

Stawomir REDO

**Local self-governance on the United Nations post-2015 sustainable development
goals agenda : A task of social diplomacy in Europe and Eurasia**

EUROPE - EURASIA LEADERSHIP CONFERENCE



Eurasia-Europe Dialogue: Building Trust and Securing Cooperation for
Sustainable Development



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Śławomir REDO¹

Grundfeste des freien Staates ist die freie Gemeinde.

[The foundation of a free State is a free municipality]

Art. 1, Provisorische Gemeindegesetz vom 17. März 1849
von Kaiser Franz Joseph I, Reichsgesetzblatt Nr. 170.

Introduction

First I would like to explain my background. I have double citizenship: Polish and Viennese. Roughly half of my lifetime I have spent in Poland and the other half in Vienna. As a permanent resident of Vienna I took part in the most recent city elections, and a few days ago I took part in the Polish parliamentary elections. That day was also the day of Ukrainian local elections. Now, at the kind invitation of the Diplomatic Academy and the Universal Peace Federation (UPF), as a former UN official and presently member of the Academic Council on the United Nations System, I would like to speak about the role of local self-governance in the United Nations post-2015 sustainable development goals for Europe and Eurasia.

But before I come to this topic, I would like to make two points. First, as a Polish citizen, lawyer and criminologist by profession, in my personal capacity I will speak about the Polish experience in local self-governance from one particular angle, namely that of the relation of self-governance to that part of sustainable development which involves security and peace. Peaceful global development starts at home. In this context I will focus on the self-governance issues of small Polish municipalities rather than on regional self-governance (be it inside of Poland or within the European Union), and even less so on the autonomy of such. In these terms, it may be interesting to note that in Poland the municipal budget comes in above 30 % from the State budget, while in Austria is below 30 %, in the Czech Republic about 20 % and in Russia 10 %ⁱ. Not only hard infrastructure is co-financed in this way combined with the European Union's funding and own municipality resources, but also "soft" infrastructure: (in)formal education, culture and access to justice, among many other projects.

Second, local self-governance is not a Polish invention and neither it is American nor of the European Union's, and even less so of the United Nations. As you may know, self-governance is the aftermath of the 1789 French revolution and the 1848 "Spring of Nations". In 1849, the Austrian Minister of Interior and Education Franz Stadionⁱⁱ institutionalized self-governance to tranquilize various forces that had shaken the Austro-Hungarian empire to which had belonged what is now South-Eastern Poland and Western Ukraine. So, this statement really recognizes that local self-governance is Austria's institutional legacy or the inherited democratic social capital.

¹ Ph.D., Senior Programme Adviser, Academic Council on the United Nations System (Liaison Office, Vienna, Austria). F. United Nations Senior Crime Prevention and Criminal Justice Expert and staff of the United Nations Office on Drugs and Crime (ret.); Chairman of the Russian East European Eurasian Studies Centre, Faculty of Law, University of Graz (Graz, Austria). As a Visiting Lecturer he teaches an interdisciplinary university graduate course "The United Nations and Crime Prevention" (Austria, China, Poland). Email: s@redo.net.

Local self-governance, crime and insecurity in the context of sustainable development

This brings me now closer to the United Nations Declaration on the 2016-2030 sustainable development goals which are very democratic. To meet them, the Declaration links good governance at all levels with building peaceful, just and inclusive societies.

The Declaration states that:

*“sustainable development cannot be realized without peace and security; and peace and security will be at risk without sustainable development. The new Agenda recognizes the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights (including the right to development), on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions. Factors which give rise to violence, insecurity and injustice, such as inequality, corruption, poor governance and illicit financial and arms flows, are addressed in the Agenda”.*ⁱⁱⁱ

Among factors which give rise to insecurity are reported crime rates. When the crime rate reportedly grows, so usually does the fear of victimization by crime. The feeling of security is threatened and development becomes unbalanced. According to some rough estimates, when the crime rate doubles, then the level of fear of crime increases four times.^{iv} Whether or not this estimate is correct, and how much in it should be factored the role of mass media, is surely important in any legal culture. Focusing on “newsworthy” items like violence against children^v, or manipulating crime statistics, for example by confusing reported crimes alleged to be committed by foreign immigrants with those committed by foreign tourists is a disservice to good governance. Such media practices increase the fear of crime and insecurity in the neighbourhood, hence deplete social capital for peace at home and community, and trust in the first place - all needed for sustainable development.^{vi}

But such statistical and media manipulations aside, evidently true high crime rates and even a higher level of the fear of crime victimization, lower the social capital for sustainable community development. They reduce investment opportunities, thus make such communities less prosperous than others. Hence, local or situational crime prevention should be regarded as a renewable social resource, and a part of central governmental agenda.^{vii}

