

Book Review

A Book of Manifold Value:

Mile Ilić: Grad u lokalnoj samoupravi (City in Local Self-Government)

Niš, 2001, 390 pages

Not so long ago (not even two years ago), the scientific, professional and broader public received and welcomed, and later on accepted the latest work by profesor Mile Ilić, JD "City in Local Self-Government", as published by the Balkan Center of Local Self-Government in Niš. The author is well known in scientific circles for his scientific and professional papers in the field of local self-government. He is also known to be the founder of a well-reputed international institution of the Balkan Center of Local Self-Government based in Niš, as well as the organizer and participant of many scientific conferences home and abroad. He is well-known to all those individuals (and their number is considerable) who, be that scientifically, professionally or practically, deal with or are interested in the origination, organization, functioning, development and the perspectives of municipalities, cities, districts, counties, and provinces as units of local self-government.

In the area of the Balkan peninsula, particularly in the states which originated after the disintegration of Yugoslavia, there is a great number of scientists who have tried (and are still trying) themselves out in research work concerning local government. However, the majority of them have stayed at the level of municipality as the most important unit of local self-government, and avoided, or only briefly touched upon, a more detailed, serious and quintessential treatment of the position and the importance of the city in local self-government. Profesor Mile Ilić has spotted this very deficiency and directed his scientific and intellectual potentials to the end of penetrating the problems of local self-government of cities. Actually, with this book, the author has only continued (and rounded up) his scientific programme on local self-government. So far, he has published three books. The first was published in 1988, titled "Regional Communities in the Socialist Republic of Serbia", the second in 1996, the title of which was "Local Self-Government in Yugoslavia", and the third "City in Local Self-Government" published in the year 2001. All the three books have a logical connection and represent a trilogy of sorts, regarding local self-government.

It is completely clear and obvious that the author, with his research work, interest and scientific curiosity, has determined that there exist three focal points (subjects) within the entire domain of local self-government which has so far served as the object of his comprehensive treatment:

First, it is **municipality** as the basic type and the basic unit of local self-government in which the local population realizes its immediate common interests, which the author dealt with in his book "Local Self-Government in Yugoslavia" (1996).

The second is **region** (district, county) as a type of local community which serves the immediate (common) interests of the citizens (local self-government), but the central government as well (the state). In communities of this type, a most frequent occurrence is a special kind of cohabitation (common functioning of two different entities and sets of interests) of two social factors: local self-government and state administration. There must occur a kind of "yielding" and "cooperation" of the two sides so that the local self-government and local administration do not pursue only local interests, not taking into account the overall interests of the society, and that the central government (the state) does not mind only the overall interests of the state, but is supposed to take into consideration and show respect for local interests, as well. It is about these issues that profesor Mile Ilić wrote in his book "Regional Communities in the Socialist Republic of Serbia" (1988).

The third is **city** as an important and specific unit of local government. At the times the Greek and Roman civilizations flourished, "city", i.e. "urbs" was an independent whole of its own. Later on, cities were the holders of self-government (Dubrovnik, Malta, Gdansk, Kragujevac), only to witness their role becoming diminished in more modern times. The author has offered a comprehensive account of the place and importance of local self-government and its essence, with a particular "sense" of the city's "puls" in the work "City in Local Government".

The entire opus is logically (dialectically) connected and offers a consistent view of the problem through history as one dimension, and in terms of the content and nature as the second dimension of the persevering phenomenon of local self-government.

The author has determined that the city is a unique and multifunctional community of people who live in conditions of high-grade population density in regard to space. It includes various institutional mechanisms, complex social relations, interests and needs of citizens which are (by the way) legally regulated. The city has to be a public institution of self-government. It was such in its very beginnings, when local administration originated first in small areas, and was not granted (octroyed) by the central government of the state – from the top. Local self-government, as it has been constantly intertwined like a red thread in the opus of the author, has to have its own autonomy, its own system of administration, its fiscal independence, its own legal identity (entity), but also be adequately incorporated into the system of the state.

Local self-government has to be an oasis of man's freedom, an expression of his identity as the basic particle, as a small universe with a world of its own, but not isolated and autarkic. The citizen has to feel what democracy means and that democracy is born, cherished and learned about within this local rule, in the place of living, in the local community, be it a town, a municipality, a city, etc. The more authority is based in the upper strata of state organization, towards the centre, the less democracy there is, it evaporates like an invisible gas.

It is a noticeable tendency and wish of the author, as well as of any other researcher – author of scientific work, for his work to possess at least two dimensions and values: scientific and practical.

The scientific value of the work is reflected in the consistent scientific systematization, continuous revelation and use of relevant scientific data and achievements in this field, eventhough social sciences might not be favourable for exact (natural) facts. Social sciences very often turn out to be "sciences of surprise" and it is

very difficult to cast them into exact moulds. On the other hand, the author noticeably makes use of adequate methods and methodology, as well as sources of assured provenience. The syntheses, the constataions, the conclusions and suggestions are logical and have a cause-and-effect and dialectical ordering. The author constantly endeavours to raise the subject (local self-government) to the level of principle on the basis of numerous and contradictory elements of reality (practice).

The complete problem of city in local self-government has been dealt with and processed by the author in three structural parts:

The first part is dedicated to the Legal position of city in the system of local self-government and consists of three chapters (the first: On Local Self-Government, the second: City in History and Theory, and the third: Conditions for the Formation of Cities and Factors which Affect the Organization of Cities).

The second part is dedicated to the Position of city in Comparative Law and consists of three chapters (the first: Legal Position of Cities in certain European countries and the United States of America, the second: Legal Position of Large Cities in the World, and the third: Legal Position of Cities in the Republics of Former Yugoslavia).

The third part is dedicated to the City in local self-government of Serbia and consists of four chapters (the first: Legal Relations of Cities, the State and Local Government, the second: The Organization of Cities, the third: Making Cities Function and the fourth: the Position of Belgrade as the Capital of Serbia and Yugoslavia).

It is obvious that the structure of the book is diversified, rich and comprehensive, as well as methodologically well set. The plunging into the depths of certain questions is not without a measure which enabled the author to treat certain institutes, relations and processes at sufficient quality, without glorification or oversimplification. The entire work has been based on a rich reference list of assured provenience (around 400 titles of predominantly domestic, but also foreign authors).

This book could be a good foundation for the holders of administrative functions, of legislative and executive authority in the first place, in Serbia, on which they could build a contemporary concept of the organization and functioning of cities in Serbia, as significant, very current nowadays, units of local self-government. The process of transition will not altogether avoid local self-government, so that this book should be the first to take up in determining the direction and the essence of local self-government reforms.

With this book, profesor Mile Ilić has given a large contribution to the science of law – particularly to the segment concerning the local organization of society. Its value, both theoretical and practical is immense, irrefutable and unquestionable. The book will remain such even when there appears a book by some other author on the same topic, perhaps with even deeper analysis and a better practical model.

The book "City in Local Self-Government" by profesor Mile Ilić should be read and applied in theory, as well as in practice, since it is definitely a book of multiple value, important and useful.

Rajko Kuzmanović

Banja Luka
November, 2003