How Coerced Municipal Amalgamations Thwart the Values of Local Self-Government

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Abstract

Arguments invoking increased functional efficiency have had a profound impact on local government reforms in advanced democracies during the past 60 years. Consequently, most mature democracies have implemented municipal amalgamation reforms, often through top-down coercion. In this article, we demonstrate how far central governments have been willing to go, in terms of coercion, by providing an in-depth historical account of Swedish municipal amalgamations between 1952 and 1974. Debates on amalgamation reforms have typically revolved around pros and cons of mergers. But very few discussions have addressed the more fundamental moral problem of enforcing amalgamations through coercion. Often, large-scale mergers are carried through against the expressed will of municipalities who wish to remain self-governing. In this article, we present a normative defense of strong local self-government, based partly on values of individual autonomy, and partly on group-based human rights, and we show how coerced amalgamations are at odds with these values.

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Introduction

The issue of local government reform is currently, or has recently been, on the agenda in many developed democracies. During the past two decades, we have witnessed what Swianiewicz, Gendźwiłł, and Zardi (2017) called the “third wave” of amalgamations, that is, that central governments in several countries have initiated and/or implemented amalgamation reforms. Not seldom, top-down coercion has been used as a mean to merge municipalities. Against the backdrop of recent or ongoing initiatives toward municipal mergers in several advanced democracies in general, and the Nordic countries in particular, we will ask a question which we believe has been overlooked, yet is of utmost importance, namely, whether coerced amalgamations carried out in spite of the outspoken resistance of affected municipalities are at odds with crucial values of local autonomy and self-determination?

The arguments for amalgamations are almost exclusively based on notions of functional efficiency, and as such they rely on what (J. A. Chandler 2008; J. Chandler 2010) called an *expediential justification* of local government. Expediential justifications value local government to the extent it serves the interests of other institutions such as the central government. When local government is understood mainly as an administrative service provider, with the overarching task of implementing decisions of the central government, this understanding presupposes an expediential justification of local government. From such a perspective, a certain way of organizing local government is only valuable as long as it is instrumental in fulfilling the purposes spelled out by the central government. When it no longer does so, the structural organization of the local government can be changed, through coercive measures if necessary, to better fit its purposes. Chandler contrasts expediential justifications with *ethical justifications* of local government. Ethical justifications value local government because it fulfills some morally desirable purpose in itself, regardless of its instrumental value to the central government.

This article presents an ethical justification of local government by demonstrating how a right to local self-government can be defended by referring to both a basic respect for individual autonomy, and to group rights to exercise local territorial control. The overarching purpose of this project is to infuse a wider set of ethical values that needs to be taken into account, alongside considerations of efficiency, into the debate on structural reform of local government in general, and on coerced amalgamations in particular. The ethical

arguments we employ have their roots in contemporary liberal political theory. More specifically, we intend to contribute to the debate on local government by borrowing relevant elements from the theoretical discussion within contemporary analytical political theory on the self-determination rights of minority groups (see Boudreau and Keil 2001, for a similar approach).

The article proceeds as follows. In the next section, we will present a brief history of European amalgamation reforms, with a particular focus on the Nordic countries. The main purpose of presenting this brief history is to show that the arguments used to defend amalgamations have been one-sided, focusing almost exclusively on how amalgamations supposedly further functional efficiency. Next, we outline our normative argument. First, an individualistic, autonomy-based argument is presented, which implies that if we regard ourselves as democrats, we ought to embrace and protect the principles of local autonomy and self-government. Thereafter, we present a group-rights-based argument for local autonomy according to which the exercise of local control is a strong moral priority of local groups that should be protected as a right. Taken together, these arguments mount a strong defense of local self-determination.

To demonstrate that our argument is not merely an exercise in political theory, but has real and important policy implications, we employ the Swedish historical record of far-reaching amalgamation reforms. We maintain that the Swedish case demonstrates two important things. First, that a necessary condition for implementing amalgamation reforms was ultimately to neglect the outspoken wishes of municipalities to avoid amalgamations, and hence that the central government had no problems overriding principles of local autonomy and self-determination. Second, the fact that there was indeed a widespread will on the part of the municipalities not to be amalgamated lends support to the argument that there is a strong moral priority of local groups to exercise local control.

Our empirical illustration thus consolidates the importance of our normative argument. We conclude that there are strong reasons to be wary when central governments propose coercive mergers as conceivable options in large-scale amalgamation processes. We end the article by putting our arguments in the context of contemporary debates on, and experiences of, local government amalgamations in mature democracies. Here we also highlight some recent empirical research which seriously questions whether the alleged economic rationales for amalgamations are ultimately realized. This is important because expedient economies of scales-arguments could, if valid, potentially provide a rationale for abating our strong claims that local self-government is a human right. But, as we shall see, several contemporary studies cast doubt on how convincing the economies of scales-argument really is.

