"Contemporary Models of Local Governance"

Lecturer: Oksana Chernenko, LLM (ochernenko@hse.ru).

SYLLABUS

1. COURSE DESCRIPTION

a. Title of the course

b. Pre-requisites

It seems to be very important to stimulate students who will choose the course to use the knowledge and skills that they have been already obtained by learning other courses - Constitutional Law and Municipal Law Administrative, Civil Law, Political Science course and Sociology etc.

The course is delivered in English. Students should be able to read in English and follow problem-based discussion.

c. Course type

Elective

d. Abstract

The purpose of the course on Contemporary Models of Local Governance is to study the experience of local governance in countries, where the tradition was not interrupted for decades and even centuries. It is crucially important because the system of local governance in Russian Federation introduced by the Constitution in 1993 after long period of Soviet system existing and still is not built in its final design. Students will be able to obtain new knowledge through different ways of learning, for example, analyzing legislation of different countries in the sphere of local governance, and the practice of delivering good services in local councils.

The initial course program will be country-oriented and include the UK, USA, France, Germany, Northern and Central European countries, etc.

2. LEARNING OBJECTIVES

The aims of the course Contemporary Models of Local Governance are:

to empower students with professional knowledge in local governance regulation in countries with different legal systems (common law countries, civil (continental) law countries),

to prepare students to work in local councils and/or federal (regional) authorities dealing with local issues,

to enhance their understanding of different aspects of legal (constitutional) regulations in the sphere of local governance and be aware of possible advantages and disadvantages, relying on international experience.

3. LEARNING OUTCOMES

By the end of the course, students should be able to;

- discuss the significance of local governance in contemporary society;
- explain modern local government systems in terms of "governance";
- classify local government in foreign countries by analyzing historical development and implementing theoretical approaches in the field,
- discuss local governance issues in the light of international principles and norms and to evaluate the effectiveness of their implementation in various countries of the local self-government,
- identify various models of local governance and the relation between the different tiers of governance (state, federal and municipal),
- work with the normative-legal acts, scientific literature and analytical materials in English.

4. COURSE PLAN

Topic 1. Introduction to Local Government. The role of Local and Regional Governance in contemporary models of multi-tier governance.

Modern states' architecture – forms of government, the executive authorities, regional level, local government, relationship between the levels. The peculiarities of regulation and organization of regional and local levels in a federal state and unitary state.

Topic 2. The history and main concepts of Local Government. Local Government and Local Governance.

Theoretical and historical perspective of local government models. Development of local self-government institutions in a multi-tier system of public administration. The shift from government to governance. Modern state governance in the European Union: some examples from Germany, France, Italy, Spain, Scandinavian countries, the UK and the countries of Central and Eastern Europe.

Topic 3. Legal (constitutional) framework of Local Government. The European Charter of Local Self-Government (1985)

Constitutional, political and administrative dimensions of the local government system. The European Charter of Local Self-Government as a basis for sustainability of the institution. Local self-government as a shared value for the democratic development. The impact of the Charter on national legislation. Problems of implementation of the European Charter of Local Self-Government in domestic law.

Topic 4. Local Democracy: the main actors on the stage. Citizen participation.

The concept of local democracy. Citizens as a main driving force of local democracy. Form of citizen participation in the local governance – elections, referendum, voting, public hearing etc.

Topic 5. Local Authorities – Local Council (the representative body, elections, powers).

Legal status of local authorities. Local Council – the representative body of local government system. Elections of the local council members. The Chair of the local council. The Local council competence. The relationships between Local council and Local Executive (Mayor, Administration etc)

Topic 6. The Role of the Mayor (Chief Executive) in Local Government

The Mayor (Chief Executive) – elections or appointment? The relationships of the Mayor with other actors on the stage – Local Council, citizens, regional and central authorities. The Mayor's competence.

Topic 7. Local Autonomy and Local Finance

Local Finance as a basis for local autonomy. The own resources and budget transfers. Local taxes and charges. The protection of financially weaker local authorities, the institution of financial equalisation procedures. Problems of implementation of local financial autonomy.

