

Blocked municipalities (factors influencing the repeated holding of new elections to municipal councils)

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Abstract

The article deals with holding new elections to municipal councils in the Czech Republic. This type of extraordinary municipal elections in every election period threatens thousands of municipalities and hundreds of them will actually go through it. Some of the municipalities in which the new elections take place subsequently fall into a spiral of their repeated holding, and this often leads to their complete blockade. Although such situations are common, they are not in the best interests of the professional community, legislators or the media. The aim of this article is to present the key factors that influence the holding of new elections to municipal councils in the Czech Republic. I worked with an extensive database of new elections to municipal councils, as well as with valid legal regulations and historical legal regulations. Important information was also obtained on the basis of a semi-structured interview.

Keywords: Czech Republic, local democracy, municipal elections, new municipal elections, repeated new municipal elections

Introduction

"...this would pave the way for an absurd and potentially endless chain of re-elections and the immediate resignations of candidates who would not be satisfied with the election result, thus completely losing the essence of the elections as such, including the distribution of political power on the basis of the electorate, on limited primarily by the term of office of the elected body. The performance of municipal self-government as such would be practically impossible" (Regional Court in České Budějovice of April 28, 2021). These words from the Judgment of the Regional Court in České Budějovice to the members of the municipal council, who immediately resigned after the new elections because they did not win a majority, are not just theoretical statements. The aforementioned impossibility of the exercise of municipal self-government as a result of repeated holding of new elections in the Czech Republic actually does occur.

There are a total of 6,258 territorial units in the Czech Republic (6,254 councils are elected, the remaining 4 are military districts without a civilian population; Number of Territorial Units, CZSO, 2021), thousands of them are immediately threatened by new elections and approximately 120 of them are involved in the actual new elections in each election period.

The average Czech municipality is almost 3.5 times smaller (Key data on Local and Regional Governments in the European Union, 2022) than the average municipality in the European Union, which has a population of 5,867 (Key data on Local and Regional Governments in the European Union, 2022). Due to the fact that the size of the municipal council is linked to the number of inhabitants in the municipality, the individual councils are also small. And this, in combination with the legislative regulation of new elections to municipal councils, makes it easier to call new elections, even repeatedly, which often causes significant problems for the municipality concerned. Repeated new elections to the municipal council may cause the municipality to fall into a provisional budget, the inability to manage municipal property, invest, issue local ordinances and may also mean a reduction in the functions of the municipality as such. Repeated holding of new elections may also affect the atmosphere in the municipality or the willingness of candidates to run for office at all, let alone repeatedly.

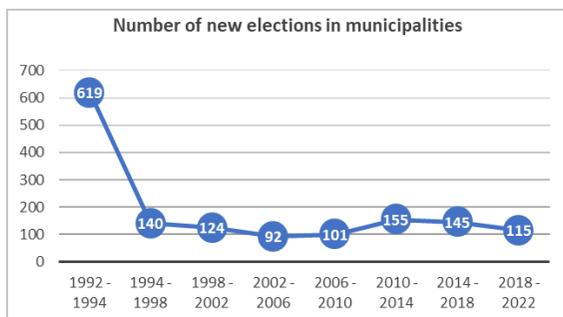
Despite the fact that this is a very serious topic, not enough attention is paid to it in the professional environment. Czech political science began to address the specific problems of Czech municipalities only after it had abandoned the issues related to the analysis of Czech municipal elections (Lebeda 2004), municipal coalitions (Jüptner 2004, Package 2009, Cabada 2006), local models of democracy (Bubeníček 2010) and direct election of mayors (Jüptner 2012). Regarding the examination of specific problems of Czech municipalities, the focus concerned, for example, "collapsed municipalities" (Hornek 2015). The only publication that directly dealt with the new municipal elections was an article by Bronislav Jaroš and Stanislav Balík (Jaroš, Balík 2018). The research sample of their work was all 467 municipalities where new elections to the municipal council took place between 2002 and 2017. Contact with political actors was made through a brief telephone interview (3 questions). In the theoretical part, they focused on the conditions for announcing new municipal elections, their manifestations and the specific reasons for the resignation of individual representatives with regard to verifying the theory of the rationality of the behaviour of political actors. However, analysing the causes of those cases in which municipal elections take place repeatedly during one election period is, however, a "white spot" not only for their work, but for the entire political science research as well.

