalen is different, though. The first cohort of directly elected executive mayors that came into office in the late 1990s showed (as was already mentioned) a much more political profile and significantly less administrative involvement and skill in coping with the 'chief executive' ('CEO') task (see Bogumil 2001: 183 ff., Holtkamp 2003). The reason for this can probably be seen in the fact that, following the 1999 shift from the previous council-elected political mayor plus council-appointed (professional) city director (CEO) model to the directly elected chief executive mayor (without professional CEO) model, many former political mayors, lacking administrative experience, ran for and were elected mayors under the new executive mayor scheme. It remains to be seen whether a process of 'professionalisation', comparable to the *Land* of Baden-Württemberg, will get under way in Nordrhein-Westfalen among future cohorts of directly elected mayors.

Comparative Conclusion and Perspective

The Two Groups 'Families' of Countries, their Conceptual Profiles and Contextual Origins

In the introduction to this article it was proposed to group the European local government systems according to a typology which singles out and focuses on three institutional features and pairs of dichotomies: dualistic/monistic competence models (addressing the relationship between the elected council and the local executive/administration); the uniform/dual task models (directed at the type, whether genuine or delegated, of local government responsibilities); and finally separationist/integrationist models (looking at the central government/local government relationship and the degree of supervision/superimposition by the former of the latter). On the

basis of this typology it was submitted that it makes sense, both heuristically and analytically, to draw the distinction in local government systems between the British (English)/Scandinavian 'family' (with Great Britain and Sweden as examples) and the Continental European one (with France and Germany as typical examples).

In their historical ('path-dependent') trajectories, the local government systems of the British/Scandinavian 'family' are epitomised in the government by committee system (hinging on democratic 'equal among equals' collective monistic decision-making), while those of the continental European group can be seen essentially embodied in a dualistic division of function between the decision-making (deliberative) elected council and a (council-elected) executive. It should be briefly called to mind that these different clusters of ('dichotomised') institutional forms have sprung from, in turn, two different sets of political and cultural backgrounds in each group or 'family of countries'.

In England and Sweden local self-government evolved, in the nineteenth century, in the constitutional context of already developing (although certainly still not mature) parliamentary democracies and central governments that granted far-reaching political and financial autonomy to their local government levels, letting them operate in a separationist intergovernmental setting.

Revealingly, the local-level authorities came to be called local self-government in England and *kommunal självstyrelse* (*styrelse* = government). So self-government was basically seen as the collective action of local citizens according to an essentially voluntary and layman formula (monistically) covering (deliberative) decision-making as well as the execution of tasks. So, government by (executive) committees followed almost logically from these premises.

By contrast, local self-government in continental European countries evolved during the nineteenth century in constitutional and political contexts which were determined by central states and central state governments: in France after 1800 by the Napoleonic centralist and unitary state; in nineteenth century Germany (except for a short spell of reforms) by late absolutist, at best semi-authoritarian, state authorities. So, in both countries the municipalities came to be seen, from the outset, as bearing an essentially administrative function which the state allowed or assigned them to perform along with granting them a certain autonomy to do so. Tellingly, the pertinent labels were *administration libre* (administration) in France and *kommunale Selbstverwaltung* (*Verwaltung* = administration) in Germany (which have survived to this day). In a politically state-heavy context it was again logical that, by way of a dualistic competence model, the power of the elected council was restrained by setting up a self-standing executive (council-elected board or mayor), and that, via the dual tasks model, the municipalities were put in charge of carrying out state tasks in what, in sum, amounted to an 'integrationist' type of state/local relations.

The Different Focuses of Recent Reform Drives Aimed at Strengthening Local Leadership

The characteristic features of recent local government reform addressing local leadership fall neatly in line with the divide between the two groups of countries. The reforms in England and Sweden have been concentrated on the respective government by committee systems, the main weakness of which was seen as stemming from the collective 'egalitarian' decision-making of councillors acting in sectoral commissions. The remedy was seen first, in shifting the (still monistic) powers to 'de-collectivised' commission bodies or even to 'individualised' actors; second, in politically streamlining council decision-making and operation by replacing the non-partisan, consensual and proportionate operational mode with the political, party-based party majoritarian one; and third, in replacing layman councillors, at least to some degree, with full-time salaried ('professional') councillors.

