

STRUCTURING AND SYSTEMATIZATION OF THE HISTORY OF DEVELOPMENT AND THE CURRENT STATE OF FORMATION/ELECTIONS OF LOCAL GOVERNMENT AUTHORITIES IN THE REPUBLIC OF POLAND (1990–2021)

The article is dedicated to analyzing the features of the formation/elections of local government authorities in the Republic of Poland during the period of 1990–2021. This is done in view of the fact that during the several decades of the recent political history in Poland there were several stages of the development of both the local government system and, accordingly, the procedures of local government authorities' formation, which are perceived as one of the mandatory components of the decentralization processes today (especially after the completion of the European integration in Poland). Accordingly, the researcher's attention was initially focused on the review and brief analysis of the history of the development and current state of the system and structure of local government and administrative-territorial organization in Poland. After that, the author focused on the title issue of the parameters of formation/elections of local governments authorities at different stages of the recent political history of Poland. As a result, it was stated that the rules of formation/elections of local government authorities in Poland are quite changeable and politicized, and therefore they have both positive and negative consequences, which have been systematized.

Keywords: local government, administrative-territorial organization, elections, electoral system, Republic of Poland.

STRUKTURA I SYSTEMATYZACJA HISTORII ROZWOJU ORAZ OBECNY STAN POWSTANIA/WYBORÓW WŁADZ SAMORZĄDU TERYTORIALNEGO W RZECZYPOSPOLITEJ POLSKIEJ (1990-2021)

Artykuł poświęcony jest analizie cech formowania się/wyborów władz samorządowych w Rzeczypospolitej Polskiej w latach 1990–2021. Dzieje się tak ze względu na fakt, że w ciągu kilkudziesięciu lat najnowszej historii politycznej w Polsce nastąpiło kilka etapów rozwoju zarówno ustroju samorządowego, jak i procedur formowania władz samorządowych, które postrzegane są jako jeden z obowiązkowych elementów procesów decentralizacji dzisiaj (zwłaszcza po zakończeniu integracji europejskiej w Polsce). W związku z tym uwaga badacza początkowo skupiła się na przeglądzie i krótkiej analizie historii rozwoju oraz aktualnego stanu ustroju i struktury samorządu terytorialnego i organizacji administracyjno-terytorialnej w Polsce. Następnie autor skupił się na problemie tytułowym parametry formowania/wyborów władz

samorządowych na różnych etapach najnowszej historii politycznej Polski. W rezultacie stwierdzono, że zasady formowania/wyborów władz samorządowych w Polsce są dość zmienne i upolitycznione, w związku z czym zarówno pozytywne, jak i negatywne konsekwencje, które zostały usystematyzowane.

Słowa kluczowe: samorząd terytorialny, organizacja administracyjno-terytorialna, wybory, system wyborczy, Rzeczypospolita Polska.

СТРУКТУРИЗАЦІЯ І СИСТЕМАТИЗАЦІЯ ІСТОРІЇ РОЗВИТКУ ТА ЧИННОГО СТАНУ ФОРМУВАННЯ/ВИБОРІВ ОРГАНІВ МІСЦЕВОГО САМОВРЯДУВАННЯ У РЕСПУБЛІЦІ ПОЛЬЩА (1990–2021)

У статті проаналізовано особливості формування/виборів органів місцевого самоврядування в Республіці Польща упродовж періоду 1990–2021 рр. Це зроблено з огляду на те, що в Польщі упродовж декількох десятиліть новітньої політичної історії відбулось декілька етапів розвитку як системи місцевого самоврядування, так і, відповідно, процедур формування органів місцевого самоврядування, які сьогодні, однак особливо після завершення євроінтеграції у цій державі, сприймаються як одна з обов'язкових складових децентралізаційних процесів. Відповідно, спершу увагу дослідника було сфокусовано на оглядовому й побіжному аналізі історію розвитку і чинного стану системи та структури місцевого самоврядування й адміністративно-територіального устрою Польщі. А вже після цього автор сконцентрувався на титульній проблематиці параметрів формування/виборів органів місцевого самоврядування на різних етапах новітньої політичної історії Польщі. У підсумку констатовано, що правила формування/виборів органів місцевого самоврядування у Польщі є доволі мінливими і політизованими, а відтак вони наділені як певними позитивними, так і негативними наслідками, які було систематизовано.

