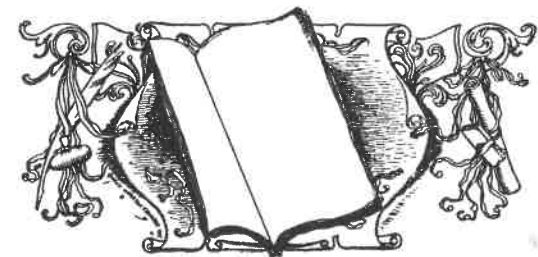


***PUBLIC POLICY  
AND ECONOMIC  
DEVELOPMENT***

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usług w sferze edukacji, kultury, ochrony socjalnej, ochrony zdrowia, usług administracyjnych, infrastruktury, nieruchomości i planowania przestrzennego. Przy czym finansowe zabezpieczenie pełnomocnictw delegowanych przez państwo powinno być oszacowane i zapewnione w ten sposób, aby organy samorządu terytorialnego mogły organizować świadczenie wysokiej jakości usług na miejscu, zabezpieczając w tym celu niezbędną infrastrukturę lokalną.

**Słowa kluczowe:** decentralizacja władzy, samorząd terytorialny, podział pełnomocnictw według zasady subsydiarności, decentralizacja finansowa

### Анотація

В статті розкрито процеси становлення і розвитку децентралізації влади та управління в Україні. Показано, що децентралізація має, з одного боку, сприяти посиленню ролі і здатності громад у формуванні середовища розвитку, чого не може ефективно створити держава – зменшення транзакційних витрат на території, сприятливе мікроекономічні умови, швидка реакція по вирішенню виникаючих у процесі діяльності бізнесу проблемних питань; з іншого – що децентралізація вимагає сильної держави, що є запорукою збалансованих взаємовідносин між нею і сильними громадами у довгостроковому вимірі. Обґрунтовано, що швидкі темпи впровадження реформи місцевого самоврядування та територіальної організацій влади в Україні зумовлюють необхідність в найкоротший термін сформувати правове поле, що дозволить завершити формування територіальної основи базового та субрегіонального рівнів для можливості подальшого перерозподілу та закріпленню повноважень між центральним, регіональним, субрегіональним та базовим рівнями. Доведено, що фінансове забезпечення делегованих державою повноважень має бути розраховано і закріплено таким чином, щоби органи місцевого самоврядування могли організувати надання якісних послуг на містах, в тому числі забезпечивши необхідну інфраструктуру на місцях. Окремим питанням лишається необхідність розробки та затвердження стандартів надання послуг в галузях освіти, культури, соціального захисту, охорони здоров'я, адміністративних послуг, інфраструктури, земельних відносин та планування територій. При цьому фінансове забезпечення делегованих державою повноважень має бути розраховано і закріплено таким чином, щоби органи місцевого самоврядування могли організувати надання якісних послуг на містах, в тому числі забезпечивши необхідну інфраструктуру на місцях.

**Ключові слова:** децентралізація влади, місцеве самоврядування, розподіл повноважень за принципом субсидіарності, фінансова децентралізація.

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## LOCAL GOVERNMENT IN POLAND IN THE PROCESS OF SYSTEMATIC TRANSFORMATION

### Summary

Transformation of the Polish political system ignited in 1989 has contributed over the years to the creation of the state of law, which rooted its system in the principles of democracy and respect for fundamental human rights and freedoms. The 1990s was a decade of the twentieth century, a period of dynamic change, where the introduction of local government had been implemented. It is today one of the cornerstones of the system of the Third Polish Republic. Formed in such way, the three-dimensional system of local government is the result of a long-term process. The restructuring of Polish political system has been managed for twenty-eight years so far. It must be remembered that the process of forming local government in Poland is not accomplished, yet.

**Key words:** local government, public administration, systemic transformation, Poland

### 1. Introduction

Transformation of the Polish political system ignited in 1989 has contributed over the years to the creation of the state of law, which rooted its system in the principles of democracy and respect for fundamental human rights and freedoms. The 1990s was a decade of the twentieth century, a period of dynamic change, where the introduction of local government had been implemented. It is today one of the cornerstones of the system of the Third Polish Republic.

Local government is a separate structure within the state. It is the relationship of local group of people established under the law, appointed to exercise power of public administration, equipped with financial resources to carry out the tasks imposed on them. It is therefore a form of political system of decentralized public administration that is executing tasks on their own responsibility assigned to them by the Commune Self-Government Act (Tarno, Sieniuc, Sulimierski, Wyporska, 2002, pp. 20).