A Brief History of Amalgamation Reforms

As an integral part in the creation of the Social Democratic welfare state, large-scale reforms of the local government structure were implemented in Scandinavia throughout the 1950s, 1960s, and 1970s. The Norwegian reforms were comparatively modest—744 municipalities in 1957 had been reduced to 444 in 1972. Denmark went further, from having 1,335 municipalities in 1965 to 278 in 1974. Between 1952 and 1974, Sweden undertook a series of reforms which has been described as some of the most extensive territorial reforms in the history of advanced democracies (Nielsen 2003). In 22 years, the number of municipalities was reduced from 2,498 to 278. Local government mergers took place in other northern European countries as well (e.g., Belgium, Netherlands, West Germany) during this “first wave” of amalgamations (Swianiewicz, Gendźwiłł, and Zardi 2017). This wave was implemented during the golden age of welfare state expansion (Schustereder 2010), which to a considerable extent was characterized by a strong belief in central planning, rationalization, and functional efficiency through economies of scale (cf. Humes 1991).¹

The latter half of the 1970s and the entire 1980s were relatively quiet as far as structural local government reforms go. In the mid-1990s, some scholars even argued that the era of large-scale structural reforms was over (see Marcou 1993). In Sweden, the trend in fact turned in the opposite direction; in the 1980s, steps were taken to decentralize decision making to the sub-municipal level, where semi-autonomous neighborhood districts, so-called *stadsdelsnämnder* and *kommundelsnämnder*, were created in a handful of municipalities. In addition, the Center-Right government that won the 1991 election had an outright ambition to move back to smaller, and consequently a greater number, of municipalities. Hence, the Swedish government at the time encouraged municipal secessions. As a result, the number of Swedish municipalities grew from 277 to 290 between 1977 and 2000 (e.g., Brink 2004).

However, the winds have taken yet another turn when it comes to structural local government reforms. As mentioned above, a third wave of amalgamations has swept across the developed world during the past two decades (cf. Bouckaert and Kuhlman 2016; Swianiewicz, Gendźwiłł, and Zardi 2017). Denmark implemented a major reform in 2007, cutting its local government structure down to 98 municipalities. More gradually, Finland went from having 460 municipalities in the early 1990s to having 311 today; Iceland has also cut its number of municipalities by half since the late 1980s; and in Norway, in January 2020, 428 municipalities were reduced to 358.

In Sweden, the issue of amalgamations has become a hot topic on the political agenda. Several MPs have insisted on a large-scale amalgamation reform. A government commission was launched in 2016 and was assigned to assess the need for a new Swedish structural reform of the local level. When the commission's final report was submitted in February 2020, it promoted rather far-reaching amalgamations (SOU 2020:8 2020). Furthermore, the issue is yet again on the agenda in Finland as well as in Iceland, to continue the amalgamation processes that are already underway.

The difference in the structural context surrounding the reforms carried through in the 1950s, 1960s, and 1970s, compared with the contemporary reform trend, is nonetheless striking. When the first wave took place, larger municipalities were associated with economic growth, welfare state expansion, and technocratic optimism. Today however, amalgamations tend to be fueled by financial difficulties and austerity, and the hope is that larger municipalities may ultimately facilitate economies of scale to save small and shrinking municipalities (Bouckaert and Kuhlman 2016).

A crucial, yet often overlooked aspect² in debates on amalgamation reforms is whether they are voluntary on the part of the merged local communities, or if they are coercively enforced by central governments (see, for example, Kaiser 2015). From previous research, we know that the first wave of amalgamations to a large extent was carried out through coercion (e.g., Dafflon 2012). And coercion has not been off the table in the contemporary wave either. For example, the 2003 decision to amalgamate Israeli municipalities was made through law, not seldom in the face of resistance of residents and political leaders (Zeedan 2017). Also, in the 2017 Estonian local government restructuring, municipalities were merged through coercion (*Estonian Public Broadcasting* 2017). Furthermore, in the Austrian province of Styria, several municipalities were forced to amalgamate in 2016, which resulted in more than 40 complaints to the Austrian constitutional court arguing that coerced amalgamations were unconstitutional and incompatible with the European Charter of Local Self-Government (Palermo and Kössler 2017). In addition, in the ongoing Norwegian process, it has been said that 13 municipalities will be forced into amalgamations against their will. And in the Swedish debate, influential stakeholders have suggested that coercion should not be excluded as an option in a prospective Swedish amalgamation reform if a voluntary process would turn out to be too slow (e.g., Häggroth 2016; Hedberg 2017; SOU 2015:101 2015).

In the following section, we will present our ethical justification of local government. As it will ultimately turn out, our contention is that if our justification is valid, it will call into question the justifiability of coerced amalgamations.

Normative Foundations: The Values of Local Self-Government

Arguments concerning “economies of scale” have dominated debates about local government reforms not only in Europe but around the entire world. As Vetter and Kersting (2003) demonstrated, arguments aimed at, for instance, increasing citizen integration and participation in local politics have at best been peripheral or symbolic in amalgamation processes. For all intents and purposes, economies of scale rationales have underlain all local government reforms across the developed world for the past 60 years (cf. Askim et al. 2016; Baldersheim and Rose 2010; Blom-Hansen et al. 2016).