Topic 8. Decentralisation, devolution and delegation of powers – federal, regional and local levels

Regional dimension of the local governance – decentralization (deconcentration), devolution and delineation of powers. The UK experience of the regional devolution.

Topic 9. Local and region governance, democracy and the role of citizens – shortcomings, challenges and future prospects

The Local governance system in modern Russia – the results of twenty years reform, shortcomings in the existing system of local an regional governance and new challenges and prospective (territorial and structural elements, relationships with regional and federal authorities, the forms of state control, etc.).

5. READING LIST

a. Required readings

1. The Oxford Handbook of Local and Regional Democracy in Europe (Oxford Handbooks) / John Loughlin, Frank Hendriks, Anders Lidström, Oxford University Press, USA, 2010. ISBN-10: 0199562970, ISBN-13: 978-0199562978;

- 2. Local Direct Democracy in Europe (Direct Democracy in Modern Europe) / Theo Schiller, VS Verlag, 2011, ISBN-10: 3531182501, ISBN-13: 978-3531182506.
- 3. Local Governance in Western Europe / Peter J. SAGE Publications, 2004; By: Friedman, Sally. State University of New York Press. ISBN: 978-0-7914-7075-6, 978-0-7914-8021-2, 978-1-4294-9820-3.

b. Optional readings

- 1. State and Local Government Reforms in France and Germany / Hoffman-Martinot V., Wollmann H. VS Verlag, 2006;
- 2. Local Partnership for Better Governance, OECD, 2001;
- 3. Best Practices in Local Development, OECD, 2001.
- 4. Cities for Citizens: Improving Metropolitan Governance, OECD, 2001.

6. GRADING SYSTEM

There will be three components of summative assessment:

- Performance in classes (30%),
- A written work (summary of the reading piece) (30%)
- The country case-study presentation (40%)

In assessing the class performance attention will be paid to oral communication skills, group work skills, ability to seek and interpret the information; in the written work – the ability to summarize, put material together, make some judgments; in the presentation – to the ability to convey complex information collected from different sources (academic reading, Internet etc), ability to analyze models, theories and prospective gained from the course.

7. GUIDELINES FOR KNOWLEDGE ASSESSMENT

Learning and teaching methods:

The methods of instruction are designed to impart both an understanding of the theory of local and regional government and democracy and to give the students a practical feel for the local and regional government issues. The following teaching methods will be used:

lectures with active participation of students,

seminars with students' presentations, problem based discussions and casestudies.

In assessing the class performance attention will be paid to oral communication skills, group work skills, ability to seek and interpret the information; in the written work – the ability to summarize, put material together, make some judgments; in the presentation – to the ability to convey complex information collected from different sources (academic reading, Internet etc.), ability to analyze models, theories and prospective gained from the course.

8. Essays topics:

The role and forms of citizen participation in local democracy (in any foreign country by the student's choice)

Local authorities – local council: the representative body, elections, powers (in any foreign country by the student's choice).

The role of the mayor (chief executive) in local government (in any foreign country by the student's choice)

Local autonomy and local finance (in any foreign country by the student's choice) Decentralisation, devolution and delegation of powers – federal, regional and local levels (in any foreign country by the student's choice)

9. Self-evaluation questions (for students)

Compare main concepts of the local government.

Compare main local government systems.

Identify local government system in a modern state (in any foreign country by the student's choice).

Describe the role of multiple layers of governance in a modern state (in any foreign country by the student's choice).

Evaluate interaction between the multiple layers of governance in a modern state (in any foreign country by the student's choice).

Evaluate the role and interaction between local authorities.

Evaluate the pro and contra of the "strong Mayor position.

Describe the role of local finance in terms of local autonomy in a modern state (in any foreign country by the student's choice).

10. SPECIAL EQUIPMENT AND SOFTWARE SUPPORT

The following equipment is essential to make teaching and learning comfortable and efficient:

- Personal computer (equipped with Microsoft Windows 10) with Internet access;
- Multimedia projector with remote control.