Ключові слова: міське самоврядування, адміністративно-територіальний устрій, вибори, виборча система, Республіка Польща.

Poland is a democratic and legal state in which the process of formation of a modern system of local self-government and administrative-territorial organization began in 1989-1990, which inevitably launched and influenced both the decentralization of power and the development of the political system in general. As a result, for several decades, in particular in 1990-2021, several stages of development of both the system of local self-government and the procedures for the formation of local self-government bodies accordingly took place in Poland, which today,

however, especially after the completion of European integration in this state, are perceived as one of the mandatory components of decentralization processes. Accordingly, the presented scientific article focuses mainly on the problems of structuring and systematizing of the history of development and the current state of formation (primarily through the prism of electability) of local self-government bodies in the Republic of Poland during the period of 1990-2021 as one of the main political and administrative elements of the process of decentralization power. To consider the research issues in the scientific article we will first review and briefly analyze the history of development and current state of the system and structure of local self-government and administrative-territorial organization, and then on this basis we will focus on the parameters of formation / election of local self-government bodies at various stages of the recent political history of Poland in more details.

It is well known that the current state of development of the system and structure of local self-government and the administrative-territorial structure in Poland is somewhat dependent on the development of the designated issues in historical retrospect, in particular the periods of the interwar development of Poland and the so-called «real socialism». However, the gradual events and reforms that unfolded in this country after the collapse of the communist regime had the greatest influence on the formation of the current system of local self-government in Poland, although these events largely depended on and inherited the results of local self-government in the past. The fact is that the latest stage in the development of the system of local self-government and the administrative-territorial organization in modern Poland began in 1989 - with the so-called round table talks and semi-free elections to the Polish parliament. It has been continuing for several periods till now. The first significant steps in this direction were taken in December 1989, when constitutional amendments were adopted to replace the unified system of people's councils of the period of «real socialism» with local self-government, as well as in March 1990 when some laws on local self-government were adopted. This led to the emergence of the local self-government in the true sense and partially established a democratic electoral system for local elections (its peculiarities in the context of elections and the formation of local self-government bodies at different stages of their development will be discussed in detail below) however, for the most part, together with the preservation of the current two-level administrative-territorial structure during the communist period, which consisted of gminas and voivodships. Nevertheless, in post-communistic Poland, the status of communes was immediately fundamentally modified, as the highest authorities in them were popularly elected councils (first elected in May 1990). Instead, at this stage of political progress, the authorities in 49 voivodships (the number, structure and logic of which were inherited from the Polish communist regime) remained unelected, as their regional and advisory parliaments consisted of representatives of commune councils and all power was concentrated mainly in the voivodeship appointed by the Prime Minister and accountable exclusively to the central government, through which they acted as regional meso-administrative units of the central government. In addition, the population was

mostly dissatisfied with the lack of counties in the administrative-territorial division of Poland, which was abolished during the communist regime in 1975, and therefore perceived the reform measures of the Polish government in 1989-1990 as not quite sufficient in the development of local government. Even though a little later (but as part of the first phase of the reform), 268 administrative districts (regions) were created in Poland to streamline government and judicial administration, so-called quasi-subdivisions of voivodship administrations without their own responsibilities and tasks which territorially corresponded mostly to the former counties, the direct revival of which as a level of local self-government at that time was still rejected by the politicum.

However, even so, in the late 80's - early 90's of the twentieth century Poland, favorable conditions for genuine stimulation of socio-political life at places, in particular social activity of communities and micro-communities, qualitative criteria for selection and election of candidates for local (only *gmina*) authorities, pluralistic public opinion, democratic legitimacy and social recognition, etc. (we do not make a detailed and comprehensive analysis of the state of development of the local self-government system and the relationship between its various levels and the central government, as this is not the subject of our study). The manifestation of this was that as a result of the local elections in May 1990, 2,383 *gminas* were formed, and in June 1994 - 2,468 *gminas* (for details, see Table 1) were formed as «self-governing communities» (with an average population of about 7 thousand people in each commune). However, in general, the reform of the local self-government system in Poland from 1989 to 1997 was not effective enough because it did not lead to the complete dismantling of the centralized and bureaucratized system of public administration, (and sometimes even threatened the possibility of its restoration), but only disrupted, defected and shook the system entrenched for decades.