In our previous work (Erlingsson and Ödalen 2013, 2017), we have argued that there are good reasons to be concerned when considerations of functional efficiency come to overshadow other values, in particular, values associated with the right to local self-determination. In this section, we will briefly reiterate the essence of our, primarily individualistic, argument. But we will also develop our position by adding a group-rights-based argument for why local self-determination is an important principle. These arguments serve as important backdrops for the purposes at hand, as they have pervasive repercussions for how we should assess amalgamations through coercion.

Although scholars such as Sharpe (1970), Clark (1984), J. A. Chandler (2008), J. Chandler (2010), and Forrest (2017) have made important contributions to the normative theorizing on the values of local government, Mackenzie’s (1961, p. 5) almost 60-year-old statement still continues to hold relevance, that is, that “[t]here is no theory of local government . . . [t]here is no normative general theory from which we can deduce what local government ought to be.” Building on the works by the above-cited scholars, as well as upon theories concerning the self-determination or secession rights of local or geographically concentrated national minorities (see, Boudreau and Keil 2001; Philpott 1998), we will show that there are crucial links between democracy and human rights on one hand, and the value of a strong and constitutionally protected local self-government on the other.

We will present two mutually reinforcing arguments. The first argument is individualistic. It maintains that the same basic value, namely, individual autonomy, underlies both democracy and local self-determination. The implication is that if one accepts the autonomy-based defense of democracy, then one should also accept this as a defense of local self-government. The second argument is a group-rights account which to a large extent relies on Forrest’s (2017) argument that local autonomy is a human right. To anticipate our conclusion, we will claim that if one accepts the arguments we make, one should also be very skeptical toward coercively enforced amalgamations.

As will become apparent, both our individualistic and group-based arguments are structurally similar to arguments made in the theoretical discussion within what could be broadly defined as contemporary liberal political theory about rights of self-determination for national minorities. More particularly, the theories we work with are those which attempt to integrate considerations of groups and group rights into liberal thought; a school of liberal political theory which originated in the debates between liberals and communitarians in the 1980s and 1990s (see, for example, Heath Wellman 1999). In these discussions, however, rights of *local* self-government have rarely been discussed. Insofar as they have been discussed, it has often been assumed that there is a clear distinction between these different sets of rights. Philpott (1995) argued, for instance, that while local autonomy and self-government should be viewed as “institutional siblings” to the principle of *national* self-determination—as both principles strengthen democracy in similar ways—national self-determination is, he states, unique. National self-determination should be separated from local self-government, according to Philpott, because its concern is with groups whose members—aside from desiring self-government—have a *mutual identity*.

However, from a liberal point of view, there is neither an obvious nor necessary link between *national* identity and the principle of self-determination. As Philpott (1995) himself stated, what is required for a group to be a legitimate candidate for self-determination is that the group claims a mutual *political* identity, rather than some ethnic, or other kind of culturally thick mutual identity. We believe that the specific *content* of the *mutual political identity* should not affect the principle. The main point is that it is by virtue of a mutual political identity that a group of individuals wishes to govern themselves. This, we maintain, must also be valid for local communities who are claiming a mutual *local* identity. This identity does not need to be very “thick.” It is quite enough that the members of a local community identify themselves as members, that this identity is valuable to them, and that it is in virtue of this common local identity that they wish to be self-governing.

Forrest (2017) added an interesting aspect to this discussion by observing that claims to local control reflect a *place-based* identity. This is an identity which is different from ethnic or national identities, and the moral code being elicited in place-based autonomy claims is, says Forrest (2017, p. 172), that “[w]e are those who live in this local territorial community, and we ought to be able to decide what can and cannot take place here.” This is an important addition in that it highlights that local identities often are place-based; they are strongly related to a particular territory with all its features. Wishes of local communities to exercise local control are usually wishes to exercise control over a *particular territory*.

According to Philpott, if a group claiming a common political identity seeks local self-government, this implies that they occupy a common territory. The aim of self-determination, then, is to redraw boundaries for the group seeking (full or limited) self-government and the territory they occupy, so that these coincide as far as possible. Philpott agrees that this makes self-determination very similar to local self-government but insists on maintaining a distinction as the political borders of local self-government are born from rational, administrative criteria, while the principle of self-determination takes into account mutual identities. But this is precisely the view of how local self-government should be understood we wish to dispute. Rather than building the rationale for local self-government on rational administrative criteria alone, democratic values as well as values of self-determination ought to play a key role in defending local self-government. This realization has, we argue, far-reaching implications for how one ought to view coerced amalgamations.

The Individualistic Argument for Local Self-Determination

Our individualistic argument rests on the notion that the basic value of *respect for individual autonomy* supports an institutional structure where the principle of local self-determination enjoys a strong constitutional protection. Furthermore, the normative thrust of this argument comes from the fact that the reasons for supporting such an institutional organization are internally connected to reasons for supporting democracy. Hence, we maintain that the values that justify democracy also justify a strong respect for local self-determination (cf. Copp 1997; Philpott 1995, 1998).

