

Local Autonomy Index 2.0 (2015-2020): the Netherlands (NLD)

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Introduction

The Netherlands is often situated within the (Germanic core of the) Northern and Middle European state tradition of intergovernmental relations. More specifically, the country is normally characterized as a decentralized unitary state. The country has a two-tier subnational system of governance comprised of provinces (N = 12) at the regional level and municipalities (N = 355) at the local level.¹ In addition to these multipurpose territorially integrated jurisdictions, complementary single-purpose functional bodies exist such as water boards or different forms of intermunicipal cooperation (Hendriks & Schaap, 2011). Moreover, national legislation has established functional regions (in matters such as policing) and functionally decentralized semi-public organizations (in matters as housing or education) at the local and the regional level. This proliferation of autonomous public agencies at the subnational level limits the factual autonomy of municipalities by necessitating coordination and cooperation, both between municipalities and of municipalities and these functional agencies.

This index is concerned with the municipal level. The number of municipalities has diminished over time. The Netherlands namely have developed a tradition of almost annual municipal amalgamations.² Although motives, strategies and procedures for amalgamations have evolved, the underlying rationale has remained one where territorial consolidation is seen as the appropriate means to expand local government's capacity to deliver services and provisions and/or to assume additional tasks, functions and responsibilities (Boedeltje & Denters, 2010). Amalgamations are also seen as a means to improve the governance of urban regions.

Self-rule

1. Institutional depth (Based on LAI 1.0)

The score (3 for both LAI 1.0 and LAI 2.0) is motivated by the provision and protection of local self-government that was originally established in the Dutch Constitution (1848) and the Municipal Government Act (1851). In contemporary legislation this principle is codified in article 124 of the current Constitution that grants municipalities the capacity to regulate their own affairs and article 108 of the Municipal Law (2002) that grants a power of general competence to municipalities ("principle of self-government"). On this basis municipalities are authorized to decide

¹ This is the number of municipalities as of January 1, 2020 and does not include three special local authorities in the Caribbean Netherlands, that have a legal status comparable to those of Dutch municipalities. In this paper we use the terms local (government), municipality and municipal (government) as synonyms.

² As is apparent in the dataset, the number of municipalities has thus been lowered substantially from 672 (in 1990) to 355 (in 2020) (source: *Central Bureau of Statistics* at www.cbs.nl). The number of provinces has remained constant so far. They can be considered as the functional equivalents of regions elsewhere and were the historical building-blocks of the Dutch state but have gradually lost prominence. Although they also have a general competence on matters of provincial interest (which translates into policy initiatives in several domains) they are often regarded as authority authorities mainly coming into contact with other layers but less with citizens (Hendriks & Schaap, 2011).

independently on any matter of government related to the municipal territory. Municipalities therefore do not depend on the attribution or delegation of certain powers by the central state (as in an *ultra vires*-like catalogue model with a closed listing of local tasks). A few qualifications are needed however.

First, "local self-government", based on a power of general competence, is defined negatively in that municipalities may regulate what they think is necessary on their territory as long as this does not conflict with the law of a hierarchical higher body. In most areas of local concern national legislation exists and narrows the scope of local self-government.

Second, in addition to "local self-government" the autonomy of Dutch local governments also rests on a second pillar, i.e. the principle of "co-governance", which implies that national government by law can call upon municipalities (and other subnational governments) to implement national policies and programmes.³ In co-governance local governments are agents implementing national policies; with differing degrees of local discretion (ranging from minimal to quite considerable). Over the years "self-government" has given in to "co-governance" as the dominant basis for the exercise of local autonomy. On the one hand, this had a negative effect on municipal autonomy. But on the other hand, co-governance secured the position of local governments as an important partner for national government in the implementation of an ever wider range of public policies during the expansion of the Dutch welfare state in the second half of the previous century.⁴ Moreover, around the turn of the century, decentralizations and deregulations have at least in part reversed this negative trend in municipal discretion (see: e.g. Denters, 2021). In this respect the paradoxical characterization of the Netherlands as both a *decentralized* and a *unitary* state should be understood against the backdrop of the Dutch state tradition of an organic state, drawing upon cooperation and consensus in a compound system of territorial governance of interdependent governments (Steen & Toonen, 2010).