Concerning such a central governmental agenda, Poland may be the case in point for the interplay between central and local governance, because local self-governance is the core of its own agenda. However, and remarkably, what makes until this day an impact on Poland, is the fundamental institutional legacy of self-governance introduced in 1849 by Austria-Hungary, when Poland was partitioned among the three empires (Austria-Hungary, Prussia and Russia, 1772-1914). This was recently proven by two Russian researchers from the Paris School of Economics. They published an econometric analysis of the role of self-governance in forming democratic social capital in contemporary Poland^{viii}. In that analysis they measured the trust of Polish citizens in their government, trust in police, trust in courts, and the attitudes towards violating the law. While on these trust issues they found no statistically significant differences^{ix}, at the same time, and remarkably, they discovered significant differences on the attitudes toward democracy, that is whether or not the Poles believe that democracy is the best system of government. Presently, this latter conviction is 15 percentage points larger today on the Austrian side of the Russia-Austria-

Hungary partition border than on the Russian side. The credit for this should go to *Graf Stadion* and *Kaiser Franz Joseph* for introducing self-governance into Austria's North-East territory of what is now a part of Poland.

Figure 1 Poland's borders (2015) with the partition borders among Austria-Hungary, Prussia and Russia before the First World War (1914).



Source: https://upload.wikimedia.org/wikipedia/commons/8/83/Zabory_na_gminach.png

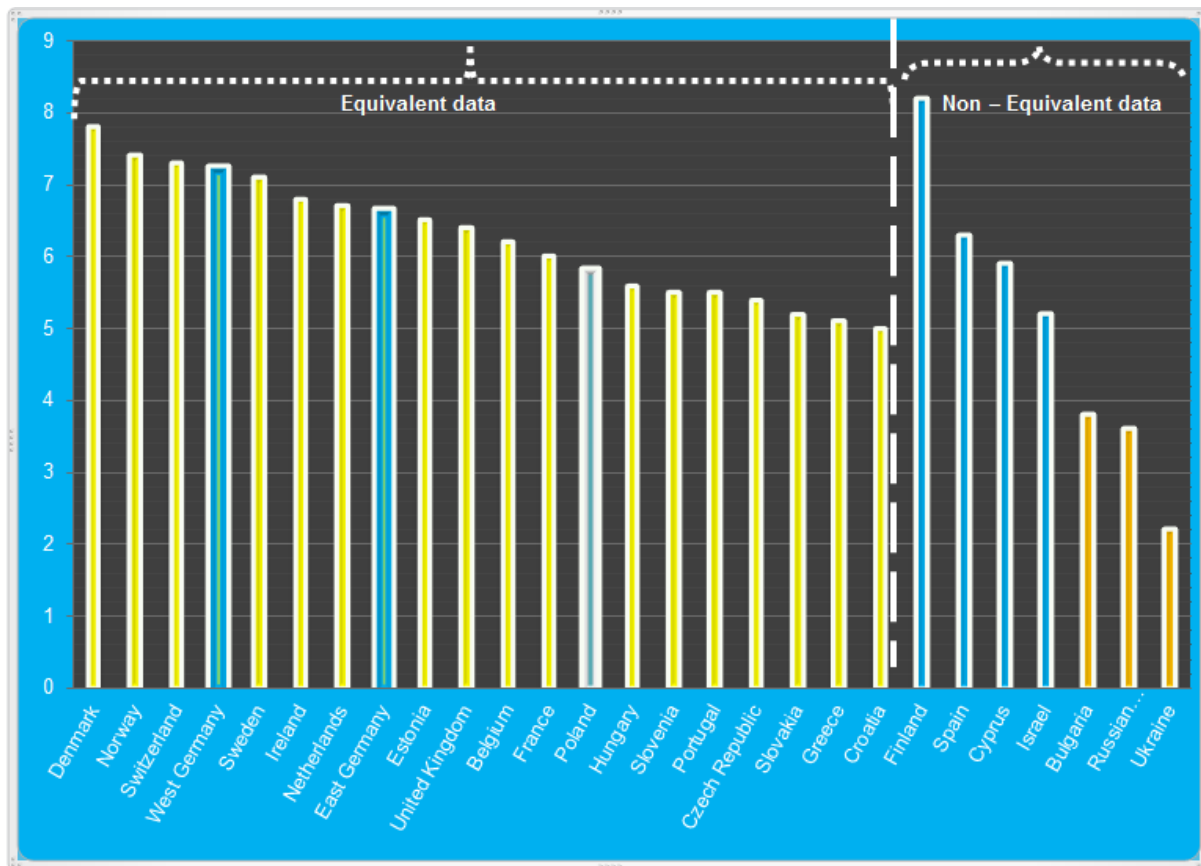
This finding leads to a comparative review of the trust in the police, in what is now the European Union and other countries of the continent. Trust in the police cannot be isolated from political institutions, whether this is the European Union, a particular country or, let alone, the institution of local self-governance. Again, Western and Eastern European countries remarkably differ between another (Figure 2).