Let us start out by observing that local self-government has historically been viewed as a method to increase citizens' individual autonomy. The demand for local self-government was, for instance, an important component in the political agenda of early liberalism. Traditionally, the liberal argument has been formulated in negative terms, where local self-government is viewed as a way of conferring a *freedom from* an all too dominating central state power (Kjellberg 1995), and hence as reinforcing a vertical division of power (cf. Sharpe 1970).³ But this argument can also be formulated positively, as territorially based sub-national groups' *freedom to* govern themselves. Local government entails, for instance, that municipalities have the right to make their own decisions within certain demarcated areas, without needing the blessing of the central power. For such a right to be meaningful, however, freedom from intervention from the central government is not enough. Genuine possibilities to exercise local governance are needed as well, such as, perhaps most notably, control over one's own tax resources.

With this positive understanding of local self-government in place—as a *freedom to* govern and not merely as a *freedom from* central government intervention—we can present our autonomy-based individualistic argument for an institutional order that includes a strong and constitutionally protected local self-government. Our individualistic argument will display the previously mentioned link between local self-government and democracy; both institutional arrangements—local self-government and democracy—are justified by referring to their ability to maximize *the value of individual autonomy*.

When it comes to connecting *democracy to individual autonomy*, we rely on a liberal-democratic tradition according to which individual freedom does not just entail living free of external constraints, but also being permitted to exercise control over one's destiny. Such control is best exercised through cooperation with others, because through cooperation, we can create opportunities which would otherwise not be accessible for the single individual. As autonomous individuals, however, we cannot accept that the collective is governed without our influence; we need to be provided with the preconditions necessary to participate in shaping the laws we live under. This reasoning leads to an individualistic defense of democracy; participation in a democratic process may be described as exercising personal autonomy in the political sphere (Philpott 1995).

Just as with democracy, local self-government can be defended by referring to individual autonomy. In a situation, which we will assume is quite common in most democratic states with a clearly defined local political level, where there are to some extent homogeneous preferences *within* certain geographically defined groups, and heterogeneous preferences *between* geographically defined groups, the principle of maximizing individual autonomy will lead to the conclusion that democracy should be supplemented with strong local self-government. A right to local self-government for a geographically concentrated group that shares certain common sets of preferences is simply a consequence of individuals furthering their individual autonomy through such an institutional arrangement. First, quite simply, a single individual's voice carries more weight in a smaller political unit than in a larger one for purely mathematical reasons, and their individual autonomy is thereby increased in smaller political units. Second, local self-government in sub-national units contributes, through mutual goals determined by democratic processes, to greater opportunities of direct influence for the residents. The main point, however, is that the individual autonomy of the residents increases as their preferences have greater impact within sub-national political units with strong rights to local self-government.

The upshot of this argument is that if we view ourselves as democrats—and provided that we accept the autonomy-based argument for democracy—we are obliged to also defend a right of local self-determination. Consequently, we should also be wary, if not right-out skeptical, when central governments propose to carry out coerced amalgamations in a top-down manner despite the expressed will of affected municipalities. Coerced amalgamations are, we believe, severe violations of local self-determination which also threaten to undermine core democratic values.

The Group-Based Argument for Local Self-Determination as a Human Right

Our group-based defense of strong local self-determination relies on an argument made by Forrest (2017) for why local autonomy should be viewed as a human right. Forrest argues that place-based identity claims of the kind we discussed above displays a fundamental moral priority of local communities all around the world, contemporarily as well as historically, to govern themselves. Such a shared value—invoked by local communities in different geopolitical and cultural contexts throughout history—ought to be recognized, argues Forrest, as a universal right to local autonomy.

As Forrest points out, this is in line with how third-generation human rights are often defended in that it highlights a modern value of collective or communal nature, presumed to be universally shared, which would benefit from being protected as a right as it is often “contravened by various state institutions, national legal regimes, or hostile external forces” (Forrest 2017, p. 172). This right can ultimately be defended by the way it contributes to individual well-being, but the right itself, in this case a right to local autonomy, is held by the group, in this case a local community. Forrest claims that the insistence on local control originates in the appreciation that peoples’ sense of self-worth is closely tied to the well-being of the particular territorial and social community of which they are a part, and “this well-being can only be assured through community self-rule (rather than being dominated by outsiders)” (Forrest 2017, p. 172).

Forrest mentions how this latter view gains support from recent philosophical analyses of the connection between place-based specificity and the very nature of humankind. These analyses provide explications of the intricate connections between “the self,” on one hand, and “the landscape,” “the place,” or “the environment,” on the other. Here, Forrest is quite brief, and we wish to expand on his remarks by invoking some ideas from philosopher Avner de Shalit (2011). De-Shalit presents an argument which at root rests on the empirical psychological claim that “place orientation is a feature of people’s

experience of their immediate environment and how they understand their environment” (p. 317). The place where we live usually carry attachments and memories, and these are expressed in our identities. Consequently, a commitment to a place becomes part of how people define themselves, and “a sense of place” partly constitutes people’s identities (de Shalit 2011, p. 317). De Shalit’s argument is rather abstract and does not go into much detail about what particular aspects of individuals’ immediate environment might figure in their attachment to a place. His main focus is on the moral problem of compensating for destruction of territory, and hence he mainly discusses the physical aspects of a place. But as Forrest (2017) importantly pointed out, the deep connections between personal identity and place also include the history and workings of local social, cultural, and political institutions in specific geographical settings.