In England, the Local Government Act of 2000 has moved, in its cabinet-with-leader option, quite far by abolishing the traditional sectional standing committees altogether and by entirely shifting their tasks to an executive committee (cabinet) as the only remaining decision-making/executive body – with the leader, who is elected (and can also be removed) by majority vote in the council – coming close to being a local 'prime minister'. The cabinet of executive councillors that is set up as a largely self-standing 'governing' body within local government can be seen as moving towards a dualistic form.

The elected mayor and cabinet variant proposed by the Act of 2000 goes even further in endowing the mayor (who cannot be removed by council decision) with wide 'individualised' powers in what resembles a local 'presidential system' and represents a pronouncedly dualistic format. The fact that so far (to the disappointment of the New Labour government which gave strong preference to this option) only a handful of local authorities have opted for the elected mayor and cabinet variant probably reflects a widely shared view that such a 'monocratic' position (to some perhaps even conjuring up the spectre of some local authoritarian rule) is alien and unacceptable to the British/English local political culture.

The new local government forms have, on the one hand, undoubtedly strengthened local political and administrative leadership by introducing a 'strong and individualised form of leadership' (Lowndes & Leach, 2004: 557). On the other hand, however, the full council and the 'ordinary' councillors (the non-executive councillors or 'backbench' councillors as they often are revealingly called) have further lost influence in that their function has been largely reduced to a scrutiny role which, in addition, has been eroded by the council majority's reluctance to make effective use of scrutiny against a cabinet of its own members. Thus, the new local government form seems to have aggravated the power imbalance within local government.

In Sweden the local government reform gradually pursued since the 1980s, while leaving the traditional government by committee system (with sectionally responsible executive committees) largely untouched, has focused first on politically streamlining the council commission decision-making structure by electing the chairmen of the standing committees and particularly the leader of the 'main committee' (*kommunstyrelse*) by council majority vote, thus ushering in what has been labelled a 'kind of parliamentarism' (see Strömberg & Westerståhl, 1984: 39) or 'semi-parliamentarism' (Bäck, 2004). Second, leading councillors in the standing committees and in the 'main committee' now have full-time salaried positions. Thus, while in Swedish local government the process of 'de-collectivisation' and even 'individualisation' of council decision-making has progressed, further forms of 'hierarchisation' or even 'monocratisation' of political and administrative leadership are still disregarded, if not abhorred, as incompatible with the country's still prevalent compromise-oriented political culture. Hence, Sweden's local government system continues to be a world 'with many actors and few leaders' (Montin, 2005).

In contrast, in France's *système local* the council-elected mayor (*maire*) has risen to a position of truly overwhelming political and administrative leadership by combining a political role as ex-officio chairman of the local council with a (dualistic) local executive ('CEO') function in which, within the dual task model, a wide-ranging set of responsibilities fall to his sole competence, outside the influence and control of the council. The latter tasks include the mayor's self-standing function as an 'agent of the state' which is conducive to integrating local administration into the state. Additionally he draws influence and prestige from the *cumul de mandats* which politically links him with upper power levels. Under this predominance of the political and administrative leadership position of the mayor and the command he has over the council, the role of the elected council has become virtually marginalised in the *système local*, thus throwing the 'bi-polarism' between council and mayor seriously out of balance.

Historically Germany's local government systems have been characterised by the dualistic competence and the dual task models. After its first introduction, as a conspicuous innovation, in Baden-Württemberg and Bavaria in the 1950s, the directly elected executive ('CEO') mayoral form has been adopted in all *Länder* since the early 1990s. Providing for strong local political and administrative/executive leadership, particularly by combining the ex-officio chair of the local council with the 'CEO' function, and based on direct democratic legitimacy, the directly elected executive mayoral form resembles a 'local presidential system'. The fact that, within the dual task model, the mayor carries out 'delegated' tasks outside the influence and control of the council significantly enhances his position vis-à-vis the council. At the same time, the tight control by state authorities to which the mayor is subject in conducting 'delegated' matters hints at his