These interdependencies are also reflected in two other features of intergovernmental relations (discussed further below):

In terms of fiscal relations: municipalities do not have the power to create local taxes autonomously. Any local tax should have a basis in a national statute (mostly the Municipal Law).

In terms of supervision: the right of local self-government and their involvement in the implementation of many national policies (co-governance) are complemented by supervisory powers of national and provincial governments to control local government. Since 2013 the nature of the system of supervision has changed. In the case of co-governance a multitude of domain-specific steering and control mechanisms set up by the various departments of central government to secure national performance and quality standards, was replaced by a more generic system of provincial supervision aimed at the prevention of non-implementation and gross neglect in combination with control and supervision by the locally elected municipal council. In addition to this, all decisions of local governments (also those based on the power of general competence) may be subject to suspension or abrogation, in case of illegality or interjurisdictional conflicts of interest (Toonen, 1987; Backes & Van Der Woude, 2013).

³ Just like the power of general competence, co-governance is based on article 124 of the Dutch Constitution and article 108 of the Municipal Law.

⁴ Some experts have even argued that the actual discretion for local government is often higher in co-governance arrangements than in traditional domains of self-government (Derksen & Schaap, 2010).

CODING:

The Netherlands scores 3

2. Policy scope (and discretion)

Education

CODING 1.5

Primary education (update of LAI 1.0): Limited scope (0,5), including costs of school buildings, both related to building new schools and maintenance (decentralized in 1996). No role (0) in hiring/paying teachers (where salaries are negotiated resulting in a national agreement between the associations of school boards and teacher unions). Local discretion (0,5) on number and location of schools; municipality has to determine its policies on the basis of consultations with independent local school boards. In essence these arrangements did not change after 2014.

Pre-school (added in 2015 with LAI 2.0): In essence here the municipalities have limited scope (0,5) and some discretion (0,5) much similar to what has been described for primary education. In addition to the national childcare allowance municipalities can provide additional benefits for target groups (e.g. parents of immigrant families).

Secondary education (added in 2015 with LAI 2.0): In essence here the municipalities once again have limited scope (0,5) and discretion (0,5), much similar to those described for primary education.

Social assistance (update of LAI 1.0)

CODING 3

Broad range of responsibilities. Over the years the range of effective municipal responsibilities in the domain of social assistance has broadened with subsequent decentralizations. With a series of decentralizations in 1985/1988/1991 (Wet Bijzondere Bijstand) and in 1996/2003/2004 (Wet Werk en Bijstand) the scope of municipal responsibilities increased. These decentralizations provide major regime changes broadening the scope of responsibilities for poverty relief and more general social services and increasing local discretion both in specifying conditions and levels for benefits provided to clients.

Addition LAI 2.0: In 2015 almost all responsibilities (and necessary financial means)⁵ for *economic benefits* and *labor market participation*, including rehabilitation and training were transferred to the municipalities (also see the section on social care). The *integration of immigrants and refugees* is also a municipal responsibility. In all these domains, policy scope is coded 1. In many social policy domains municipalities cooperate with other neighboring municipalities and with local and regional governance partners. In social assistance now municipalities (alone or together with other municipalities) provide all major forms of social assistance and are in the main part also responsible for paying the staff necessary for these tasks (although the implementation is often delegated to subsidized or contracted local or regional organizations. Because of these dependencies discretion scores for the three domains are coded 0,5.

Health

CODING 0.5

⁵ Whether the municipalities received adequate funding for all these new tasks, however, is seriously contested; not only by the municipalities themselves. Many municipalities in the years after these decentralizations ran into considerable financial deficits caused by the decentralizations in this domain and the associated decentralization in the caring functions.

Primary health care (update LAI 1.0): Limited task in domain of preventive health care, infectious diseases (pandemics), and youth health care. This task is performed in inter-municipal cooperative boards, which limits the scope for municipal discretion. In the Netherlands primary health care is in the hand of GPs (who are self-employed entrepreneurs) and private health insurance companies (that operate in the context of national legislation). The municipalities often play a facilitating and coordinating role in integrating local health provisions and identifying and possibly filling lacunae. Because of its role in preventive health care and coordinating health care, a 0,5 score was coded in the primary health care provisions columns for both policy scope and discretion (in LAI 2.0).⁶

Hospitals and dental services (added in LAI 2.0): here basically the same arrangements are in place as in primary health care, where health care is in the hand of independent health care providers and private health insurance companies (that operate in the context of national legislation). For these two domains both policy scope and discretion were coded as 0.