To be sure, people’s territorial identifications are typically multi-layered, and which layer is most salient will vary between different historical and geographical contexts. As stated above, Forrest argues that it is a fundamental moral priority of local communities all around the world to govern themselves. But it should be pointed out that the precise character of the local community with which the citizens of a state identify most intimately—whether it is the neighborhood, the municipality, the region, or some other geographical unit—will have to be determined contextually.

Next de Shalit (2011) argued that, because of the intricate connections between place and identity, when a place where a person senses that she belongs is harmed, this constitutes a harm to her ability to understand her environment, and therefore it is a harm to a sense of place, which, in turn, is harm to a person’s self-identity. Once again, the kind of harm de Shalit discusses is harm to the natural environment, or the physical aspects of place. But in the kinds of cases we discuss here, the harm to a place is harm done to local, place-bound, social, cultural, and political institutions. More particularly, the harm at issue is one of outside dominance exercised by a central government which not only acts against the expressed wishes of a local community but also threatens to transform the residents’ very understanding of the local community through coercively enforced mergers. This threatens to upset peoples’ sense of place and even, ultimately, part of their self-identity. If the argument is accepted that this kind of place-based identity, and its importance for human well-being, can only be assured through community self-rule, then one might even claim that coercively enforced amalgamations constitute a threat to a group-based human right to local autonomy.

What we have outlined above are two mutually reinforcing arguments for strong local self-government. One argument was individualistic—based on the foundational value of individual autonomy—and stressed the deep

intrinsic connection between democracy and local self-government. Our other argument was group-based and stressed the psychological connection between place and self-identity. We argued that the kind of human well-being founded upon this deep psychological connection can only be assured by local self-rule. Forrest makes the case that this latter consideration might even constitute an argument for why local autonomy might be seen as a human right, as there seems to be something universal in the connection between place and identity, and the subsequent claims about the value of local self-rule.

At this stage, it should be pointed out that the right to local self-determination as we have defended it, while strong, is by no means an *absolute* right. The problem with viewing it as such is pointed out by, for instance, Buchanan (1998). He argues that a right to self-determination risks undermining the preconditions for a well-functioning democracy, as such a right could be employed by minorities as a strategic instrument in negotiations. When a territorially demarcated minority risks not having its will realized, it may use the right to self-determination as a crutch and, taken to its extreme, threaten to leave the greater community. If the threat is perceived as realistic, the right to local self-determination may, in practice, constitute a veto instrument of the minority against majority decisions. It is therefore more plausible to understand the right to local self-determination as *prima facie* right, subject to various qualifications. These qualifications include, for instance, that the exercise of local self-determination may not incur severe reductions on the autonomy of the larger community, as well as other justice- or rights-based considerations. We can, for instance, imagine situations where a right of local self-determination might result in minority oppression when there are powerless minority enclaves within local communities. In such situations, we must remember that, in our argument, the right of local self-determination is at root justified by referring to individual autonomy and human rights; if the right to local self-determination is exercised in an unreasonable way, so that it undermines individual autonomy or the rights of minorities, it should be overridden.

Illustrating Coerced Amalgamations: Sweden 1952–1974

As stated at the outset, we will employ the Swedish experience as an example to demonstrate the occurrence of—and logic behind—coerced amalgamations. Our approach is congenial with Forrest's (2017) in that it uses an empirical example to show the prevalence of central governments to "de-territorialize" local communities, and also of how local communities have tried to push back against these processes by showing their discontent in

varying forms. Forrest presents a number of examples of this, gathered from different contexts. He discusses for instance, rural localities' efforts to, through different means, control their natural resources. He also shows some examples of how urban municipalities have used different creative measures, such as collaborative governance, to expand their local autonomy.⁴ In a way, we contribute to Forrest's project by adding the example of coerced amalgamations from Sweden and showing how they were resisted by local communities. Consequently, we further strengthen the notion that there is a universality, or near universality, to the quest for territorially based community control. This, in turn, is an important aspect of the argument for why local autonomy should be understood as a human right.

Sweden, we argue, is a good example if one wants to see how values of functional efficiency have overshadowed other values such as democracy and the principle of local self-determination. Sweden has carried through two large-scale amalgamation reforms, both with significant elements of coercion. The first reform, which came to be called "The Great Municipal Reform," was decided upon by the parliament in 1946 and implemented in 1952. This first wave resulted in a reduction of the number of municipalities from 2,498 to 1,037. Only a few years later, the government concluded that this reform was insufficient, and in 1962, a new wave of amalgamations was agreed upon. There was also an additional decision in 1969 which afforded the government the power to coerce municipalities to amalgamate. During the period 1962 to 1974, the number of municipalities was reduced from 1,037 to 278. This second wave was called "The Municipal Bloc Reform."