## 2. Short history of local government in Poland

Local government in Poland has a long tradition dating back to the times when Poland was partitioned (1795-1918). Its dynamic growth peaked during the Second Polish Republic (1918-1945). In the postwar period the natural development of local government had been vehemently broken off (1945-1989). The year 1989 brought many changes into the political system, including the restitution of local government. The reforms commenced as a package of bills in 1990 restored the phenomenon of local government in Poland. On March 8 1990, the Polish Sejm passed an amendment to the Constitution, stating in Article. 5, that "The Republic of Poland guarantees the participation of local government in exercising the power", and complement of a new chapter on self-government. That same day two bills of fundamental importance for the functioning of Polish local government were passed. These were Local Government Act and Act on Elections to Municipal and County Councils and Provincial Assemblies. The first one established legal basis for local government, while the latter allowed to prepare and hold elections to newly emerging municipal councils. The reformers' effort that time culminated at the municipal elections held on May 27 1990. It was for the first time ever that fully democratic elections for municipal councils were held. In fact, this circumstance initiated the process of building a new model of the state in which municipalities have begun to play a significant role in the political system (Słobodzien, 2006, pp. 48-49).

The current Constitution of 1997 states that "the constitution of the Republic shall ensure the decentralization of public power" (Art. 15 Paragraph. 2), and points out that "Local government is involved in the exercise of public authority" (Art. 16 Paragraph 2). Furthermore, it specifies that "by the virtue of the law all the residents of a municipality, county or voivodeship are to be referred as the self-government community" (art. 16 Paragraph. 1). The whole Chapter VII of the Constitution was devoted to issues related to local government (art. 163-172) (Izdebski, 2006, pp. 52).

According to the statements, it was proved that the local government should work on all levels of basic territorial division. What is more, it should execute a major part of public tasks. Under the auspices of a new Constitution the second phase of local government reform had begun. It aimed to introduce two higher ranks of local government units, specifically, the county and the voivodeship. On June 5 1998 the Acts on county government, voivodeship self-government and the government administration in the voivodeship had been accepted. Under these Acts that were promulgated on January 1 1999, a three-leveled territorial division was finally established: municipalities (2479), counties (379, including 314 rural counties and 65 cities with county rights) and voivodeship regions (16).

The provisions of the Constitution that refer to local government in Poland are being followed by three basic rules. These are:

- principle of subsidiarity – entities of local government do perform public tasks aimed at satisfying the needs of their citizens; county and voivodeship as the authorities operating on a larger territory are ancillary to the municipalities; these bodies also perform some tasks of the government administration, if this is due to the legitimate needs of the state;

- principle of autonomy – local governments are autonomous and are promised to retain their legal protection; these units are independent of the state power and of each other;

- the principle of the presumption of properties of local government – where the provision of the Act does not explicitly stipulate the properties to deal with a certain matter important for the government, the case falls within the authority of local government (Tarno, Sieniuc, Sulimierski, Wyporska, 2002, pp. 23-26).

An important change occurred when the Act of June 20, 2002 on direct elections of the head of municipality, the mayor and the president of the city was put into effect. The principle of direct elections of a single executive body has been introduced at the commune level. Previously, the municipalities had had to deal with the collegiate executive body (the Board) elected indirectly by a body of the municipality council (Antkowiak, 2011, pp. 155-174).

## 3. System of local government in Poland

The term municipality should be comprehended as a self-governing community and its relevant territory. Community means that it belongs to the municipality under the applicable law. In this case, the municipality is legally organized territorial group of residents, defined in the Act as a self-governed community, separated from the state through legal personality. County should also be rendered as the local self-governing community with its relevant territory. Hence, it is legally settled territorial area of people living in there. Likewise, it has a legal personality and it is isolated from both the state and other local government units. However, voivodeship refers both to the local government (regional self-governing community) and the largest constituent of basic territorial division of the country that exercises government's administration. The elements constitute voivodeship's self-government are demarcated by a regional community and a certain area of the country. The voivodeship has a legal personality, which distinguishes it from the state and from other local government units, and a residence membership is granted in accordance with the national law. The right and obligation of the local government is to meet the needs of the local community through the enhancement of public amenity values.