Land use (building permits and zoning; based on LAI 1.0)

CODING 2

Within the framework of national and provincial plans the municipalities have full responsibility (1) and considerable scope for discretion (1) in granting building permits and making zoning and planning decisions. In 2006 the discretion of municipalities in these domains was further increased.

Public transport (based on LAI 1.0)

CODING 0

For most municipalities this was not a task (policy scope: 0); Hence also no discretion (0). For urban municipalities there was an initial decentralization (1988), then regionalization (in seven urban regions and transfer of responsibilities to provinces (1996/8 and 2004). Municipalities have limited responsibilities in securing (financial) accessibility of public transport facilities for poor families and the handicapped and they take on the responsibility for identifying local lacunae in transport facilities for citizens and putting local transport issues on the agenda of the national or provincial government. Notwithstanding these latter activities both in terms of policy scope and policy discretion 0-scores were coded.

Bus transport and trains (added in LAI 2.0):

In essence neither of these two types of transport are a local responsibility. The above regime (used for LAI 1.0) essentially pertains to bus transport, whereas the responsibility for train transport is shared by the national and provincial governments. But for either type of transport the original scores for scope and discretion are retained.

Housing (based on LAI 1.0)

CODING 1

Municipalities have some responsibilities for *housing and town development* planning, preservation of monumental buildings, renovation and housing allocation. In these domains they share responsibilities with housing market parties. *Social housing* and

⁶ This score differs from the original LAI 1.0 score (0), but this change seems appropriate because in LAI 1.0, primary health services pertained to a. 'the construction and/or maintenance of clinics or health centres' and b. 'employment and payment of doctors'.

the management of social housing estates is a responsibility of independent housing corporations (1989). Municipalities since then are in part dependent on these corporations. In LAI 2.0, because of both these shared responsibilities, we score 0,5 in terms of scope and 0,25 in terms of discretion. In this way we retain consistency with the 0,5 scope and 0,5 discretion scores in the period up to 2014.

Police (based on LAI 1.0)

CODING 0

After the introduction of the national police (in 2013), local responsibilities and local discretion in this domain were further reduced. However, the mayor has retained some formal responsibilities and discretion in decisions about the local deployment of police forces (in consultations with the head of the regional police division and the regional attorney-general) based on a local safety & security plan. Between 1993 – 2013 the municipal police (in the municipalities with >25.000 inhabitants; in the remaining municipalities a national police was securing safety and security) was replaced by 25 regional police corps, governed by 25 regional councils (comprised of the mayors in the region). The scores in the 1990-1993 period are based on the situation in the 25.000+ municipalities where most Dutch citizens lived.

Public Order and Traffic Police: after 2013 decisions on local priorities in the deployment of police for either of these two purposes are a shared responsibility of the local mayor, the chief of the regional police chief and public prosecutor in the region. Hence for both public order and traffic police codes of 0,25 for policy scope and discretion were given.

Caring functions (based on LAI 1.0)

CODING 3

This is an increasingly important domain. In 1987 the range of local responsibilities was increased. In 2007 municipalities have received wide new responsibilities and considerable discretion.

LAI 2.0: In 2015 these responsibilities were even further extended in the most recent decentralizations (see above). In the LAI 2.0 for each of the three functions (added in LAI 2.0) policy scope was coded with a maximum score of 1.0. Municipal discretion – throughout the period – is limited because typically Dutch municipalities heavily rely on the collaboration with local and regional service providers in each of these three domains (hence scores of 0,5 per domain).

CODING:

Overall, the Netherlands scores 3 (based on a summed score of 9,5 over the eight domains)

3. Effective political discretion (also see Policy Scope)

CODING:

Overall, the Netherlands scores 2 (based on a summed score of 8 over the eight domains)

4. Fiscal autonomy (Based on LAI 1.0)

From a comparative perspective and at first sight autonomy through fiscal discretion (defined as the ability to independently tax local population) is not an outspoken characteristic of municipal government in the Netherlands. A closer look, however provides a more nuanced picture.

For one thing, local self-government does not automatically imply the (unlimited) power of municipalities to create local taxes. In the Netherlands, the latter refers to a statute by the national legislature making provision for the kind of taxes which municipalities are able to raise. Local authorities are thus not free to determine which taxes they impose (Backers & Van der Woude, 2013). In addition the details of the financial relations are subject to negotiations and pacts/covenants between central government and the Association of Municipalities.