In the rest of this section, we aim to empirically demonstrate to what extent coercion had a role in the two waves of amalgamation reforms. As Wångmar (2003) demonstrated, to achieve swift and optimal restructuring, the government decided, in 1946, that the reform should outright *ignore* the so-called 1919 Classification Act. This meant that reforms could be carried out through coercion and without respecting the expressed preferences of the affected municipalities. Ultimately, in 66% of the new municipalities which emerged after the amalgamations, there was at least one former municipality that did not voluntarily belong to that particular larger entity. A total of 242 merged municipalities expressed a will to continue to be municipalities of their own, and hence, they were forced to cease to exist against their will; 553 merged municipalities did not oppose an amalgamation *per se* but were coerced into a bloc of neighboring municipalities to which they expressly did not want to belong (see Table 1). Hence, in the first wave of Swedish amalgamations, the government neglected the will—and thereby violated the right to local self-determination—of no less than a total of 795 municipalities.

Table 1. Coerced Amalgamations, 1952: Size of Original Municipality and Type of Coercion.

Population as of January 1, 1949	Demanded Continued Self- Government		Demanded Different "Bedfellows"		Total	
	Number	%	Number	%	Number	Total % Resistant
0-499	8	4	186	96	194	25
500-999	16	7	202	93	218	27
1,000-1,499	69	40	105	60	174	22
1,500-1,999	59	66	31	34	90	11
2,000-2,499	36	77	11	23	47	6
2,500-2,999	17	77	5	23	22	3
3,000-3,499	11	92	1	8	12	2
3,500-100,000	26	68	12	32	38	5
Total/share	242	30	553	70	795	100

Source. Swedish National Archives: Cabinet Documents, Home Office: 1949-02-25:1, 1949-03-04:5, 1949-04-08: 2, 1949-05-13: 29, 1949-05-20: 90, 1949-06-10: 2-3, 1949-06-18: 28, 1949-09-22: 28-29, 1949-11-18: 4-5, 1949-12-02: 83, 1949-12-09: 31, 1950-02-10: 23, 1950-03-03: 23, 25, 1950-03-24: 10, 13, 17, 21, 22, 1950-03-31: 22-23, 26-27.

The first reform was quickly perceived as outdated and insufficient by the entire Swedish political establishment (Erlingsson, Ödalen, and Wångmar 2015). Urbanization processes had continued unabated, and population numbers in rural municipalities were in rapid decline. In 1959, 79% of the municipalities had fewer than 6,000 inhabitants. This development drove the social democratic government to appoint yet another inquiry in 1959. The purpose was, again, to critically assess the existing municipal structure. As Niemi (1966) observed, the government commission worked hastily, and hence there was little room for reflection. However, in order for all parties' in parliament to agree on the new reform, the commission decided that mergers should primarily be carried out on a voluntary basis. This should not, however, be mistaken for a consideration or respect for the right of local self-determination. The principle of voluntarism was rather decided upon as a result of political tactics. The parliamentary decision on the principles for reform, taken in February 1962, stated that so-called "municipal blocs," consisting of several municipalities, would be created. At this time, the parliament decided that although it was mandatory for a municipality to be part of a bloc, the issue of whether and when the municipalities constituting a bloc would eventually be amalgamated into a single municipality should entirely

be a matter for the affected municipalities to decide. Amalgamations would thus take place on a strictly voluntary basis. The goal was that by 1975, no municipality should have fewer than 8,000 citizens.

The “voluntarism-principle” was upheld until 1969, when the Swedish parliament decided that it should be abolished. The parliament demanded that the amalgamations would be completed by 1974. The decision also stated that, if necessary, this could be achieved through coerced amalgamations. An important reason for this change in policy was that the number of voluntary amalgamations was fewer than that had been anticipated in 1962, when the initial parliamentary decision was taken. By the end of 1968, three out of four municipalities had still not undergone amalgamation. Hence, the social democrats, in particular, thought that the amalgamation pace was too slow. The 1969 decision to impose coerced amalgamations was supported by two main arguments. First, it was argued that significant differences in welfare services between the already amalgamated municipality blocs and the remaining smaller municipalities could not be accepted for any longer periods. Second, it was argued that the general expansion of municipal activities, and requirements that municipalities take a more active role in urban and regional planning and economic policy, had progressed rapidly during the seven years that had passed since the 1962 decision. The argument here was that larger municipal units would have the capacity to perform these tasks themselves, without having to rely on central or regional government institutions.

In Table 2, we see the number of municipalities that were coerced into amalgamations in 1971 despite their wish to continue to exist as self-governing municipalities. As we can see in the table, 38 municipalities were formally *directly* opposed to amalgamation and asked the government to be allowed to remain self-governing. In 1974, when the Municipal Bloc Reform was finalized, 11 more municipalities were coerced into amalgamations against their will. In addition, 16 more municipalities protested but did not formally oppose amalgamation. This means that after coercion was introduced as an instrument in 1969, 49 self-governing municipalities were dissolved against their will, and at least 16 more were manifestly opposed to amalgamation although they did not formally protest (Wångmar 2013).