Services provided from central level are not always parallel to the expectations of the community, and their unified nature does not continuously acknowledge the fact that the preservation of identity of local or regional communities is a must in order to keep indigenous and unique customs and traditions alive. The division of responsibilities and distribution of competences between central government and local government aims at the realization of these tasks. Such hierarchy can properly and effectively carry them out (Antkowiak, 2011, pp. 42).

Supervision of local government in Poland is based only on the Article 171, paragraph 1 of the Polish Constitution, which relies on the criterion of legitimacy, in other words on the compliance with the law. No provision for any exceptions to this rule had been initiated, although initially they had tried to use the criterion of expediency in case of implementation of tasks assigned to municipalities, for instance. It is now also assumed that the supervisory authorities that control the activities of local government in the municipality, county or voivodeship areas are as follow: The Prime Minister, voivodeship governors and regional audit chambers. It is also worth mentioning that there is a possibility of cooperation of the local government organizational units. Such collaboration can take various forms, depending on the purpose for which certain entities want to liaise. If the purpose of such actions is to do the task, the cooperation may take the form of inter-municipality or inter-county agreements, often resembling the associations. If only municipalities, counties or the voivodeships would like to execute other actions than the ones within the public interest in accordance with the laws of local self-government, they may cooperate accordingly as part of the national or international associations. It means that this is necessary to pick freely certain forms of cooperation and formulate them and phase them out again, freely (Dolnicki, 2006, pp. 374-385).

### 3.1. Municipality

The basic entity of local government in Poland is the municipality, which should meet the expectations of the local citizens and act for the sake of the self-government community, created by the local people in its territory. The commune shall perform public tasks on its own behalf and on its own responsibility. It has a legal personality and its independence is subject to judicial protection. There is no doubt that it is also the closest to the local resident. It is unquestionable that at the level of the community all its inhabitants can do most of their official errands related to the functioning of the public administration. The Local Government Act of 1990 indicates that there may be three types of municipalities: rural, urban, and rural-urban. This distinction is primarily formal in nature, giving a

village or a locality the city status. This peculiarity triggers different auxiliary units operating in the urban municipality and the rural one. Diverse are also the names of some municipal authorities etc. The occurrence of separation in municipalities of a special character is also allowed. This mainly applies to health and spa resort municipalities. Creating, merging, splitting and removing of municipalities, demarcating their borders, their names and places of residence is regulated by the ordinance of the Council of Ministers. The issue of such regulation requires public inquiry of interested community councils and other bodies, and carrying out consultations with the residents. Details of the system of the municipality is included in the statute adopted by the municipal council. The range of municipality tasks to maintain and execute public affairs in the territory of the local community have been legally established as the scope of municipality's activities. It also does some tasks that have not been reserved by the Constitution or acts addressed to other public authorities. The tasks of the municipality must satisfy the collective needs of the community. These tasks can be divided into certain categories: technical infrastructure of the municipality (municipal roads, streets, bridges, squares, water supply, sewerage, disposal, communal and industrial wastewater clearance and treatment, the maintenance of cleanliness, disposal of municipal waste; the supply of electricity and heat, municipal housing, local public transportation, markets and market halls, municipal facilities, utilities as well as administrative facilities); the social infrastructure (health, welfare, education, culture, physical education); the public order and security (the organization of traffic, public order, fire protection, safety, sanitation); the spatial and ecological order (planning, cropland management, environmental protection). Furthermore, the municipality performs some tasks assigned by the government administration, which come from another administrative authority. The municipality does these tasks after safeguarding its financial resources endowed by the grantor. The municipality may also voluntarily execute the tasks assigned, based on an agreement with the competent organ of the government administration. Residents take the decision directly in the electoral vote and the referendum, as well as through the municipal authorities. Decision making and controlling body is the municipal council (city council in cities), elected for a term of four years. Likewise, the executive body is elected in direct elections on a four-year term, which is the head of municipality (the mayor or the president, depending on the size of the city), respectively. The municipal council consists of councilors: 15 councilors in municipalities up to 20 thousand residents; 21 councilors in municipalities up to 50 thousand; 23 councilors in municipalities up to 100 thousand; 25 councilors in municipalities up to 200 thousand; three additional councilors for each 100 thousand of the residents, but no more than

45 councilors. The scope of activities of the municipal council covers the most important issues of local communities and the functioning of its organs and its subordinate entities. The municipal council elects out of its members a chairman and from one to three vice-presidents. The Chairman shall summon a session of the municipal council and ought to organize its work. He is to conduct its discussions. The Council meets in sessions (ordinary or extraordinary). Council appoints committees, and the field of their activities and the composition depends essentially on the council's recognition. Legislative body may appoint the standing committees, the one of which is an obligatory - the audit committee. The one-man executive body of the municipality is the head of municipality (the mayor, the city president) (Leoński, 2006, pp. 106-130).