The aim of this article is to answer the research question *What are the key factors influencing the re-election?* Three basic data sources were used to answer this question - data from the Czech Statistical Office, analysis of legislative regulations and semi-structured interviews with representatives of the Ministry of the Interior of the Czech Republic, and a request for data according to the law. The whole article is divided into three chapters, each of which uses exactly one source of information mentioned above. The first chapter (How many?) concerns the number of municipalities in which new elections to municipal councils took place, with an emphasis on the municipalities in which this type of extraordinary election

took place. It is based on the data provided by the Czech Statistical Office. The data of the Czech Statistical Office were provided on the basis of a request and contain a list of municipalities in which extraordinary elections to municipal councils took place between 1992-2022. The author work with data expanded the file with additional information about municipalities (geographical location, size of the council, categorization of the election period) and created a comprehensive database of municipalities suitable for further data processing and creation of graphic outputs. The second chapter (How?) contains an analysis of important provisions of legislative regulations, which was carried out both on the currently valid legislation concerning municipalities, including the Capital City of Prague, and elections to municipal councils, thus, to illustrate the context and possible time comparison and comparison of conditions, on the already invalid legislation relating to the same issue. These are the documents that provide precise information on how the legislative conditions for holding new elections in a given election period are set, including the size categories of local councils. The third chapter (Why?) contains information on why new elections are being held in municipalities. However, these are not the reasons for holding new elections in specific municipalities, but rather the setting of a general categorization of the reasons for holding new elections. The Ministry of the Interior of the Czech Republic was approached to obtain this data, namely the Department of Elections (Respondent 1) and the Department of Public Administration, Supervision and Control (Respondent 2). A request under the Act on Free Access to Information (Act No. 106/1999 Coll) was used to obtain information from the representatives of the Department of Public Administration, Supervision and Control. A semi-structured interview was used to obtain information from the Department of Elections of the Ministry of the Interior of the Czech Republic. The main essence of a semi-structured interview is the fact that it contains prepared questions that aim to identify the problem. It consists of topics and questions that the researcher must discuss. This core of questions is then often supplemented by facts or expanding questions, which can be used for a comprehensive understanding of the topic (Mišovic, 2019).

1. Question one – How many?

There has been around 1,500 new elections to municipal councils since 1992, since when the Czech Statistical Office has available data. The largest number of new elections took place between 1992 and 1994, which is largely due to the dismantling of the structure of local governments from the previous regime (Vajdová, Čermák, Illner, 2006). Between 1992 and 1994, almost 500 new municipalities were established.



Graph 1: Number of new elections in municipalities

Source: author, based on CZSO data

If we focus on the size structure of municipalities in which new elections are held, we come to the expected conclusion - the highest number of new elections is held in the municipalities with a five- or seven-member council. There are significantly fewer municipalities with larger councils, in which it is more difficult to meet the legal conditions for holding new elections, and in recent years they have generally not been held.

Table 1: New elections in municipalities according to the number of members of the municipal council

Election term	Number of members of the municipal council					
	5	6	7	8-9	10-14	15 +
1992 – 1994	-	-	149	340	78	52
1994 – 1998	15	1	68	22	9	25
1998 – 2002	18	5	57	23	5	16
2002 – 2006	29	1	55	7	-	-
2006 – 2010	34	1	60	3	2	1
2010 – 2014	52	3	87	7	3	3
2014 – 2018	41	3	95	5	-	1
2018 – 2022	34	-	80	1	-	-