The situation changed in 1997–1998, when the current Polish Constitution was first adopted, outlining the phenomenon of local self-government in general, and later the reform of local self-government and administrative-territorial division in Poland was initiated and continued. Interestingly, the will to pursue reforms arose only after the 1997 parliamentary elections and before and during the 1998 local elections, when the Polish right-wing / center-right government initiated changes to the legislation, including the area of local politics. EU pressure was an additional factor in advancing reforms which in the context of European integration required Poland and other countries to have appropriate administrative and territorial structures to attract European funds and implement regional development strategies and EU policies. The main feature of the second stage of reforming and developing of the system of local self-government in the period 1998–1999 was that it appeared and was perceived as a more complex, far-sighted and comprehensive stage. The most notable result of the reform was that it concerned both local self-government and the changes in the administrative-territorial structure of Poland, including the size and number of voivodships from 49 (as before) to 16 (with an average

population of about 2.5 million people in each voivodship), as well as their transformation from units of central government and governance into elements and components of self-government with popularly elected regional parliaments, and still voivodes appointed by the Prime Minister as official representatives of central government at the territorial level. This was complemented by the eventual realization of the desire of the Polish population and part of Polish politics to restore the counties that existed before 1975 as the second / intermediate supra-municipal level of local self-government with popularly elected county / district councils. In total, after the reform, first 361, then 373, and later 380 counties were created, of which 314 were rural and 66 urban (despite the fact that cities also became counties) (with an average population of about 104 thousand people in each county) which replaced 268 administrative districts existing during the previous stage of the reform. It is interesting that a group of 66 largest cities, including all the capitals of the voivodeships of Poland, received the status of cities with county rights. This means that the authorities of these cities have begun to perform simultaneously the tasks and exercise powers associated with the district and gmina. The number of gminas at the beginning of 1999 was 2,489, and in 2014 it was 2,479/2,480 (with an average population of about 15.5–16.0 thousand people).

In general, it is important that from 1998-1999, that is the second stage of reforming of the system of administrative-territorial organization and local self-government in Poland, neither the structure nor the competence of certain levels of self-government changed significantly and conceptually, despite some modifications and political manipulation made later in this regard. In other words, local self-government and the administrative-territorial structure in Poland have entered a period of stabilization and strengthening of their existing structures, although they can still undergo «mild modification. In terms of competence and functionality this manifested itself in the fact that gminas (municipalities) and counties (districts) became institutions of exclusively local self-government, and voivodships (regions) became institutions of both public administration and self-government. As a result, Poland developed a unique and one of the most complex administrative-territorial systems in Europe, which began to include: a) a three-tier territorial system; b) two-and-a-half-level system of local self-government; c) the system of regional government based not on politically autonomous or federal units, but on administrative management. This was supplemented by the fact that within the established system of local self-government and administrative-territorial organization, hierarchical relationships between different levels of local self-government and regional subdivisions of public administration were nominally excluded.

However, in 1998-1999 the progress of the local self-government system in Poland was not completed, because in the following decades (apart from functional and competence changes, which are not the subject of our study) it was accompanied by some less significant and «soft» perturbations which concerned the peculiarities of the formation / election of local authorities which were within the already established and stabilized administrative-territorial

structure. In particular, the so-called “communal self-government” reform took place in 2002, as a result of which previous collegial executive committees / councils elected and recalled by commune councils were replaced by new solely elected municipal executive bodies, including mayors, mayors, mayors and presidents of the cities that can be the subject of distrust and recall only through national referendums. This step was taken for various reasons, in particular to make local elections more interesting (due to low voter turnout - see Table 1) for citizens and to improve municipal governance. However, since 2002 (much more than in 1998-1999) the Polish system of local self-government given the peculiarities of regional central government and regional self-government has become a structure based on dualism, and thus a greater political struggle and even electoral tension. Manifestations of this were permanent conflicts between voivodes, who head regional government administrations and representatives of popularly elected regional self-government bodies; quite frequent were the conflicts and periods of coexistence between nationally elected councils and nationally elected executive leaders at the level of communes who naturally and at the expense of national legitimacy began to try to expand the scope of their power and prestige.