Municipal tax revenue comes exclusively from own sources and is not shared. Three main sources are usually discerned. The most important (and listed as a major tax in the index) is the property tax. Municipalities levy taxes on (non-)residential property of both owners and tenants. These are based on the alleged market value of the property in question. Almost half of all municipal tax income comes from property. A distinction is made between the use and the ownership of (non-)residential property although both are taxed in principle. In addition to the property tax, the refuse collection rate and sewer tax represent major sources of municipal revenue. Municipalities have some leeway over the refuse and sewer tax (e.g. in determining the criteria on which it is based) but must ensure that the budgeted revenue does not exceed budgeted costs of the activity. In addition to the three major tax sources mentioned (representing more than 80% of tax income), several minor taxes can be raised such as a tourist, dog, commuter or parking tax, supplemented by other sources of revenue such as user fees or charges (Bafoil & Lefèbre, 2008).

As the system after 2014 essentially remained the same, we continue to determine the Dutch score on this aspect as 2, reflecting local governments' discretion to set the rate of at least one major tax (and in addition some minor taxes) but under restrictions stipulated by higher levels of government (mainly through generally outlining the activities and assets where local taxes can be based upon but also specific restrictions on particular rates).

CODING

Netherlands scores 2 (both in LAI 1.0 and LAI 2.0).

5. Financial transfer system

Traditionally, the overall share of local taxes and locally raised revenues in the total revenue of municipalities was limited and low by international standards (Denters & Klok, 2005; Derksen & Schaap, 2010). Conjointly, locally raised revenues typically represented less than one third of municipal income. In recent years there has been a tendency of stronger reliance on revenues from local but non-tax based sources (see financial self-reliance). But central government grants remain the main source of local revenue. The transfer share of total local revenue in recent years hovers around approximately 70% (Raffer 2019) and in 2018 decreased to 55% (Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, 2021). Over the period between 1990-2014 the importance of unconditional grants (from the Municipality Fund) has steadily increased. Up to 1997 between 30-40 percent of the transfers were unconditional. In most years between 1998 and 2007 this percentage fluctuated between 40-50 percent.

LAI 2.0: In recent years the unconditional grants became the most important transfer mode (unconditional grants amounting to around 60 percent of transfer incomes) as a consequence of decentralizations and a cleanup of conditional grants (Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, 2021).

CODING

Over the LAI 1.0 period Dutch scores increased from 0 to 2; for the LAI 2.0 period the Dutch score is 2.

6. Financial self-reliance (Based on LAI 1.0)

Traditionally the level of financial self-reliance of Dutch municipalities was relatively low (LAI 1.0 score: 1). If we stick to a strict interpretation of self-reliance based on taxes, fees and charges (as in this aspect of the index), these do not amount to more than 20% of municipal revenues. This strict interpretation is the basis for the score attributed which is visible in the excel-sheet of the index. But increasingly municipalities rely on *other local sources of revenue*, such as those from estate development, from museums, participation in public utilities, and withdrawals from municipal financial reserves. If we would have included these other local revenues, the picture regarding local financial self-reliance would change somewhat (leading to a score of 2).

CODING

In LAI 2.0: we stick to our previous decision and will adhere to the strict interpretation of self-reliance; for LAI 1.0 and LAI 2.0, the Netherlands scores 1.

7. Borrowing autonomy (Based on LAI 1.0 and not changed for LAI 2.0)

In the Netherlands subnational authorities including local government may borrow without any prior authorization from their central counterparts and from the establishment of their choice. In addition, they may use bonds (but this is rarely done). Loans can be used for any purpose. In practice however, since local government budgets must be balanced, borrowing is only used to finance capital expenditure. No upper limit to borrowing has been set so local government can borrow as long as it is able to finance the debt service (Bafoil & Lefèvre, 2008).

Hence, the score on this aspect (LAI score: 2) is based more on the informal and factual restrictions in practice than on the mere formal provisions on paper with regard to borrowing.

CODING:

In both LAI 1.0 and LAI 2.0: Netherlands scores 2.