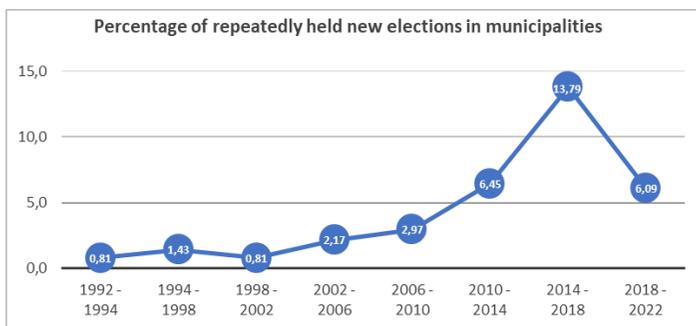
Source: author, based on CZSO data

As follows from the above data, in the Czech Republic, two groups of municipalities defined by the size of the council are particularly at risk of holding new elections. Specifically, these are the municipalities with five- and seven-member councils. In absolute numbers, of all the municipal councils and city districts, there are almost two thousand municipalities, i.e., almost a third of all Czech local councils. Five-member councils have one more risk factor. It

happens that exactly as many candidates stand as there are seats, and candidates often run as independent candidates, or on one list of candidates without alternates.

In general, this means that in the municipalities with a five- or seven-member council, the resignation (or other circumstances such as relocation or death) of a few council members, sometimes even only individuals, is sufficient to hold new elections. Municipalities with the mentioned risk factor are endangered by holding new elections during the regular election (or previous new elections), because there are no substitutes who could take on any vacancies and resignation, relocation or death of one member of the council would always mean holding new elections. There was a total of 107 such municipalities during the regular elections to the municipal councils in 2018 (in 2006 there were even 162 of them, since then their number has been slowly decreasing; however, it is still about 2% of all municipalities in the Czech Republic).

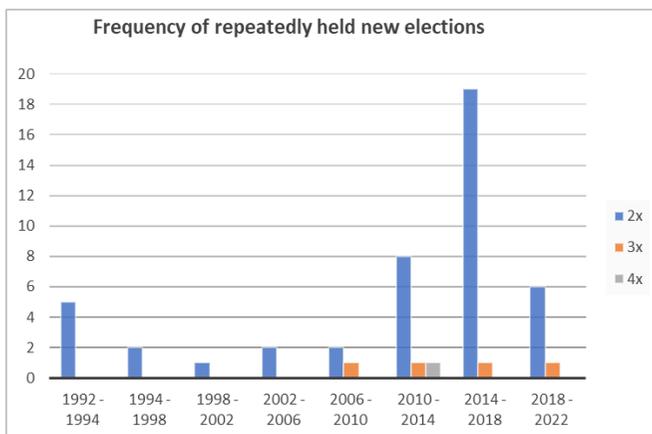
Another element that is important to observe in connection with the holding of new elections is the frequency of holding such elections within one municipality. Although there were absolutely the most new elections in the first term after 1989, the percentage of re-elections was the lowest here, together with the 1998-2002 term (0.81%). In contrast, the highest percentage of re-elections was in the 2014-2018 election period, at almost 14%. In the last closed election period, the number of re-run elections was close to the limit of 6 %.



Graph 2: Percentage of repeatedly held new elections in municipalities

Source: author, based on CZSO data

In connection with the repeated holding of new elections, it is also necessary to monitor the frequency of repeated holding of new elections in one municipality. Repeated conduct does not mean only a single repetition of new elections. It is not impossible to hold new elections three times during one election period within one municipality.



Graph 3: Frequency of repeatedly held new elections

Source: author, based on CZSO data

2. Question two – How?

The second question, which automatically arises after the number of new elections, is the question *How?* This issue is directly related to the legislative anchoring of new elections in the Act on Municipal Elections and the size of individual municipalities. New elections to municipal councils have been regulated by the legislative framework since 1990. Since then, however, the conditions of their holding have undergone relatively significant changes and there has been a very long road to the current definition full of changes. However, it is necessary to realize that the conditions for holding new elections to municipal councils to a large extent affect the quality of local democracy in the Czech Republic. Electoral laws, like the whole of the Czech Republic, have undergone significant changes in their 30 years of existence. Although communal politics is the lowest level of politics, it does not lose its significance, as *“the basis of a free state is a free community”* (Balík, 2009). One of them is the electoral law, which has a uniform methodology and rules for all municipalities, but as Professor Fiala states, *“municipal policy has as many forms as there are municipalities”* (Fiala, 1994).