In contrast, in this context, it was important that county-level executive committees remained unchanged, as they remained represented by county boards composed of their members headed by elders elected to the respective county councils (however, with the exception of city counties, where the functions of executive committees were and still are performed by city presidents). The same applies to the executive committees of the voivodships, as they are represented by voivodship boards consisting of 3–5 people headed by marshals elected in the voivodship sejms - regional parliaments. At the same time another important structural reform implemented in 2001-2002 was the reduction of the number of council representatives at all levels of subnational or local self-government. This was the result of a populist discourse that emphasized the desire to have a «cheap state» and suggested that having too many deputies on the ground was very expensive and not very productive, so that their numbers were sometimes halved (although this was supported by both the public and the vast majority of deputies themselves). At the same time, in 2002, changes were made to the administrative division of the Polish capital, the city of Warsaw: it received a special status, under which the former division of the city into 11 gminas began to function as 1 city / gmina with the status of a county divided into 11 districts.

In the remaining cases, changes in the system and bodies of local self-government in Poland, mainly in the administrative-territorial context were insignificant or related to other issues that are not the subject of the presented study. Instead, attention should be paid to the title of the study of the evolution and current state of development of methods of formation and election of local governments in Poland, which changed intensively and quite often both before 1998-1999 / 2002 and after (see Table 1 for comparison).

As mentioned above, starting in 1990 and 1994, local elections in Poland began to be held on the basis of the principles of democracy and consideration of the territorial characteristics

and population of different local governments. For example, in the 1990 elections, a majority system of relative majority in single-member constituencies was used to elect local councils in communes inhabited by no more than 40,000 people (however, provided that the candidate for deputy is supported by at least 15 voters), and a proportional system of lists in multi-member (with a size of 5 to 10 seats) constituencies by the method of Sant Lague for translation votes in mandates was used instead in communes with a population of more than 40 thousand people. In contrast, during the 1994 local elections, the threshold for differences between the majority and proportional electoral systems in terms of the population of communes was reduced to 20,000. However, in both cases, the main reason for this electoral structure during the 1990 and 1994 local elections was the assumption that the nature of small gminas allowed voters to vote for individuals they knew, while in large gminas the personal knowledge of candidates was an illusion, and voting for programs presented by political organizations and parties was perceived as more appropriate. Another argument was that the newly formed parties were too weak (or did not exist at all) to play any role in the small-scale elections, especially in 1990, although their importance began to grow in the run-up to the 1994 local elections. No other national elections were held in Poland at this stage of local government development (see table 1).

Table 1. Peculiarities and stages of structuring and systematization of the history of development and the current state of formation / elections of local self-government bodies within the framework of the progress of the administrative-territorial system in the Republic of Poland (1990–2021)