8. Organisational autonomy (based on LAI 1.0, largely unchanged)

The unitary nature of the Dutch state translates into a fairly limited autonomy in terms of internal organization for which uniformity prevails. The Constitution provides the legal foundation for the internal organization of municipalities codifying general principles, which are further detailed in the Municipal Law (i.e. with regard to the composition, competences, functioning and interrelations of the relevant organs).

The specific score on this aspect in the index is a combination of that on 'local executive and election system' (i.e. political organization) and 'staff and local structures' (i.e. administrative organization).

With regard to **political organization** the score (LAI 1.0 score and LAI 2.0 score both: 1) is due to the limited local discretion in deciding on their model of local government: what are the main political offices and how will officeholders be (s)elected? First, municipalities cannot decide autonomously on the basic outlines of their political system. The Constitution and Municipal Law set out the major principles of the local government model. National legislation stipulates that all municipalities will have three major political offices (council, aldermen and a mayor), specifies how these various officeholders will be (s)elected and specifies a number of basic rules about the relations between these three offices.

Second, based on national legislation, in all municipalities the same rules apply for the (s)election of councilors, aldermen and mayors.

Only the members of the local council are directly elected (as enshrined in the Constitution and further elaborated in the Election Law). Just like for the national and provincial directly elected offices councilors in all localities are elected through at-large local elections via an open list system (one vote for one candidate) of proportional representation (Van der Kolk, 2007).

Both aldermen and the mayor are indirectly (quasi-)elected by the municipal council. Aldermen are indirectly elected by the councilors. Mayors are nowadays appointed by central government based on a nomination by the majority in the council. Changes in the relationship between the legislative and executive branch of local government have occurred since 2002 but not to the extent that this influences the autonomy score in terms of political organization. Before 2002, the Netherlands held a monist conception of legislative-executive relations. The executive – the College of Mayor and Aldermen (CMA)— was the executive committee of the council⁷ (with Aldermen combining the membership in council and CMA; and the Mayor appointed by central government). In 2002, the new Municipality Law established a dualistic system based on a clear distinction between the legislature (council) and the executive branch (CMA) and strengthening the powers of the council in steering and controlling the CMA. Since then, *aldermen* could be selected outside the ranks of the local council and if the council would elect one or more of its members as aldermen, these persons would subsequently have to resign from the council. In addition, the competences of the three offices were more clearly separated. Henceforth the council should take up its (core) role of representation, policy-determination and scrutiny, whereas the CMA assumes responsibility for the daily management of the municipality including the preparation and implementation of policy (Denters et al. 2005; Derksen & Schaap, 2010).

Amongst these major local political offices, the position of the mayor has always remained somewhat particular. Based on historical foundations, the Dutch mayor, formally remains a centrally appointed civil servant (who can develop a professional career in different municipalities), even though – as we already explained, currently, in fact the (re)appointment of the mayor is based on the nomination by the majority of the municipal council. Rather than the traditional role of a national agent, the mayor nowadays is more and more acting as a the figurehead of municipal government (Hendriks & Schaap, 2011), and (s)he throughout the country is the best known local political officeholder (Boogers et al., 2021). In contemporary local governance mayors – on the basis of national legislation and local decisions – combine a wide range of roles that are not always easy to combine. For example (and notwithstanding the 2002 efforts to separate powers), the mayor remains the chair of both the council and the CMA (Boogers et al., 2021).

With regard to **administrative organization** the extent of autonomy of local government is higher (LAI 1.0 and 2.0 score both: 2). The Netherlands were early adopters of New Public Management in local government. Whereas already in the 1980s different experiments with organizational forms occurred, in the 1990s the concern-model became most prominent (in which sectorial self-management prevails integrated by a management team and steered by contract management). The municipal organization was consolidated and in part slimmed down resulting from privatization and contracting out of formerly municipal tasks. Subsequently, three alternative models of production and delivery of municipal services are now widely used as an addition to the traditional in-house default. First, the handing over to third-sector organizations (stemming from the era of pillarization and enhance with the

⁷ After a period in which mirroring colleges were the norm (proportionally including all relevant party groups in the council), minimal (connected) winning coalitions (having reached a post-electoral agreement) became the standard.

development of the welfare state). In a modern variant a new third-sector organization is established at arms-length of the municipality. Second, contracting out to a private firm or a production unit in intermunicipal cooperation. Third, municipalities have put production at arms-length by introducing contract management for local administrative agencies (Denters & Klok, 2005; Derksen & Schaap, 2010). These tendencies imply that local government is relatively free to choose its organizational structure and can establish legal entities and municipal enterprises. In addition and for the in-house component of administrative organization, municipalities can hire their own staff and fix their salary. These choices are evidently constrained by legal provisions, regulations and limitations included in Municipal Law (e.g. the legal position of statutory personnel or the conditions under which an arms-length entity can be established).