The first law that regulated democratic and free elections to municipal councils was Act No. 368/1990 Coll. on municipal elections, which was amended in 1992 by Act No. 298/1992 Coll. on municipal elections and the local referendum. However, the second elections to municipal councils in 1994, as well as the elections in 1998, already took place in accordance with Act No. 152/1994 Coll. A further change in the rules of the election competition took place with Act No. 491/2001 Coll., which is, with minor modifications, still in force today. Along with

the significant changes that have taken place over the years (change of electoral divisor, change in the conditions of candidacy of independent candidates and their associations, etc.), the conditions for holding new elections have often changed on an ongoing basis reflecting on experience.

The holding of new elections was in Act No. 368/1990 Coll. determined by a reduction in the number of council members by more than one third compared to the elected state or a decrease in the number of council members to less than seven (only in the municipalities with fewer than 3,000 inhabitants) and the creation of a new municipality or city district (§ 56 of Act No. 368/1990 Coll.). The new elections did not take place in the last three months of the municipal council. From today's point of view of the number of new elections, the condition that the costs of new elections were paid by the municipality itself could have been crucial.

Act No. 298/1992 Coll. defined the conditions for holding new elections (§ 8 of Act No. 298/1992 Coll.) by reducing the number of members of the council to one third or less than seven (this time without size restrictions), the creation of a new municipality or city district. The three-month deadline for holding no new elections was maintained. Reimbursement of costs for new elections was not kept in the legislation and the costs were covered from the state budget.

In Act No. 152/1994 Coll. the new elections were conceived relatively differently from the previously valid legislation (§ 57 of Act No. 152/1994 Coll.). The lawmakers state in the explanatory memorandum that this was due to the experience gained in organizing new elections to municipal councils in the past four years, as well as to a number of comments from municipal and district authorities (§ 57 of Act No. 152/1994 Coll.). Compared to the current legislation, the condition of a decrease in the number of council members by at least one third remained unchanged, but the absolute limit of the minimum number of council members was set at five (§ 57 of Act No. 152/1994 Coll.). The method of announcing new elections was also newly adjusted. It was newly entrusted to the competence of the Minister of the Interior, based on bad experience with the long process of announcing new elections by the Chamber of Deputies of the Parliament of the Czech Republic (Chamber of Deputies of the Czech Republic, 2021).

Act No. 491/2001 Coll. is so far the last law that regulates the holding of new elections to municipal councils (§ 58 of Act No. 491/2001 Coll.). And compared to the previous laws, there have been relatively significant changes regarding the adjustment of the conditions for holding new elections. In the light of practical findings, the reasons for holding new elections were adjusted, as stated in the explanatory memorandum to the law (§ 58 of Act No. 491/2001 Coll.). The conditions were newly set so that new elections are held if the number of members of the municipal council falls by more than half. The aim of this adjustment was to prevent new elections from being held too often. This idea would probably be fulfilled; however, the

condition of the number of members of the council falling below five is retained in the law, which is, as it turns out (also on the basis of the above data), a critical limit. The condition for holding new elections during the establishment of a new municipality or city district remained unchanged. The obligation to announce new elections in the municipality has been newly introduced if the council does not have a quorum for more than six months.

The size of the individual councils is also a fact that is directly related to the legislative regulation of holding new elections and has been referred to many times above. Although the number of elected members of the council determines the current council for its successors in the next election period no later than 85 days before the election, it is limited by the size categories given by law. Size categories are directly dependent on the number of inhabitants in the municipality. This definition has also undergone some changes since it was set in 1990.

Specific limits have historically been set out in the Municipalities Act. The limits set by § 28 Act No. 367/1990 Coll. are listed in the table below. However, the original bill set limits in two size categories differently (for municipalities with fewer than 3,000 inhabitants, the number of representatives in the range of 5 to 15 was proposed; in the category from 3,000 to 20,000 inhabitants, 10 to 30 council members). Unfortunately, it is not possible to clearly determine from the period materials what was the cause of the change in the originally proposed procedure. However, later it would correspond more to the setting of rules for holding new elections.