Local elections	The first / lowest (commune) level of self-government: the legislature	The first / lowest (commune) level of self-government: executive power	The second / intermediate (district / county) level of self-government: the legislature	Second / intermediate (district / county) level of self-government: executive power	The third / highest (voivodship) level of self-government: the legislature	Third / highest (voivodship) level of self-government: executive power
1	2	3	4	5	6	7
May 1990. (attendance – 42,27 %) / in 4 years	2.383 communes: popularly elected commune councils: 1) MSAM * in single-member constituencies - gminas up to 40 thousand people; 2) PSL in multi-member (5-10 seats) constituencies by the method of Sant Lague - gminas of more than 40,000 people	2.383 gminas: non-nationally (only in gmina councils) elected collegial executive committees	Absent + 268 administrative districts (regions): absent	Absent + 268 administrative districts (regions): subdivisions of voivodship administrations	Absent + 49 voivodships: non-nationally (from members of commune councils) elected regional councils	Absent + 49 voivodships: absent + voivodes (appointed by the Prime Minister)
June 1994 (attendance – 33,78 %) / in 4 years	2.468 communes: popularly elected commune councils: 1) MSAM in single-member constituencies - gminas up to 20 thousand people; 2) PSL in multi-member (5-10 seats) constituencies by the method of Sant Lague - gminas of more than 20,000 people	2.468 gminas: non-nationally (and in gmina councils) elected collegial executive committees	Absent + 268 administrative districts (regions): absent	Missing + 268 administrative districts (regions): subdivisions of voivodship administrations	Absent + 49 voivodships: non-nationally (from members of commune councils) elected regional councils	Absent + 49 voivodships: absent + voivodes (appointed by the Prime Minister)
October 1998 (attendance – 45,45 %) / in 4 years	2.489 communes: popularly elected commune councils: 1) MSRM in multi-member (1-5 seats) constituencies (or block voting) - gminas up to 20 thousand people; 2) PSL with preferences in multi-member (5-8 seats) constituencies according to the D'Hondt method without an electoral barrier - gminas of more than 20,000 people	2.489 2 gminas: non-nationally (and in gmina councils) elected collegial executive committees	373 counties (including gminas / cities with county rights); popularly elected county councils: PSL with preferences in multi-member (3-10 seats) constituencies according to the D'Hondt method and with a 5% electoral barrier	373 counties (including gminas / cities with county rights); non-nationally (only in county councils) elected collegial executive committees headed by mayors	16 counties: popularly elected regional parliaments (Sejm); PSL with preferences in multi-member (5–15 seats) constituencies according to the D'Hondt method and with a 5% electoral barrier	16 counties: non-nationally elected (only in the Sejm) collegial executive committees headed by marshals + voivodes (appointed by the Prime Minister)
October-November 2002 (attendance – 44,23 %) / in 4 years	2.478 communes: popularly elected commune councils: 1) MSAM in multi-member (1-5 seats) constituencies (or block voting) - gminas up to 20 thousand people; 2) PSL with preferences in multi-member (5-8 seats) constituencies according to the D'Hondt method without an electoral barrier - gminas of more than 20,000 people	2.478 gminas (including gminas / cities with county rights); popularly elected sole executive bodies (lords, mayors, and city presidents); MSAM in single-member constituencies	379 counties (including gminas / cities with county rights); popularly elected county councils: PSL with preferences in multi-member (3-10 seats) constituencies according to the Sant Lague method and with a 5% electoral barrier	314 counties (not including gminas / cities with county rights); non-nationally (only in county councils) elected collegial executive committees headed by mayors	16 counties: popularly elected regional parliaments (Sejm); PSL with preferences in multi-member (5–15 seats) constituencies according to the Sant Lague method and with a 5% electoral barrier	16 counties: non-nationally elected (only in the Sejm) collegial executive committees headed by marshals + voivodes (appointed by the Prime Minister)