From previous research, we know that the Swedish Great Municipal Reform became an inspiration for governments across the developed world to initiate large-scale amalgamation reforms (see, for example, Niemi 1966). It is, however, clear that the fundamental restructuring of Swedish local government during 1952 to 1974 would not have been possible without a consistent neglect of the expressed will of local communities to continue to be self-governing municipalities. Relatedly, as Gustafsson (1996) pointed out, the government commissions that preceded these reforms were not

Table 2. Coerced Amalgamations, 1971 (per Population Size).

Population as of January 1, 1970	Number	%
0–999	0	0
1,000–1,999	8	21
2,000–2,999	10	26
3,000–3,999	9	24
4,000–4,999	7	18
5,000–5,999	2	5
6,000–6,999	1	3
7,000–7,999	1	3
8,000–	0	0
Total	38	100

Source. Swedish National Archives: Cabinet Documents, Civilian Office: 1969-12-19: 48–53, 1970-01-30; 19, 38–45, 1970-02-06: 35–43, 1970-02-13: 24–30, 1970-02-20: 13–19, 1970-02-27: 20–28, 1970-03-06: 29–30, 1970-03-13: 38–43, 1970-03-20: 45–50, 1970-04-03: 27, 29–35, 1970-04-10: 29–37, 1970-04-17: 33–44, 1970-04-24, 7, 26–31, 33–34, 1970-04-29: 1–5, 7–8, 1970-06-17: 51–53.

particularly interested in discussing the potential effects on democracy. The overarching rationale for these reforms was rather to create municipalities that were large enough to deliver high-quality and low-costs welfare and education to the citizens.

From this historical account, we have seen that no fewer than 844 once self-governing Swedish local government units were denied their outspoken and formally expressed will *not* to be incorporated into larger municipal entities. Undoubtedly, and in line with the defenses for local self-determination previously presented, this implies the deliberate negligence of fundamental rights of individuals as well as of local groups.

Conclusion

On a rhetorical level, the principle of local self-government is almost universally cherished. In the introduction to their paper on local autonomy in Europe, Ladner, Keuffer, and Baldersheim (2016) stated that local autonomy “is a highly valued feature of good governance.” A manifestation of this is the European Charter of Local Self-Government, which was approved by the Council of Europe in 1985 and has since been ratified by its member states. The Charter commits the members to apply rules that guarantee the independence of their local authorities. Among other things, it provides that the principle of local self-government shall be recognized in domestic legislation

and—where practicable—in the constitution. The Charter also states that public responsibilities should preferably be exercised by local governments, and to this end, the Charter sets out the legal protection of local self-government and the existence of adequate administrative structures and resources for the tasks of local authorities. Article number 5 of the Charter explicitly states that proposals for boundary change, “of which amalgamations with other authorities are extreme cases,” should be preceded by a prior consultation with affected municipalities.

The principles of the Charter serve as a backdrop to the argument we have explored in this article, as well as to the historical case of Sweden. Sweden—together with the other Nordic countries—is consistently ranked among countries with the highest degree of local autonomy (e.g., Ladner, Keuffer, and Baldersheim 2016; Sellers and Lidström 2007). Local self-government is also found in the first article of the Swedish constitution, where it is said that democracy is to be realized through “a representative and parliamentary form of government *and through local self-government*” (our italics). However, even though lip service is paid to local self-determination and self-government, when central governments are faced with the choice of respecting these principles or promoting, at least what is believed to be, functional efficiency through amalgamations, there is seldom any serious hesitation to violate these basic principles. To put it bluntly, talk tends to be cheap when it comes to the principle of local self-government.

This attitude is all too often manifested in, for instance, the contemporary Swedish debate. A Swedish government inquiry (Dir. 2017:13 2017) which was launched in 2017 had as one of its assignments to assess the need for municipal mergers. Although this inquiry is set to respect the principle of voluntarism, an inquiry that preceded it did not rule out the use of coercion as a part of such a reform (SOU 2015:101 2015). This view has also been voiced by influential stakeholders (e.g., Häggroth 2016; Hedberg 2017). Sweden is not an exception here, in contemporary debates on mergers. To name but a few examples, coercive amalgamations have been employed in Australia (Blight and Drew 2017), in Estonia (cf. Drechsler 2013; *The Baltic Times* 2017), and in Austria (Palermo and Kössler 2017); was used in the Norwegian reform (e.g., NRK 2017); and have also been implied in the Icelandic debate (Samgöngu og sveitarstjórnarráðuneytið 2017).

To us, these examples highlight two things. First, they show the prevalence of central governments to exercise coercive measures to enforce amalgamations of local units. Second, the Swedish, as well as some of the other cases, show the widespread presence of resistance on the part of local communities against mergers. This latter point strengthens Forrest’s case for

viewing local self-determination as a human right; once again, it seems as if there is a universality, or at least near universality, to the quest for territorially based community control.