CODING

For both LAI 1.0 and LAI 2.0: Netherlands scores 3.

Interactive rule

9. Legal protection (Based on LAI 1.0)

Just as in LAI 1.0 in LAI 2.0 the Dutch score on this aspect is determined at 2,00. This is motivated by the existence of both constitutional as well as other legal means to assert local autonomy. As mentioned in the discussion on institutional depth, the Dutch Constitution and Municipal Law explicitly mention and thus protect local self-government (albeit negatively conceived) and despite the options for involving local governments via co-governance arrangements.

As Dutch municipalities have legal personality, they can also make appeal to the various components of the judicial system.

In the last instance, the Administrative Jurisdiction Division of the Council of State (the country's highest general administrative court) has the competence to adjudicate disputes between different governments. Recourse to this court can be sought in case of allegedly irregular administrative acts of a higher government. Oftentimes, the highest court is only involved after an appeal against a prior decision by a lower civic or administrative courts on the same issue. The College of Mayor and Aldermen (the collegiate executive) legally represents the municipality in the different courts.

Because of the Dutch state tradition of cooperation and consensus (Steen & Toonen, 2010) and the existence of mechanisms for consultation and mediation, in general Dutch governments are only rarely taking their conflicts to these courts however (De Graaf, Marseille & Wever, 2018).

But because of the wide range of options of national government to restrict local autonomy (including forced amalgamations and a range of opportunities for supervision) this reluctance implies limited *effective opportunities* for the legal protection of their autonomy.

CODING

Netherlands scores 2 (both in LAI 1.0 and LAI 2.0).

10. Administrative supervision (based on LAI 1.0)

Local government in the Netherlands up to (and including) 2012 was subject to various forms of supervision from its provincial or national counterpart. This supervision (as oversight and control) is constitutionally anchored (art. 132) and takes three basic forms: preventive or positive supervision, and two forms of post-hoc/negative supervision (a. suspension and annulment of a municipal decision; b. substitution of a municipal body, in case of neglect or non-compliance of national

regulation). Alongside these two generic modes of supervision, various specific supervision regimes with their own national inspectorates existed to secure municipal compliance with national legislation. Supervision might be exercised on both grounds of legality or expedience. This motivates the score [0/3] on this aspect for the period up to and including 2012 (Steen & Toonen, 2010; Backes & Van der Woude, 2013).

LAI 2.0:

From 2013 onwards, the numerous ad-hoc specific supervision regimes were abolished, because they were seen as patronizing and overly bureaucratic. Since then, the system is only based on the two generic modes of supervision. In this regime preventive or positive supervision refers to oversight and controls exercised preceding a final decision by a municipal organ. The most far-reaching interference in the autonomy of a municipality is the requirement of prior approval where a municipality decision is not legal until the after the approval of the province or central government. This mode of supervision mainly pertains to exceptional circumstances; e.g. when the provincial government has to approve of a municipality's budget in case of prior local financial mismanagement.

Next to this, there is post-hoc or repressive supervision. First, the province or central government has the power to suspend or annul a municipal decision in case of violations of the law or when a local decision conflicts with the public interest (e.g. in case of financial mismanagement or when the local decision conflicts with international obligations or in case of interjurisdictional conflicts). Second, a higher government can also decide on substitution (i.e. it is allowed to step in and take the measures required to guarantee the correct local implementation of the delegated tasks) in case of refusal or neglect when municipalities are called upon to implement national legislation.

Both these forms of preventive supervision are mainly associated with national legislation that delegates implementation to municipalities (co-governance). This form of supervision as a default is based on trust in the municipalities and respects their legal power to make autonomous decisions. Suspension or annulment of local decisions is only legitimate in case of violations of the law or when a local decision conflicts with the public interest (i.e. when a local decision conflicts with international obligations of the Netherlands or in case of conflicts between two or more municipalities). There is no longer supervision by a higher government aimed at securing the expediency of local decisions. To secure the expediency of these decisions, the contemporary system relies on steering and control by the directly elected municipal councils and local citizens. These horizontal democratic local controls are supported by a nation-wide, web-based system of benchmarks aimed at facilitate intermunicipal comparisons of performance, by councilors and local citizens.