<p>November 2006 (attendance – 45,99%) / in 4 years</p>	<p>2.478 communes; popularly elected commune councils: 1) MSRM in multi-member (1-5 seats) constituencies (or block voting) - gminas up to 20 thousand people; 2) PSL with preferences in multi-member (5-8 seats) constituencies according to the D'Hondt method without an electoral barrier - gminas of more than 20,000 people</p>	<p>2.478 gminas (including gminas / cities with county rights); popularly elected sole executive bodies (lords, mayors, and city presidents); MSAM in single-member constituencies</p>	<p>379 counties (including gminas / cities with county rights); popularly elected county councils; PSL with preferences in multi-member (3-10 seats) constituencies according to the D'Hondt method and with a 5% electoral barrier for parties and 10 - percentage electoral barrier for blocs</p>	<p>314 counties (excluding communes / cities with county rights); non-national (only in county councils) elected collegial executive committees headed by mayors</p>	<p>16 counties; popularly elected regional parliaments (Sgjm); PSL with preferences in multi-member (5-15 seats) constituencies according to the D'Hondt method and with a 5% electoral barrier for parties and with the possibility of forming joint lists of election committees</p>	<p>16 counties; non-nationally elected (only in the Sgjm) collegial executive committees headed by marshals + voivodes (appointed by the Prime Minister)</p>
<p>November – December 2010 (attendance – 47,32%) / in 4 years</p>	<p>2.479 communes; popularly elected commune councils: 1) MSRM in multi-member (1-5 seats) constituencies (or block voting) - gminas up to 20 thousand people; 2) PSL with preferences in multi-member (5-8 seats) constituencies according to the D'Hondt method with 5% electoral barrier for parties and 10% for block voting – gminas of more than 20,000 people</p>	<p>2.479 gminas (including gminas / cities with county rights); popularly elected sole executive bodies (lords, mayors, and city presidents); MSAM in single-member constituencies</p>	<p>379 counties (including gminas / cities with county rights); popularly elected county councils; PSS with preferences in multi-member (3-10 seats) constituencies according to the D'Hondt method and with a 5% electoral barrier for parties and 10 - percentage electoral barrier for blocs</p>	<p>314 counties (excluding communes / cities with county rights); non-national (only in county councils) elected collegial executive committees headed by mayors</p>	<p>16 counties; popularly elected regional parliaments (Sgjm); PSL with preferences in multi-member (5-15 seats) constituencies according to the D'Hondt method and with a 5% electoral barrier for parties and 15% electoral barrier for blocs</p>	<p>16 counties; non-nationally elected (only in the Sgjm) collegial executive committees headed by marshals + voivodes (appointed by the Prime Minister)</p>
<p>November 2014 p. (attendance – 47,40%) / in 4 years</p>	<p>2.479 communes; popularly elected commune councils: 1) MSRM in single-member constituencies - all gminas without county rights and regardless of their population; 2) PSL with preferences and party lists (≥ 35% of women and (≥ 35% of men) in multi-member (5-10 seats) constituencies according to the D'Hondt method with a 5% electoral barrier for parties - all gminas with county rights</p>	<p>2.479 gminas (including gminas / cities with county rights); popularly elected sole executive bodies (lords, mayors, and city presidents); MSAM in single-member constituencies</p>	<p>379 counties (including gminas / cities with county rights); popularly elected county councils; PSL with preferences ≥ 35% of women and (≥ 35% of men) in multi-member (5-10 seats) constituencies according to the D'Hondt method with a 5% electoral barrier for parties</p>	<p>314 counties (excluding communes / cities with county rights); non-national (only in county councils) elected collegial executive committees headed by mayors</p>	<p>16 counties; popularly elected regional parliaments (Sgjm); PSL with preferences in multi-member (5-10 seats) constituencies according to the D'Hondt method and with a 5% electoral barrier for parties</p>	<p>16 counties; non-nationally elected (only in the Sgjm) collegial executive committees headed by marshals + voivodes (appointed by the Prime Minister)</p>
<p>October - November 2018 p. (attendance – 54,90%) / in 5 years</p>	<p>2.480 communes; popularly elected commune councils: 1) MSRM in single-member constituencies - all gminas without county rights and up to 20,000 people; 2) PSL with preferences and party lists (≥ 35% of women and (≥ 35% of men) in multi-member (5-10 seats) constituencies according to the D'Hondt method with a 5% electoral barrier for parties - all gminas with county rights</p>	<p>2.480 gminas (including gminas / cities with county rights); popularly elected sole executive bodies (lords, mayors, and city presidents); MSAM in single-member constituencies</p>	<p>380 counties (including gminas / cities with county rights); popularly elected county councils; PSS with preferences and party lists ≥ 35% of women and (≥ 35% of men) in multi-member (5-10 seats) constituencies according to the D'Hondt method with a 5% electoral barrier for parties</p>	<p>314 counties (excluding communes / cities with county rights); non-national (only in county councils) elected collegial executive committees headed by mayors</p>	<p>16 counties; popularly elected regional parliaments (Sgjm); PSL with preferences in multi-member (5-10 seats) constituencies according to the D'Hondt method and with a 5% electoral barrier for parties</p>	<p>16 counties; non-nationally elected (only in the Sgjm) collegial executive committees headed by marshals + voivodes (appointed by the Prime Minister)</p>

* Abbreviations: MSAM - the majority system of the absolute majority; MSRM is a majority system of relative majority; PSL is a proportional system of lists.