In the municipality, where the seat of the local authorities is placed in the city situated on the territory of the municipality, the executive body power is vested in the mayor. In the cities over 100 thousand residents the executive body is exercised by the president. This principle has also applied to towns until the date of the act having been implemented where the mayor had previously played the role of the administrative, management and supervisory body. Currently, he is elected by universal, equal, direct, secret ballot. You have the right to be elected once you will become a 25-year old Polish citizen and at the same time, you can become an elected member of a municipal council. The term of the head of municipality or the mayor begins on the date of the municipal council appointment or when the municipal council is to appoint him likewise. It ends with the expiry of the municipal council mandate. Mayor performs the resolutions of the municipal council and municipal tasks assigned by the acts of law. The duties of the mayor include the preparation of draft resolutions of the council and the way of executing them, maintenance of the municipal properties, implementation of the budget, hiring and firing his deputies, the chairmen of municipal organizational units and fulfilling the tasks delegated by the government administration. He leads the current affairs of the community and represents it outside. He is also responsible for announcing and implementing the contingency plan in case of possible natural calamities. While fulfilling community's very own tasks the mayor is supervised only by the municipality council, which decides on the directions of his activity. When executing central government's assignments, he is controlled by the head of the voivodeship. The mayor performs his duties with the assistance of the municipal office, of which he is the chairman. He shall, by way of regulation, draw up detailed administrative regulations of the office, specifying its functioning and organizational structure. The head of municipality can also appoint and dismiss his deputies and determine their number. Yet, the number cannot be greater

than: 1 in municipalities up to 20 thousand residents; 2 in municipalities up to 100 thousand residents; 3 in municipalities up to 200 thousand residents; 4 in municipalities of more than 200 thousand residents. The municipal referendum is a direct way of exercising power by the people on important issues for the community. Only the local community residents entitled to vote can participate in the referendum. There are obligatory and facultative referendums. The referendum includes the obligatory self-taxation of the citizens for public purposes and the eviction of the municipal council or the head of municipality (the mayor, the president) before the expiry of the term-in-office. The initiative in this case belongs to the local citizens, and a dismissal of the mayor also to the council of the municipality (Leoński, 2006, pp. 106-150).

As far as the optional referendum is concerned the people of the local community are expressing their will through voting and they exhibit their ways of settling the issues related to this community, within their range of tasks and competences. The referendum is valid if it was attended by at least 30% of those eligible to vote, except for voting on the sacking of the authority elected in direct elections in example: the municipal council and mayor or the head of municipality. In this case, the election turnout must be at least 3/5 of attendance, in which the body had been elected. The result of the referendum is conclusive if one of the solutions being submitted to referendum received more than a half of the valid votes, while in case of the self-taxation is - at least 2/3 of the valid votes. The Act on Municipal Self-Government allows the consultation between the residents of the community in the events specified in the binding legal act, and other significant issues for the community. They can be mandatory or optional. The obligatory are when they relate precisely to creation, merging, splitting and elimination of municipalities, establishing their names and boundary changes. The optional consultation may be conducted in any other matter important for the municipality. The municipality may be divided into the auxiliary units, such as village councils in rural areas, districts and housing estates in the cities. Auxiliary unit can also be placed in the municipality of the city. The rules for creating auxiliary units is established by the statute of the municipality. The organization and the range of activity of the municipal council is determined independently in a separate statute. Legislative body of the rural administrative unit is the village gathering, and the executive is the village leader. The village leader supports the village council elected by and out of the inhabitants of the auxiliary entity. Legislative body of the housing estate is the council and executive body is the board headed by the chairman. The statute of the housing estate may determine that the legislative body of the housing estate is vested in the general assembly of their inhabitants (Nowacka, 2005, pp. 64-65).