Municipalities can make an appeal against the use of supervisory powers by provinces and central government appealing to administrative courts and in the last instance to the Administrative Jurisdiction Division of the Council of State.

Because of the changes in the supervision regime, from 2013 onwards we the score for the Netherlands is 1.

CODING

LAI 1.0: Netherlands scores 0 up to and including 2012. For 2013 and 2014 LAI-score should be corrected into: 1. For LAI 2.0 the score on this aspect is 1.

11. Central or regional access

In this aspect, we focus primarily on the indirect access of local government to the center, as the municipalities do not have a formal position in national decision-making. The score [2/3] is motivated by the regular consultation of local governments (based on the legal duty for national and provincial government to consult municipalities) on matters of their common interest; and the substantial influence of municipal interests through more informal channels of representation, e.g. via their national Association and by means of the national parties that – even though independent local lists are becoming increasingly important in municipal politics – provide a channel for local interest representation in national politics. These mechanisms are strengthened by a long cultural tradition (dating back to the days of the Dutch Republic) of cooperation and consultation in Dutch intergovernmental relations.

In this setting the *Association of Dutch Municipalities* represents all local authorities and provides a wide range of services to them, including advice, networking as well as lobbying (in attempts to influence central decision-making). The Association is considered as an important partner in central-local consultations and negotiations. Moreover, the interwoven nature of policy-making in the Netherlands more or less forces central government to take local interests into consideration. Hence, it has become accustomed to involve the Association in the development of relevant policy and sometimes a compromise with central government even precedes the legislative discussion (Derksen & Schaap, 2010). Formalized intergovernmental instruments such as policy agreements have accompanied this between municipalities, provinces and the central state or a code on intergovernmental relations as a procedural basis for exchange (Denters & Klok, 2005).

LAI 2.0 (update)

In intergovernmental relations the recent decentralizations have increased the importance of municipalities, their national association and other associations that advocate the interests of specific municipalities (e.g. G4: the four largest cities; or G40: the forty largest cities) as partners for national government. Hence the importance of intergovernmental covenants and pacts. This is testified by the city-deals and the region deals between central and subnational governments and the 2018 joint *Intergovernmental Program* that formulated a common national agenda for the national and subnational governments in the country dealing with seven major challenges in the physical, the economic, and the social domain (Denters, 2021). In the context of these pacts deals are negotiated regarding concerning various issues in intergovernmental relations (including financial relations and supervision).

CODING

The Netherlands scores 2 (for both LAI 1.0 and LAI 2.0).

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Additional questions (2020 only)

With these additional questions on the potential causal mechanisms and effects of local autonomy, we want to collect a current perception. More concretely, it means that it would be great if you could give us your answers to these questions directly here (i.e. no coding sheet), without considering any possible asymmetries in your country (i.e. national level only) or any changes over time (i.e. 2020 only). Any interesting (legal) indication may be also mentioned/added.

To better understand how an external shock may cause a change in local autonomy in a given country, a question is asked about the implication of Covid-19 pandemic.

The effects of local autonomy concern the satisfaction with local government service delivery, the importance of local government for citizens, the satisfaction with local democracy, the turnout at local elections and the trustworthiness of local politicians.

Implication of Covid-19 Pandemic

Implication of Covid-19 pandemic	<i>The extent to which the autonomy of local government has been impacted by the Covid-19 pandemic</i>	0-3	
		0	local government autonomy has generally decreased with the Covid-19 pandemic
		1	local government autonomy has not been impacted by the Covid-19 pandemic
		2	local government autonomy in health has increased with the Covid-19 pandemic
		3	local government autonomy in health and in other fields related to the Covid-19 pandemic has increased

CODING: 1

On the one hand, in some important respects during the pandemic decisions were centralised. Although e.g. initially the idea was to allow regional adaptations of national lockdown measures; very soon it was argued that in a small country with typically short travel distances – a variety of different regional lockdown regimes to regulate social and economic interactions would be impracticable. On the other hand, however, in most policy domains the national government relied heavily on local or regional implementation of e.g. public order, national health and economic and social support measures and there were many autonomous local initiatives to cope with the pandemic. On this basis we cautiously conclude that – on balance – the pandemic did not have a major impact on the policy scope and discretion of the municipalities.