These variations in the level of trust in the police are particularly comparable in the twenty countries on the left side of the below table because of the same survey standard, and - in its own (non-comparable across the table) terms - on its right side.

Accordingly, one can see on the left side of the table that there are differences in the Federal Republic of Germany between its Western and Eastern part: in East Germany trust in the police is lower (below 6 points), which is also lower than in Poland, Hungary, Slovenia and the Czech Republic. It is still lower in Slovenia and Croatia and even lower in Bulgaria, Russia and Ukraine (below 4 points).^x

Somewhat surprising is to find Portugal and Greece in between “new EU” countries, perhaps because of the economic crisis they have suffered.

Figure 2. Mean levels of trust in the police in 26 European countries (2010-2011).



Source: The biennial European Social Survey/"ESS 5" of 26 countries (Germany split into West and East; no data for Austria). A 10-point scale ESS asks 16 questions testing confidence in police, the replies to which were analysed and published by D. Schaap, P. Scheepers, *Comparing citizens' trust in the police across European countries: An assessment of cross-country measurement equivalence*, *International Criminal Justice Review* 2014, Vol. 24(1): 89.

Conclusions

When in the years 1848-1849 Europe was shaken by the "Spring of Nations", according to historical records this Diplomatic Academy had been on the brink of closure. Thanks to Austrian officials, including Count Franz Stadion (the drafter of the *Provisorisches Gemeindegesetz*), the Academy survived because it managed to reform itself structurally. So it is not coincidental to conclude this statement with some pro-reformists thoughts on the role of local self-governance in social diplomacy.

History shows that reducing the absolute power of central authorities by institutionalizing self-governance is a very painful, adversarial but eventually progressive process. In what now is now a part of the South-East Poland, Austrian rule has been by and large regarded as the least oppressive in comparison with the two other empires' rule over the rest of the partitioned Polish territories.^{xi}

However, this relative tolerance happened only after very grim and cruel events in the Polish-Austrian history of that time (1846-1848), when Polish peasants prompted by the Austrian oppressive rule took revenge on the Polish landlords and blood flowed in the streams.^{xii}

Whether then or now, in whatever country, such a policy of oppression is not what the United Nations accepts/condones/promotes. In the Declaration containing seventeen sustainable development goals for 2016-2030, the Organization envisages *“a world free of fear and violence. A world with equitable and universal access to quality education at all levels, to health care and social protection, where physical, mental and social well-being are assured...a world where human habitats are safe”* (PP 7). The Organization speaks about tolerance to foster inter-cultural understanding, mutual respect and an ethic of global citizenship, shared responsibility (PP 36) and shared prosperity (PPs 3, 8, 7). In particular the Declaration’s goal 16 involves the promotion of *“peaceful and inclusive societies for sustainable development”*, and the provision of *“access to justice for all and build effective, accountable and inclusive institutions at all levels”*.^{xiii}

H. E. Ambassador Martin Sajdik, now the OSCE Special Representative in Ukraine, but earlier the 70th President of the 70th session of the United Nations Economic and Social Council that was in charge of elaborating the SDGs, said: *“This very focused call in the name of justice... should be an invitation for all the United Nations entities to “deliver as one” in achieving the agreed goals of sustainable development. Partnerships of all kinds will become ever more important involving government agencies, the private sector, civil society, academia, philanthropic foundations and faith-based organizations. This collaboration will prove critical for the implementation of the new development agenda”*.^{xiv}

Shared responsibility and shared prosperity in this context mean re-aligning responsibilities between central and local governments. *“Considering that the local authorities are one of the main foundations of any democratic regime”^{xv}*, governments driven by democratic ideas have a critical leadership role to play. They may and should re-align the relevant policies and incentives for self-governance. Even when this realignment comes hard, occasionally with blood, sweat and tears, eventually the self-governance at the municipal level becomes a driver for peaceful, inclusive and sustainable development. This Diplomatic Academy/UPF event is a tool of social diplomacy that may ease the pain of transforming the Eurasian continent into one union of like-minded peoples and countries, driven by common democratic ideas and precepts.

ENDNOTES

ⁱ Poland: *Narastające dysfunkcje, zasadnicze dylematy, konieczne działania. Raport o stanie samorządności terytorialnej w Polsce*, Kraków 2003:43; Statistics Austria 2009:459; Czech Republic: S. Kadečka, Local government in the Czech Republic. In A. M. Moreno (ed.) *Local Government in the Member States of the European Union: A Comparative Legal Perspective*, Madrid 2012, ch. 5; Russia: M. Mokeev, Development of local self-government in Russia: Municipal reform Outcomes, *Paper for the International Expert Meeting on Local self-government and citizens' participation in decision-making process and local democracy*, 1-2 June 2011, Odessa, Ukraine, p. 3, <http://dx.doi.org/10.2139/ssrn.2228062>.