### 3.2. County

The county is an indirect unit of the local government. The Act on County Self-Government establishes two categories of the counties. The first type refers to these counties, which include the entire territories of the bordering municipalities (a rural county), the second type of the counties is said to consist of the entire city areas (the city with the administrative rights of a county). When creating, joining, sharing or removing counties and determining their borders one should mention the necessity for making the county an area as homogeneous as it can be.

This means the settlement system of the region and special structure ought to remain integral with cultural, ethnic and territorial identity that help to fulfill and perform public tasks. This local government unit has just like the municipality, a legal personality, and its independence is under the protection of the law. The political system of the county is bound by its Statute. The county performs public tasks of a supra-municipal nature, such as: the technical infrastructure (the transport and public roads, the real estate management, the maintenance of county facilities and public facilities); the social infrastructure (public education, promotion and protection of health, social assistance, family policy, support for the disabled, culture and the cultural objects protection, physical education and tourism, tackling the unemployment issues, activation of the local labor market, consumer protection, promotion of the county, cooperation with NGOs organizations); the public order and security (public order and public safety, flood protection, fire prevention and other extraordinary threats to human lives and other health issues, defense, completing the tasks of the county's services, inspections and municipal guards); the spatial and ecological governance (geodesy, cartography and land registry, spatial planning and construction supervision, water management, agriculture, forestry and inland fisheries and lastly environmental protection).

The legislation may also define a ruling within the range of the county's tasks assigned by the government administration. It is, then, relevant to carry them out by the county. It performs statutory tasks on its own responsibility. At the request of the interested municipalities adopted by common accord with the county it may delegate its tasks under applicable law. Community makes decisions based on universal suffrage, through the elections and referendum or through the authorities of the county. The legislative and monitoring function is vested in the county council whereas the executive body is exercised by the county management board chaired by the Mayor elected by the deputies of the county. They are appointed for a four-year term of office (Leoński, 2008, pp. 194-196).

The jurisdiction of the county council includes: the organizational matters (the adoption of the Statute of the county; creation, transformation and removal of organizational units and equipping them with the property; adopting some resolutions to interact with other counties and municipalities, if it is necessary to allocate the assets); planning (passing the budget of the county); financial and property (adopting resolutions on the amount of taxes and levies within the applicable laws, and also adopting resolutions on matters with regard to county property matters); personal (election and dismissal of the county administration, appointment and dismissal of a secretary and a treasurer of the county at the request of the head); auditing (drafting of the orientations of the county administration and receiving reports on its activities, including financial activities; consideration of the report on the implementation of the budget and passing the resolution on granting or not granting discharge to the Management Board in this respect). The council consists of 15 councilors in the county up to 40 thousand inhabitants and 2 for each additional 20 thousand residents, but no more than 29 councilors. The county council elects from its members a chairman and one or two deputies. Statutory exclusive task of the chairman is to organize the work of the council and to conduct its sittings. The nature of work takes form of sessions and the council may appoint out of its members, the permanent or the ad hoc committees, which can do certain tasks are assigned by the council. The Management Board is the executive body of the county. The county Board consists of the governor as chairman, vice-chairman and other members (1-3), elected by the county council out of its members or from the outside of the council. The Board fulfills the county council's resolutions and county tasks defined by the law. The tasks of the Board include: the preparation of draft resolutions of the council; implementation of the resolutions of the council; the county's property maintenance; the execution of the county's budget; hiring and dismissing leaders of the organizational units of the county. The Board by executing the tasks of the county is subject only to the county council, which leads its activity. It performs tasks of the county with the help of the County Office, the heads of county services, inspections and municipal guards and organizational units of the county, which together form the county's complex administration. The head of the county organizes the work of the county board as its chairman, and the County Office as his manager. He is a direct superior for county employees and the managers of organizational units of the county, county services, inspections and municipal guards. He appoints and dismisses the heads of these units, and in consultation with the voivode he approves the fields of their activities and agrees on the operations taken by these units within the county's terrain. He also manages the contemporary issues of the county's concern and he represents it outside. A Chief Executive of the county

has the power to act on an ad hoc basis, in urgent cases, indispensable for the community. He also handles current issues directly related to health problems or life-threatening situations that are likely to cause considerable damage. In order to execute some tasks of the Chief Executive he exercises the authority over the county services, inspections and municipal guards. The county's security and order committee has been set up in order to safeguard duties related to public order and safety of the locals. The referendum is a way to govern the county directly on important issues. In the referendum county residents, eligible to vote may participate in the elections. In the referendum, the inhabitants through voting express their will regarding the community affairs (Leoński, 2008, pp. 196-204).