Explanatory note for the remaining questions:

The scores on the subsequent questions will be answered on the basis of the 2018 Dutch Local Election Studies, a nationwide survey amongst a representative sample of more than 2500 respondents from the eligible voters in all Dutch municipalities (Jansen & Denters, 2019). The necessary computations were made by Bas Denters based on the original data.

Satisfaction with local government service delivery

Satisfaction with local government service delivery	<i>The extent to which the citizens are satisfied with local government service delivery</i>	0-3	0 citizens are generally not satisfied at all with local government service delivery 1 citizens are generally moderately satisfied with local government service delivery 2 citizens are generally mostly satisfied with local government service delivery 3 citizens are generally entirely satisfied with local government service delivery
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CODING: 2

In the DLES a 10-point scale was used to assess the quality of local services ("1= very bad" and "10= very good"); on this scale the median score was 7 (which in the Dutch grading system means "rather good").

Importance of local government for citizens

Importance of local government	<i>The extent to which local government has an important role in the daily life of citizens</i>	0-3	0 local government is not important at all in the daily life of citizens 1 local government is somewhat important in the daily life of citizens 2 local government is important in the daily life of citizens 3 local government is very important in the daily life of citizens
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CODING: 1

In the DLES a 5-point scale was used (1= of no importance and 5=very important); on this scale the median score of the respondents was 3 ("3=somewhat important").

Satisfaction with local democracy

Satisfaction with local democracy	<i>The extent to which the citizens are satisfied with local democracy</i>	0-4	0 citizens are not at all satisfied with local democracy 1 citizens are rather not satisfied with local democracy 2 citizens are neither dissatisfied nor satisfied with local democracy 3 citizens are rather satisfied with local democracy 4 citizens are entirely satisfied with local democracy
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CODING: 3

In the DLES a 4-point scale was used ("1= not at all" and "4= very much"); on this scale the median score was 3 ("3 = rather satisfied").

Turnout at local elections

Turnout at local elections	<i>Electoral turnout at local elections (approximately, last general elections)</i>	0-4	0 no elections 1 between 1 and 25 % 2 between 26 and 50 % 3 between 51 and 75 % 4 between 76 and 100 %
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CODING: 3

The official turnout percentage was 54,97%.

(<https://www.verkiezingsuitslagen.nl/verkiezingen/detail/GR20180321>).

Electoral participation on local level compared to electoral participation on national level	<i>The extent to which electoral participation on local level is higher than on national level</i>	0-2	0 electoral participation on local level is generally lower than electoral participation on national level
			1 electoral participation on local and on national level are very much the same
			2 electoral participation on local level is generally higher than electoral participation on national level

CODING:0

Generally turnout in Dutch national elections is higher than in municipal elections. For example the recent national elections (2021) the official turnout was at 78,71%. (<https://www.verkiezingsuitslagen.nl/verkiezingen/detail/TK20210317>).

Trustworthiness of local politicians

Perception of trustworthiness of local politicians	<i>The extent to which local politicians are trustworthy</i>	0-4	0 local politicians are not at all trustworthy
			1 local politicians are rather not trustworthy
			2 local politicians moderately trustworthy
			3 local politicians are rather trustworthy
			4 local politicians are very much trustworthy

CODING:3

In the DLES a 4-point scale was used ("1= not at all" and "4= very much"); on this scale the median score was 3 ("3 = rather trustworthy"); this score was the same for all three major local political offices (councillors, aldermen and the mayor), although the mayor's score was somewhat higher than the score for the two other offices.

Perception of trustworthiness of local politicians compared to national politicians	<i>Whether local politicians are more trustworthy than national politicians</i>	0-2	0 local level politicians are generally less trustworthy than national politicians
			1 local and national politicians are similar in terms of trustworthiness
			2 local level politicians are generally more trustworthy than national politicians

CODING:0

Differences in trust scores are generally relatively small. On the same 4-point scale the median scores of the Dutch government and the Second Chamber were also equal to 3 ("3= rather trustworthy). But in terms of the mean scores of the local politicians being somewhat higher than the means for the national politicians (Proszowska, Jansen & Denters, forthcoming). There is also a tendency that the trust gap in favour of local politicians increases with the size of municipalities.