The situation changed significantly in the local elections in 1998, which served as one of the stages in the development of the system and structure of local self-government in Poland, because at this time, as mentioned above, other and still valid levels of administrative-territorial organization and local self-government (including voivodships and counties, with partial restructuring of communes) were introduced, in which the authorities (primarily councils) partially became popularly elected. In particular, it was regulated that the composition of local councils at various levels was formed on the basis of the application of the majority system of relative majority in single-mandate and multi-mandate (up to 5 mandates) constituencies (including on the basis of certain procedures of the so-called cross-voting – in fact, it was about the use of block voting in majority elections) – in communes with a population of up to 20,000 people (subject to the support of a candidate for at least 25 voters) (interestingly, as of 1998, there were almost 90 percent of such communes, although they had a population of just over 40 percent of the total) number of Polish voters); proportional system of lists with preferences in multi-member districts according to the D'Hondt method for transferring votes to mandates - in gminas with a population of more than 20 thousand people (moreover, with a five percent electoral barrier exclusively for urban gminas with county rights), in all counties and all voivodships. At the same time, within the proportional electoral system, the size of multi-member constituencies at different levels was different and ranged from 5 to 8 seats in communes with a population of over 20 thousand people, from 3 to 10 seats in counties and from 5 to 15 seats in voivodships (for comparison, see table 1)

In addition, during the local elections in 1998, for the first time in the recent political history of Poland, election committees were formed, consisting of at least 5 members of parties, blocs / coalitions of parties, associations, movements, other public organizations and voters. was the most difficult), who presented their lists of candidates within the framework of majority and proportional electoral systems (subject to the prior support of such committees by at least 150 voters in gminas, 200 voters in counties and 300 voters in voivodships). At the same time, in fact, according to the majority system of bloc voting in Poland at this time (and up to and including the 2010 elections) elected deputies about 87 percent of commune councils, and instead of the proportional system - only about 13 percent of commune councils. Although in both cases voters voted mainly for individual candidates (within the proportional system of lists, this was reflected in the preferences of voters), and therefore the result in different types of electoral systems was their disproportion, little connection with national parties and in return considerable apoliticism, voter inequality and non-distribution of elections.

Local elections in 2002 in Poland took place according to similar or identical rules, but some changes were made event to them. Firstly, in 2001–2002, the size of local councils was modified (this step turned out to be the most negative for large cities and rural communes with a population of up to 20,000 people, if they consisted of many settlements) up to: not more than 15 deputies in gminas with a population of up to 10 thousand people, not more than 19 deputies

in gminas with a population of 10 to 20 thousand people, not more than 21 deputies in gminas with a population of 20 to 50 thousand people, not more than 23 deputies in communes with a population of 50 to 100 thousand people, not more than 30 deputies in communes with a population of 100 to 200 thousand people (although with the possibility of increasing the staff of the latter by 5 deputies for every additional 100 thousand people but generally not more than 60 deputies in total). At the same time, the size of councils / sejms in voivodships and counties has been reduced. Secondly, the short-lived perturbation and peculiarity of the Polish elections at the voivodship level was that during the proportional systems of lists they used not the D'Hondt method to translate votes into mandates (as in 1998 and since 2006), but they used the method of Sant Lague (see Table 1). Thirdly, as a result of the introduction of positions and institutions of popularly elected sole heads of executive power in gminas in 2002, including *wiits*, mayors, and city presidents, the method of their election for four years (in parallel with the elections for four years to the commune councils) was provided on the basis of the application of the majority system of absolute majority (with a relative majority in the second round), but always with the nomination of candidates exclusively by election committees (according to the rules established in 1998 regarding the formation of the latter), which was beneficial primarily for political reasons to the winners of the 2001 parliamentary elections. An interesting feature of those rules was and still is that the voting and the requirement of an absolute majority were fulfilled even in the case of registration of a single candidate for mayor in the commune. At the same time, if the candidate did not receive the majority of votes, the head of the executive power was obliged to elect the council of the relevant gmina by an absolute majority in two months. Otherwise, the functions of the *Voit*, Mayor, *Burmistra* or President of the city are obliged to be performed by a person appointed by the Prime Minister on the proposal of the relevant Minister of the Interior and Public Administration.