ⁱⁱ From 1841 he was Governor of the Austrian Littoral (with its capital at Trieste); from 1847 to 1848 Governor of Galicia.

ⁱⁱⁱ A/RES/70/1, *Transforming Our World: The 2030 Agenda for Sustainable Development*, 25 September 2005.

^{iv} G. Kellers, A. Lamantire, Research on the "Fear of Crime", *Eurocriminology* Vol. 1 (1987): 31-42, and T. Mathiasen, Contemporary Penal Policy: A Study in Moral Panics. In *Scandinavian Criminal Policy and Criminology 1985-1990*, ed. N. Bishop, Stockholm 1990 (quoted after „Problemy Bezpieczeństwa Lokalnego. Materiały I Konferencji Krajowej - Toruń 10 XII 1993 (ed. M. Filar), Toruń 1995, p. 14, fn 8). However, contemporary research on the fear of crime shows extremely nuanced public reactions to criminal victimization, with the surprisingly locally varied individual perceptions unwarranted by its real instances, as e.g. the case of Vienna (Austria) and Kraków (Poland) is among other cities (EU Research on Social Sciences and Humanities Insecurities in European Cities. *Crime-Related Fears within the Context of New Anxieties and Community-Based Crime Prevention*, INSEC. Final Report, European Commission 2004).

^v T. Hestermann "Violence against children sells very well". Reporting crime in the media and attitudes to punishment. In H. Kury, S. Redo, and E. Shea (Eds), *Women and children as victims and offenders: Background – prevention – reintegration. Suggestions for succeeding generations*, Berlin-Dodrecht-Heidelberg-New York: Springer (2016, forthcoming).

^{vi} For the review of the findings on the role of press in publicizing instances of criminal victimization, see: L. Mookiah, W. Eberle and A. Siraj, Survey of crime analysis and prediction. In *Proceedings of the Twenty-Eighth International Florida Artificial Intelligence Research Society Conference*, ed. I. Russell and W. Eberle, The AAAI Press, Palo Alto, California 2015, pp. 440-443.

^{vii} Empirically, some crime prevention programs that promote citizens' active participation are not effective (e.g. general awareness campaigns). It appears, that, in fact, neither they nor even some specific local activities matter for fear reduction, however they do for reducing mistrust in police or risk taking (e.g. "walking in the neighbourhood"), see further: P. Luengas, I. J. Ruprah, *Fear of crime: Does trust and community participation matter?*, Interamerican Development Bank, Washington, D.C. 2008. Moreover, target specific activities through local safety audits can be effective for ensuring women's safety by bringing about environment changes, empowering women and alerting the public and authorities to the shared responsibility for safety (M. Shaw, Women as actors in community safety – Taking action worldwide. In H. Kury et. al., op. cit.).

^{viii} I. Grosfeld, E. Zhuravskaya, Cultural vs. economic legacies of empires: Evidence from the partition of Poland *Journal of Comparative Economics* 43 (2015): 55–75.

^{ix} This conclusion can be qualified by the results of the Polish survey (see: A. Siemaszko, Polskie Badanie Przeszłości (PBP) 2007–2009: Analiza wybranych rezultatów [*Polish Investigation of Criminality (PBP). The Analysis of Selected Results*], *Archiwum Kryminologii*, Vol. XXXI (2009): 235-237; 255-256). The study shows that in the partitioned area under the scrutiny of the study cited in the endnote above, presently, both the lower than elsewhere fear level of crime and higher in-police-trust, may indeed interplay with the claim that self-governance has a positive regulatory impact on local security in the „post-Austrian“ territory in Poland. This could be verified empirically to determine whether or not industrialization could conversely affect these attitudes across these areas.

^x Surely, the kind and number of questions probing the level of trust, in short, survey methodologies ("non-equivalent data") yield different results. According to such recurrent Polish opinion polls, the level of trust in police on a 10-point scale is between 6-7 points, occasionally above 7.

^{xi} The self-governance reforms instituted in Prussia in the beginning of the 19th century had limited the mandate of municipalities in the territory of Silesia of the present Poland. Regarding Russia, these reforms had started at the beginning of the First World War (1914) in the so called post-1815 Vienna Congress autonomous Polish state in personal union with the Russian Empire ("Congress Poland").

^{xii} See: "Galician slaughter", https://en.wikipedia.org/wiki/Galician_slaughter.

^{xiii} A/RES/70/1, op.cit.

^{xiv} M. Sajdik, Epilogue. In H. Kury et al., op. cit.

^{xv} PP 4 of the European Charter of Local Self-Government (CETS No. 122 (1985)), <http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/122>.