Table 2: Number of council members according to Act No. 367/1990 Coll.

Size category	Number of members of the municipal council
less than 3 000 inhabitants	7 – 15 members
3 000 – 20 000 inhabitants	15 – 30 members
20 001 – 50 000 inhabitants	25 – 40 members
more than 50 000 inhabitants	35 – 50 members
statutory city	50 – 70 members
city part or city district	7 – 70 members

Source: author, based on Act No. 367/1990 Coll.

Together with the amendments to the election rules, Act No. 152/1994 Coll. also to create a new category of the smallest municipalities with fewer than 500 inhabitants and to determine the range of members of the council. The same range of size categories of municipalities was also confirmed by § 68 Act No. 128/2000 Coll.

Table 3: Number of members of the council according to Act No. 152/1994 Coll. and No. 128/2000 Coll.

Size category	Number of members of the municipal council
less than 500 inhabitants	5 – 9 members
500 – 3 000 inhabitants	7 – 15 members
3 001 – 10 000 inhabitants	11 – 25 members
10 0001 – 50 000 inhabitants	15 – 35 members
50 001 – 150 000 inhabitants	25 – 45 members
more than 150 000 inhabitants	35 – 55 members

Source: author, based on Act No. 152/1994 Coll. and No. 128/2000 Coll.

From the above information, it is possible to observe that over the years, a new category of the smallest municipalities was created, in which the lowest number of council members that can be filled was determined. The number of council members was newly set at the same level as the original (and subsequently modified) plan from 1990. The range within which the municipality determines a specific number of council members is set broadly, probably so that the municipality can set such a number of the members of the council, which it considers to be the most optimal in local conditions.

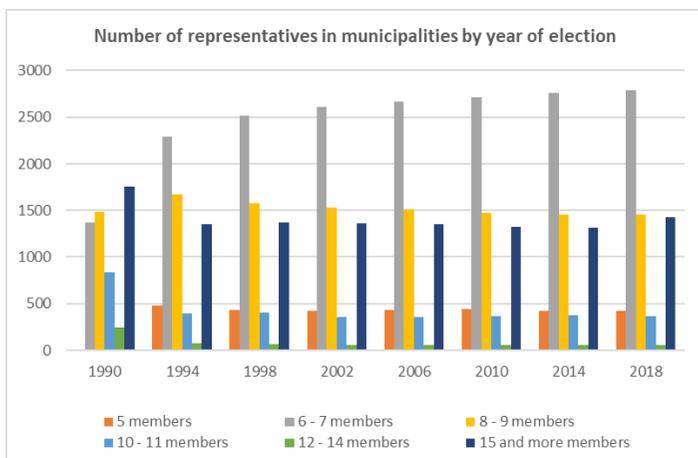
A separate category in the definition of the number of council members is the capital city of Prague (Act No. 131/2000 Coll.), or its districts, in which new elections are also held (all with regard to the special position of Prague as a municipality and a higher territorial self-governing unit).

Table 4: Number of council members according to Act No. 131/2000 Coll.

Size category	Number of members of the municipal council
less than 500 inhabitants	5 – 9 members
500 – 3 000 inhabitants	7 – 15 members
3 001 – 10 000 inhabitants	11 – 25 members
10 0001 – 30 000 inhabitants	15 – 25 members
30 001 – 70 000 inhabitants	25 – 35 members
more than 70 000 inhabitants	35 – 45 members
Prague	55 – 70 members

Source: author, based on Act No. 131/2000 Coll.

The presentation of the change in the size categories of municipalities must also be compared with real data. Image 4 shows how the structure or size of municipal councils, city districts has changed since 1990, divided by individual election periods. The output clearly confirms the trend of small municipalities in the Czech Republic with a clear dominance of municipalities with up to 15 council members.