They also have their say in the various tasks and competences of the county, or while dismissing the county council. County law and the law on local referendum provide exclusive referendum on a dismissal of the county council before the end its term-in-office. The referendum may also be carried out in all other matters relating to the properties of the county. The completion of this kind of power is directly determined by the legislative body while executing a referendum on its own initiative. The architects of such activity can also be residents of the county entitled to vote. The referendum is valid only if attended by at least 30% of those eligible. In the case of overturning the county council, such ballot will be lawful with a voter turnout of at least 3/5, in which the body has been elected. The result of a referendum shall be considered successful if more than half of the votes of the citizens voting have been valid, and at least more than half of all eligible voters have given the same answer.

### 1.3. Voivodeship

Voivodeship is the third and the highest level of the administrative division of the state. The voivodeship government molds region's sustainable development, its goals and objectives and the manner of achieving them. Taking into account voivodeship programs in accordance with the Act, the following objectives are set for: cultivating, developing and shaping the national consciousness along with the locals' civic and cultural heritage; stimulating economic activity; improving the level of competitiveness and attractiveness of the region's economy; preservation of cultural and natural environment. Keeping the needs of future generations and the creation as well as maintenance of spatial order is also considered. Community self-governing authority takes decisions effectively by popular vote (referendum and elections) and through the authorities of the voivodeship. At the regional level, we have the voivodeship assembly, which is a decisive and supervisory authority and a five-member Voivodeship Board led by the Marshal. They are elected for a four-year term

of office. The voivodeship parliament undertakes the most important issues of a regional self-governing community and the functioning of its authorities. The members of this entity consist of 30 councilors in the 30 provinces that have up to 2 million inhabitants and 3 more councilors for additional 500 thousand residents. The voivodeship parliament elects out of its members a chairman and three deputies. The exclusive tasks of the voivodeship assembly include a drafting of the local law; the enactment of spatial planning; passing the budget of the voivodeship; the appointment and dismissal of the executive board and remuneration of the marshal and procurement procedures for the award of grants financed from the voivodeship budget. Sejmik as it is called, meets in sessions summoned by the Marshal as necessary, but not less frequently than once a quarter. The Voivodeship Board is the executive body of this region. The board consists of five members: the voivodeship marshal as the chairman, one or two deputies and two other members. The marshal and the other board members may also be elected from outside of the voivodeship assembly. The executive board performs tasks not reserved for the voivodeship parliament and the local government units. The tasks of the board include, in particular: the execution of the voivodeship assembly resolutions; the property management of the region, the exercise of the shareholders' rights holding shares by the voivodeship authority; a bill preparation and the execution of the budget; the preparation of development strategy for the region, the spatial planning, regional programs and their implementation; the upkeep and cooperation with the regional local government structures in other countries as well as with the international regional associations; directing, coordinating and controlling the activities of provincial government departments, including the appointment and dismissal of managers and adopting organizational regulations of the Marshal Office. The Executive Board performs certain tasks with the help of the voivodeship marshal's office and their local government organizational units (Dolnicki 2012, pp. 146-160).

The Marshal organizes the work of the Voivodeship Executive Board as its chairman and the general manager of the Marshal's Office. He is also a superior of the marshal's office employees and the managers of voivodeship, and the local government organizational units. The marshal has the power to act on an ad hoc basis as well as in urgent cases. Indispensable for the community, he handles current issues directly related to health problems or life-threatening situations that are likely to cause considerable damage. The referendum in the region is a direct way of exercising power in the matters of great importance for the region. The residents of the voivodeship eligible to vote may take part in the referendum. An act on local referendum provides for the exclusive use of this institution while dismissing the voivodeship assembly before the end of its term. Regional

referendum may also be carried out in any case important for this area within the range of its tasks. The completion of this form of direct power is decided by the voivodship parliament, if executing the referendum on its own initiative or the people of this constituency eligible to vote. It is valid only if it was attended by at least 30% of those entitled, and in the case of dismissal of the voivodship assembly of the region - at least 3/5 of attendance, in which the body has been elected. The result of a referendum shall be considered successful if more than half of the votes of the citizens voting have been valid, and at least more than half of all eligible voters have given the same answer units (Dolnicki 2012, pp. 160-171).