being to some extent 'integrated' into the state administration. Thus, on the one hand, through the accumulation of political and executive functions and his direct democratic legitimacy, the mayor attains an exceptionally strong position of ('individualised') political and administrative leadership. On the other hand, there is still a local 'checks and balances' mechanism at work. First, the local councils (and the political party groups within them) continue to be active political players keeping the mayor ('bi-polarly') at bay. Second, the newly introduced direct democratic procedures provide ('tri-polar') checks on the mayor, be it through the direct election mode itself (establishing a new and direct link of accountability), be it through the recall procedure by local referendum that can be invoked by the council as well as by the local population itself.

Finally: (Progressing) Convergence or (Persisting) Divergence?

In conclusion, has the development of the local government systems discussed in this paper shown convergence or divergence? The following can be highlighted:

- A move towards de-collectivisation and individualisation in local government decision-making by shifting to, and concentrating on, single local government institutions and actors rather than the previously collective and 'equal among equals' decision-making powers and patterns. Great Britain/England has gone furthest on this score by introducing the cabinet with leader or, in an explicitly individualised (if not monocratic) form, the directly elected mayor. Sweden's move has been more piecemeal and cautious in this direction.
- A move from the monistic to the dualistic system: again England's local government reform points distinctly in this direction – with a cabinet and leader (whose responsibilities stand, 'dualistically', somewhat apart from the council), analogous to national *cabinet* government; with its self-standing 'governing' responsibilities, from which the local cabinet is borrowed; and, even more pronouncedly, with the elected mayor (who occupies a fully fledged 'dualistic' position). By contrast, Sweden stands still more strongly rooted in the monistic scheme.
- A move towards the direct election of the mayor, with its intrinsic dialectic and logic of both strengthening the position-holder through direct democratic legitimacy and, at the same time, placing him under direct democratic accountability and constraints, the latter dimension being accentuated by direct democratic recall procedures. This shift has occurred wholesale in the German *Länder*. In England, however, the directly elected mayor form has so far been adopted by only a handful of local authorities which probably shows that the (bluntly) monocratic leadership form is still largely regarded as alien to this country's political culture.

- (A possible) move from the dual task to the uniform task model. In Germany a discussion is getting under way in which the dual task model is criticised, first, for placing the conduct, by the mayor, of delegated tasks outside the influence and control of the elected council and, second, for fostering the integration of local administration into state administration (see Wollmann, 2007).

The reforms under consideration offer insightful examples, on the one hand, of the shaping and binding effect that historically developed (path-dependent) institutional and cultural patterns have on the future institutional course, and on the other hand, of the wave of institutional change that, under given circumstances, may occur. From the beginning of modern local government in the nineteenth century until well into the 1970s the local government system showed, not least with regard to the three crucial institutional 'dichotomies' highlighted in this paper, a striking path-dependent continuity. It is since the 1970s that, except for France, the local government systems have entered a period of significant change. Although the focus and rate of these changes has again depended on country-specific or country 'family'-specific circumstances, they have, with cross-national similarity, been triggered by concerns about 'democratic deficit' and 'performance deficit' in local government in its traditional form. The perception of such structural 'deficits' in local government brought it finally onto the national reform agendas. A mounting social, economic and environmental crisis in local government and local governance meant that the call for institutional reforms to address these deficits became compelling. Amidst growing internationalisation and Europeanisation, the national reform discourses became significantly informed and guided by cross-national learning, institutional imitation ('institutional isomorphism'; DiMaggio & Powell, 1983) and institutional competition. Notwithstanding the recent institutional change in local government systems, the path-dependent institutional and cultural traditions ('legacies') still have their country-specific imprint and influence on the national institutional trajectory.

Note

- 1 The paper will draw on the findings of a project that the author conducted on the development of the local government systems in Great Britain, France, Sweden and Germany. The study was commissioned by Wüstenrot Foundation. For interim results see Wollmann 2004, 2006, for publication of final report (in German) see Wollmann 2008a, for internet publication (in English) see Wollman 2008b.

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