Graph 4: Number of representatives in municipalities by year of election

Source: author, based on CZSO data

3. Question three – Why?

The answer to the question *Why?* there will be no list of specific reasons in the municipalities where the new elections took place.¹ Rather, it will be a general categorization of the reasons for holding new elections, as allowed by the electoral law. As mentioned above, under the current electoral law, new elections can be held for three reasons. It is a change in the number of members of the council, the dissolution of the council according to a special legal regulation or the creation of a new municipality or city district. However, these reasons can be further generalized. It can be said that new elections take place either after the establishment of a new municipality, city district, or on the basis of the steps taken by council members (reduction in the number of council members or dissolution of the municipal council according to a special legal regulation).

Due to the fact that no electoral body, not even the Ministry of the Interior of the Czech Republic, accurately records the specific reasons for holding new elections, it is not possible to refer to the data files containing the specific reasons for holding new elections. However, it is possible to be helped with other data. Based on the above generalization into two categories of reasons for holding new elections, it is possible to use data summarizing the number of newly established municipalities in individual election periods. Based on these data, it is then

¹ The author of this article monitors the issue in specific municipalities of a fixed research sample within the practical part of her dissertation.

possible to deduce very precisely the individual reasons for holding new elections, even though it still has its limits (new elections in the newly established municipality are not always held on a special date), but these are listed in the text below.

Table 5: Number of newly established municipalities by election period and new election

Election term	Newly established municipalities	New election	Number of new election due to newly established municipalities	% new election/newly established municipalities
1992 – 1994	477	619	477	77,1 %
1994 – 1998	19	140	19	13,6 %
1998 – 2002	19	124	18	15,3 %
2002 – 2006	0	92	0	-
2006 – 2010	4	101	2	3,9 %
2010 – 2014	3	155	3	1,9 %
2014 – 2018	6	145	6	4,1 %
2018 – 2022	0	115	0	-

Source: author, based on CZSO data

As can be seen from the above data, in the period between 1992-1994² the percentage of new elections held due to the newly created municipality or city district formed a significant majority. These significantly higher numbers are largely related to the loosening of the structure of local governments from the previous regime (Vajdová, Čermák, Illner, 2006). In the following election periods, there was a significant decrease in the creation of new municipalities, and new elections were held only in units due to the creation of a new municipality or city district, in a maximum of two dozen cases. In the 2002-2006 and 2018-2022 election periods, no new municipality was even established and all new elections were held on the basis of the actions of the council members; however, no decision was found to dissolve the council on the basis of a special legal regulation or inaction of the council. It can therefore be assumed with certainty that the reason for holding new elections in these municipalities was a decrease in the number of members of the council below the statutory limit.

In the course of almost 30 years examined, in three cases the new elections in the newly established municipalities did not take place on a specially announced date. New elections in the village of Ostrata, which separated from Zlín on the basis of a referendum (Ostrata Municipality, 2021), were announced for April 20, 2002 (Notice from the Ministry of the Interior of 11 January 2002, 2002), but they were held together with the regular elections in November 2002. In the election period 2006-2010, a similar step took place in the municipalities of Ladná and Držovice, but with the difference that the municipalities were

² The election period is abbreviated due to unavailable data on new elections between 1990-1992.

established on 1 July 2006 (Ministry of the Interior of the Czech Republic: Information on the establishment of new municipalities Ladná and Držovice and on the appointment of municipal administrators, 2021), and so here too the elections were announced only together with the regular elections to the municipal councils in October of the same year. The last increase in the number of municipalities occurred in 2016 due to the optimization of the Boletice military districts, Hradiště a Libavá (§ 2, § 4 and § 5 of Act No. 15/2015 Coll.), when six new municipalities were established - Polná na Šumavě, Bražec, Doupovské Hradiště, Město Libavá, Kozlov and Luboměř pod Strážnou. Elections in these municipalities were announced for January 16, 2016 (Notice of the Ministry of the Interior of September 3, 2015, 2015).