Opponents stress that no less than 15% of counties and several regions do not have the economic basis to be autonomous. The bigger a county or region is, the more money it has and the more powerful it is. If a unit is weak, it faces the threat of a permanent shortage of money, or receiving an income which is high enough only to pay for its own administration. The foundation of a large number of towns which have the rights of a county is often highly criticised, especially in areas where similar rural counties exist. In the future, this may lead to the total number of administrative units decreasing (Kowalski, 1999, pp. 79).

### 3. Summary

Formed in such way, the three-dimensional system of local government is the result of a long-term process. The restructuring of Polish political system has been managed for twenty-five years so far. Owing to this fact, a huge number of legal solutions were implemented. They had modified the original assumptions. It must be remembered that the process of forming local government in Poland is not accomplished, yet. The new challenges are still emerging ahead of us. Increasingly in Poland, it has been said that the role of metropolitan areas and large urban agglomerations ought to be strengthened. It also seems that the external actors systematically should be involved - in the policy making process of the governance at the local level. It is all about the inclusion of non-governmental organizations, business representatives and residents in the public decision-making process. So-called civil budgets, housing-estate councils or the borough councils are on the rise. Additionally, the public consultations take on a new meaning and represent higher standards than in the early 90s. There is no doubt that the local government has become a great springboard for social and civic values embodied in the civil society.

27 years of experience is a way to celebrate, however, we must remain vigilant. The institution of local government is not given once and for all, because it depends on the state whether it wishes to delegate some of its powers of social groups at the local level trusting that they are better in fulfilling tasks

of the public. Having a local government is a kind of privilege that should be nurtured. The local government should be catered for, sometimes fight for, but above all, its presence in Poland, significantly raises the quality of our democracy. There are often solutions and ideas in the field of self-government that are later duplicated at the central level. With such hope and support we are looking forward to a satisfying future so that we shall never stray from the chosen path opted in favor of local government twenty-five years ago.

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### Streszczenie

*Transformacja polskiego systemu politycznego w 1989 r. przyczyniła się do powstania państwa prawa, którego system ma swoje umocowanie zasadach*



demokracji i poszanowania podstawowych praw oraz wolności człowieka. Lata dziewięćdziesiąte to okres dynamicznych zmian, podczas których wprowadzono samorząd lokalny. Jest to dziś jeden z kamieni węgielnych systemu III Rzeczypospolitej. Utworzona w ten sposób trójstopniowa struktura samorządu lokalnego jest wynikiem długotrwałego procesu. Restrukturyzacja polskiego systemu politycznego trwa od dwudziestu ośmiu lat. Należy pamiętać, że proces tworzenia samorządu lokalnego w Polsce nie został jeszcze zakończony.

**Słowa kluczowe:** samorząd terytorialny, administracja publiczna, transformacja systemowa, Polska

#### **Резюме**

Трансформация польской политической системы, начатая в 1989 году, способствовала на протяжении многих лет созданию правового государства, основанного на принципах демократии и уважения к фундаментальным правам и свободам человека. 1990-е годы – это период динамичных изменений, в ходе которого было введено местное самоуправление. Сегодня местное самоуправление является одним из краеугольных камней системы Третьей Польской Республики. Созданная таким образом трехуровневая система местного самоуправления является результатом долгосрочного процесса. Реорганизация польской политической системы продолжается уже двадцать восемь лет. Следует помнить, что процесс формирования местного самоуправления в Польше еще не завершен.

**Ключевые слова:** местное самоуправление, государственное управление, системная трансформация, Польша

#### **Анотація**

Трансформація польської політичної системи, розпочата в 1989 році, сприяла протягом багатьох років створенню правової держави, заснованої на принципах демократії і поваги до фундаментальних прав і свобод людини. 1990-ті роки стали періодом динамічних змін, в ході якого було введено місцеве самоврядування. Сьогодні місцеве самоврядування є одним із наріжних каменів системи Третьої Польської Республіки. Створена таким чином трирівнева система місцевого самоврядування є результатом довгострокового процесу. Реорганізація польської політичної системи триває вже двадцять вісім років. Слід пам'ятати, що процес формування місцевого самоврядування в Польщі ще не завершений.

**Ключові слова:** місцеве самоврядування, державне управління, системна трансформація, Польща

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## Section 5. SELF-GOVERNMENTS AND IMPLEMENTATION OF SPECIALIZED POLICIES

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