The argument we have presented above has implications for the ongoing debates around the world, about the need for amalgamation reforms. From previous studies, we can be fairly certain that amalgamations have adverse effects on local democracy (e.g., Dreyer-Lassen and Serritzlew 2014; Hansen 2014; Kjaer, Hjelm, and Olsen 2010; McDonnell 2019; Nielsen 2003; Suzuki and Ha 2017).⁵ One could argue that such costs would be acceptable if we were certain that economies of scale are realized through amalgamations. But analyses of contemporary experiences of the third wave of amalgamations—that is, analyses carried out since the 1990s and onward—suggest that the promise of this expedient defense for amalgamations is not fulfilled. Arguing that coercive amalgamations are necessary because they will realize economies of scale is, at best, premature. For instance, after analyzing the Danish amalgamation reform of 2007, Blom-Hansen et al. (2016) concluded that

The result turns out to be null: cost savings in some areas were offset by deterioration in others, while for most public services jurisdiction size did not matter at all. Given significant transition costs, the finding raises questions about the rationale behind a global movement that has already restructured local government on almost all continents.

Analyzing the Netherlands's experiences, Allers and Geertsema (2016) maintained that economies of scale cannot “be taken for granted, that budgetary savings may be elusive and that public services are not necessarily improved through amalgamation” (cf. Schaap and Karsten 2015). Results that echo these findings have been reported for Japan (Nakazawa 2013), Australia (Dollery and Ting 2017; Dollery and Yamazaki 2018), New Zealand (Kort, Dollery, and Drew 2016), as well as for Canada (Slack and Bird 2013). This recent wave of research into the effects of amalgamations confirms recurrent overall conclusions from both contemporary (e.g., Gendźwił, Kurniewicz, and Swianiewicz 2018; Tavares 2018) as well as earlier reviews of the amalgamation literature (e.g., Aulich et al. 2011; Fox and Gurley 2006; Holzer et al. 2009; see also Bish 2001; Sancton 2000).

More research into the effects of amalgamation reforms is surely needed. But from what we have seen so far, from the studies cited above, the economies of scales-argument for coercive amalgamations seems unpromising. Analyses and evaluations of large-scale amalgamation reforms carried out since the 1990s and onward have in general had a hard time finding economic

rationales for amalgamations. Consequently, we remain unpersuaded that the ethical justification for local government which we have presented in this article can be defeated by expedient considerations. To sum up, our argument in this article has been that if we view ourselves as liberal democrats who value individual autonomy, or if we think that there is a universal urge on the part of local communities to govern themselves which is so compelling that talk of a human right to local autonomy is warranted, then our predisposition must be to vehemently defend local self-determination. As liberal democrats, we should be deeply skeptical when proposals about coercive amalgamations are presented. Consequently, governments ought to show uttermost restraint before suggesting that self-governing entities should be forced to cease to exist against their outspoken collective will.

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Notes

1. It is important to note that this is but one, and a narrow, way to conceptualize efficiency. There are indeed reasons to believe that systems with comparatively more and smaller municipalities are more efficient than systems characterized by the opposite. For instance, Kollman, Miller, and Page (1997) found that the total benefit to society grows with the number of municipalities, and Dowding, John, and Biggs (1994)—after performing an inventory of more than 200 tests of the so-called Tiebout model—found support for the hypothesis that systems with a relatively large number of municipalities display a high general satisfaction with the supply of collective goods. The results of their meta-analysis were also

confirmed by a recent literature review (Saltz and Capener 2016). Hence, even for reasons of efficiency, there are arguments to support a municipal structure with many and small, rather than few and large, municipalities.

2. However, see Drechsler (2013) whose conclusions are similar to ours, but not grounded in political theory. Zeedan's (2017) argument resembles ours as well, as he claims that forced amalgamations directly affect local freedom from central government interference. From his point of view, this is a critical issue, as freedom from central government intervention is a basic value of local self-government, and thus to be regarded as a fundamental component of democracy.
3. This term, that is, "vertical division of power" (or vertical power sharing) builds on the principle that citizens ought to be able to express their preferences by casting their votes at different political levels within one and the same political system. The point here is that a strong and constitutionally protected local self-government would guarantee that local governments, in certain policy areas, are able to stand up against the central government to protect and put forward the interests of their members.
4. It has been observed in the contemporary debate on local government challenges that collaborative arrangements, such as intermunicipal co-operations (or IMCs), have become increasingly common (e.g., Swianiewicz and Teles 2018) and might be a way for municipalities to remain self-governing in the face of austerity. Even though research on the effects of IMCs is still quite scarce, some empirical studies suggest that they seem to be at least as efficient as amalgamations in reaching desired output goals such as, for instance, cost-efficiency and maintaining (or even increasing) the quality of services (e.g., Ferraresi, Migali, and Rizzo 2018; Klok et al. 2018). The potential promises of IMCs have been noticed even in highly technical areas such as the development of e-government (see, for example, Sorrentino and Ferro 2008).
5. In line with our reading of the literature, Tavares (2018) wrote in his review of contemporary research on amalgamations that "the overwhelming majority of the studies investigating the effects of amalgamations for the quality of local democracy show disappointing results [. . .]. The findings in this category are quite robust across countries and research designs employed, suggesting that these are the 'unavoidable' outcomes of amalgamation reform."

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