From all the above data and information, it can be easily concluded that in recent years, basically with the exception of the 1990-1994 election period, new municipal elections have been held mainly due to a decrease in the number of members of the council below the statutory limit, or in the case of recent changes in the law due to the dissolution of the council according to a special legal regulation.

The above categorization of the reasons for holding new elections created on the basis of data is also confirmed by the respondent of the semi-structured interview and the provision of data according to the law. Respondent 1 stated that the most common reason for holding new elections is the resignation of seats in the municipalities with more than one list of candidates, where the elections were 4:1, 3:2 or 4:3 for members of the council. This means that although a majority is defined here, none of the candidate parties has so many members of the council that it is not possible to call new elections to the municipal council. According to Respondent 1, these may be so-called "purposeful resignations", which, unlike the new elections, are not regulated in any way. However, their purpose can be nothing more than an attempt to change the result of the just-concluded election. However, it is still said that in the context of more than 6,000 municipalities in the Czech Republic, this is a negligible percentage of municipalities. At the same time, Respondent 1 states that a certain problem, which is not systemically intensive, is the new elections, which are held repeatedly within the same municipality. The number of such municipalities and new elections has been steadily increasing in recent years. When asked if there was any draft legislation in the solution or debates that would eliminate this eventuality, it was answered that there was not. At the same time, it was stated that in professional and political circles this problem has never been solved enough to create a specific bill (on the other hand, it was stated that the "evergreen" of each election period is the requirement to adjust the electoral system to municipal councils).

During a more detailed debate on the issue of "purposeful resignations", Respondent 1 stated that it is necessary to look at the problem of "purposeful resignations" especially with regard to the need to maintain a certain standard of numerical composition of small municipal councils. At the same time, it can be referred to as the last limit of representative

representation). An effective solution to the above-mentioned issues (changing the result of the just-elected election by calling new elections), i.e., a solution that would not give the resigning minority the opportunity to reverse the election result, appears to be an amendment to the law in the sense of limiting the scope of new elections. In such a case, new elections would not be called in the full range of the number of members of the council, but they would be a kind of "by-election", in which only vacant seats would be filled. In such a case, it would be clear that the minority would lose the opportunity to change the election result in such elections, as it would reach the same number of seats as in the last elections. According to Respondent 1, the possibility of restricting candidacy to the candidates who have resigned is legally unacceptable. Respondent 1 sees the inadequacy of this solution in the fact that it would be necessary to reveal the motivation for resignation, or that some authority would have to state that resignation was purposeful and followed by a "punishment" in the form of a ban on candidacy.

Respondent 2, who is most involved in methodological assistance, which is often required by the "remaining" members of the municipal council, or responds to the complaints from citizens, stated that there are situations where the resignations of deputies result in new elections, occurs mainly in the municipalities with five- or seven-member councils. The solution to such situations at the present time and state of the legislative regulation is only to increase the number of elected members of the municipal council to at least nine, which Respondent 2 recommends within the framework of his methodological assistance to the interested municipalities (§ 67 of Act No. 128/2000 Coll.).

In connection with the formulated recommendation of Respondent 2, I focused on how often the number of council members actually changes towards the limit of nine council members. The analysis was performed on the data from 2010 to 2018. The change between the individual election years 2010, 2014 and 2018 in the municipalities with 5 to 15 members of the council was examined. In this context, it is important to note that it was necessary to distinguish whether the change in the number of members of the council could have occurred depending on population growth or not, and consequently it was necessary to distinguish whether this change occurred "only" based on the council's decision, or whether it could have been caused by an increase in the number of inhabitants in the municipality and the municipality thus advanced to another category pursuant to Act No. 128/2000 Coll.

The number of council members does not change very often (in relation to the number of municipalities in the Czech Republic). To increase the number of council members and at the same time to change the size category of the municipality (a different range of council members according to the law; § 68 of Act No. 128/2000 Coll.), there was a total of 17 different members of the council. In two municipalities, there was a decrease and subsequent return

during the three election years (decrease from 9 to 7 and back), although the population grew steadily.

