

Municipalities and Self Reliance

Not long ago municipal election were held throughout the country. It might be interesting to look a little closer at what subjects were discussed just before this election. Was it mostly about evening schools, lot allotments and other local public services, or were there more fundamental issues discussed? I guess few would disagree that the debate mostly was about perpetually recurring questions, and that very little of the fundamental questions have been on the agenda.

The move for common mergers, which has been brimming across the country for some time, has mostly its origin from the Danish municipality reform in the 1970's. One important part of the Danish reform was task decentralization in order to strengthen the so called local democracy by developing the local authority (municipality). The same ideas have reached the Faroe Islands, and now we see it as one of the most relevant agendas in the political system, that certain areas are entrusted to local authorities. The merging of municipalities is supposed to be optional, but the fact that the plan is to assign difficult tasks, such as care of senior citizens, to the local authorities, is considered by many as a coerced merger, because it is plain that small municipalities will not be able to face such challenges. The question remains – will most of the Faroese municipalities still be too small, even after the merger, to carry out the responsibilities they have received through the decentralization. Nonetheless, there is a lack of a public discussion on the plans to delegate responsibilities to the local units, and whether administrative changes of this kind, which are inspired by much larger Danish municipalities, can be transferred at all to the Faroese society.

In addition to this borrowed and insignificantly reflected tendency to merge municipalities and to transfer tasks from the national level to the local authorities, there are other areas, less political and more technical in essence, on which Faroe Islanders will find difficulties in forming their own opinions. The question being raised is whether the current and former „Frame of the Municipal Government“ can be suitably transferred from Danish to Faroese circumstances.

Is the Danish municipal form, with e.g. Board of Representatives, suited for Faroese circumstances with its miniscule municipalities whose constituency can

be accommodated merely in the local town hall and in most cases in the future in a municipal sports hall? Rather than a strict Board of Representatives, a larger element of direct democracy, especially in the smaller Faroese municipalities, would be a necessary prerequisite for a lively local democracy. For example could a 1/3 minority of the town council have the right to demand that issues be put forth before its constituency in a referendum. This could be a suitable protection of the minority in the town council which at the same time would strengthen the direct democracy.

Several other examples could be mentioned. For example, we can ask why the Faroe Islands have „copied“ a Danish Municipal Regulatory system (or the national control system), which even in Denmark is controversial both politically and academically. Are the considerations accorded to a local democracy and to the rule of law, which must shape municipal self-government and national supervision, really the same in Denmark as in the small Faroe Islands?

The municipality is only an example of how the Faroe Islanders are not able to trust their own values and intellect in shaping the local community according to Faroese conditions both politically and especially in the academic realm, such as law. A similar intellectual bondage is also seen in other areas, especially in the school system, which is nothing else but a copy of a brief reflection, which coincidentally has become an issue in Denmark every now and then. The Faroese Law Review is an attempt to alter this position and create a Faroese forum for discussion and development in the area of law which is essential to society. The Faroese Law Review is only a small start and cannot be anything else. First Faroese lawyers must develop an independent and critical thinking pattern based on Faroese conditions and this can only be accomplished with an independent Faroese legal education. Until that becomes a reality, a big part of Faroese society will continue to be hidden in a illusionary and rhetorical world, which Faroe Islanders have no admittance to other than being helpless spectators.