Table 6: Change in the number of council members (when changing the size category of a municipality)

Increase of the number of council members		Decrease of the number of council members	
Change in the number of council members	Number of municipalities	Change in the number of council members	Number of municipalities
5→7	2	9→7	6
7→9	6	13→11	1
7→15	1	11→9	5
7→11	1		
9→11	4		
11→13	1		
11→15	2		

Source: author, based on CZSO data

The number of members of the council changed without a significant change in the number of inhabitants (moving the municipality to another size category) in a total of almost 700 cases. In order to provide a more detailed view of the matter, the change in the number of members of the council between the election periods 2010-2014 and subsequently 2014-2018 was examined separately.

Table 7: Change in the number of members of the council 2010-2014-2018 (without changing the size category)

Increase of the number of council members			Decrease of the number of council members		
Change in the number of council members	Number of municipalities 2010 - 2014	Number of municipalities 2014 - 2018	Change in the number of council members	Number of municipalities 2010 - 2014	Number of municipalities 2014 - 2018
5→6	5	5	6→5	5	3
5→7	52	35	7→5	33	40
5→9	4	2	7→6	5	4
6→7	6	5	8→7	5	3
7→8	1	-	9→5	3	2
7→9	43	51	9→7	71	75
7→11	2	-	9→8	2	
8→9	-	4	10→9	-	1
9→10	-	1	11→7	1	-
9→11	12	11	11→9	21	20
9→13	1	2	11→10	1	-
9→15	-	1	12→9	3	-
10→11	1	-	13→11	8	3
11→13	5	-	13→9	1	2
11→15	4	8	15→7	1	1

12→13	1	-	15→9	12	18
13→15	2	1	15→11	12	12
15→19	1		15→13	3	4
15→17	-	2			

Source: author, based on CZSO data

The largest increase between 2010 and 2014 was in the category of the smallest municipalities with a change from 5 to 7 members of the council and then in the category of change from 7 to 9 members of the council. In contrast, most municipalities recorded a decline from 9 to 7 members of the council. Between 2014 and 2008, there was the largest increase in the number of municipalities in the category with a change from 7 to 9 council members, followed by a change category from 5 to 7 council members, but the decrease in the number of council members in the decline categories from 9 to 7 and from 7 to 5 members of the council.

If we focus only on the municipalities in which new elections to municipal councils have taken place since 1994 (almost 1,500 municipalities), we find that the number of council members has increased in only six of them. Only in half of these municipalities there was an increase in the number of council members to at least 9 council members. In the remaining municipalities, the number of council members increased from 5 to 6 and 7 council members, respectively. The results of the analysis include only those municipalities in which the same legislation was valid at the time.

Conclusion

Based on all the above information, it is clear that there are several factors influencing the holding of new municipal elections. It is clear from the data obtained that the number of new elections has stabilized in recent years at around 120 dates during one election term. In contrast, since the 1998-2002 election period (up to the fluctuations of the last four years), the number of municipalities where new elections have been held repeatedly has been steadily increasing, raising their share in the total number of new elections during the election period. Given these data, it is clear that the key factor is the size of the municipal council, which are clearly the most endangered municipalities with five to seven members of the council. In this context, it confirms that the second key factor is the setting of legislation on the issue of new elections. Although the holding of new elections to municipal councils has been enshrined in law since the 1990s and has undergone some changes aimed at reducing the number of new elections, one of the conditions imposed by the law to some extent supports the holding of new elections. Specifically, this is a condition for the number of council members to fall below five, in combination with the minimum size of the Czech councils.

The recommendation addressed to the municipalities of the Ministry of the Interior of the Czech Republic, namely to increase the minimum number of members of the council to at least nine, also seems not very functional. Although this recommendation is logical in terms of the conditions of the electoral law, it remains largely unheard, even in the municipalities that are affected by repeated new elections and could solve the problem (or at least take the first step to a possible solution). The question is whether it would not be more appropriate, instead of a recommendation, to take the issue into account directly in the legislation.

Given what is currently being discussed in this area, it is clear that the regulation of the new elections is not yet "on the agenda". There is a lot of talk about the need to change the electoral system due to its incomprehensibility to voters.

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