The novelty of electoral procedures during the 2006 local elections was that for the formation of the personnel of councils of communes of all types (and not only urban communes with the rights of counties) with a population of over 20 thousand people, as well as councils of counties and voivodships within the proportional system preferential lists in multi-member constituencies an electoral barrier of five per cent for parties and ten per cent for lists of united political forces was applied in the respective gminas and all counties and fifteen per cent for lists of united political forces in voivodships (in parallel with the return to the D'Hondt method for the distribution of seats at all levels). Another one-time innovation of the local elections was the possibility of forming joint lists of election committees in the regional elections under the proportional system, which were expected to be aimed at consolidating the party system, but almost did not justify themselves and were annulled in the future. Although, in contrast, the voivodship elections contributed to the nationalization of party systems in the regions. In turn, without fundamentally changing the electoral system for the formation of local governments during the 2010 local elections, not only Polish citizens but

also citizens of all EU countries were allowed to participate in the elections of gmina councils (and no more) in the Polish local election process. , who at the time of the election lived in the respective gminas. Instead, colossal electoral changes in the procedures for the formation and election of local governments in Poland, at least in relation to the local elections of 1998-2010, which were conducted according to similar rules with insignificant differences, was carried out in 2011, mainly on the basis of adoption and implementation, first during the local elections in 2014, and later in 2018, by the generalized Electoral Code. It, in particular for the 2014 elections, regulated the use of: a majority system of relative majority in single-member constituencies (the number of which has increased several times) - for the formation of councils in all types and sizes of communes, except urban gminas with county rights (however, it is obligatory to nominate candidates exclusively by election committees); majority system of absolute majority - for the election of voivods, mayors and city presidents as popularly elected sole heads of executive power in the gminas; proportional system of parity (consisting of at least 35 percent of women and at least 35 percent of men) lists in multi-member (5 to 10 seats) constituencies with an electoral barrier of five percent for parties and the D'Hondt method for transferring votes of voters to mandates - to replace the staff of county councils (and city gminas with the rights of counties) and voivodship sejms. In all other cases, the electoral formulas were left unchanged or not significantly changed (in particular regarding the dependence of the size of local councils on the population), although in general, the codification of the rules in Poland began to give preference to national parties over election committees created on a local or regional basis. Also, one of the novelties of the code was the direct possibility of holding local elections for more than one day, as usual, instead of two (subject to the relevant decision of the Prime Minister), including by voting by mail for persons abroad (for comparison, see table 1). As for the local elections in 2018, they were held according to almost identical rules, but with certain changes and innovations: the use of a majority system of relative majority in single-member districts - to form the personal composition of the Gmina councils with a population of up to 20 thousand people (as in 1994), and in all other cases - a proportional list system; regulation (for the first time in history) of the possibility of a double term of office of voivods, mayors, burmesters and city presidents; increase of the term of office of local self-government bodies by one year. In this context, an interesting feature of Poland throughout almost its recent political history was that the term of local government was (and remains) the same for all levels and previously was 4 years. That is, local elections in all electoral systems always took place every 4 years at all levels of local self-government. However, the first change in this context was foreseen prior to the 2018 local elections, as the next local elections (at least at the time of the survey) should take place in 2023, that is 5 years after the previous elections. Also common to the system of local self-government in Poland was and remains that its authorities at all levels are always elected simultaneously, that is, in one day, and therefore for the average voter local elections are a multiple event, although in larger gminas they are more politicized and party-held and

nationally determined, and in smaller ones - more apolitical and non-partisan and locally oriented. Summing up, in particular, taking into account the evolution and parameters of the current system of local self-government in Poland, primarily in the administrative-territorial and electoral contexts, it should be noted that it was gradually aimed at improving the system of government, ensuring greater efficiency than before. social problems and the functionality of local units in accordance with the principles of democracy, political pluralism, electability, decentralization of power and subsidiarity, which have long been established in Western Europe. This turned out to be the fact that over the past decades in Poland there was an increase in civil and political participation locally, as well as the initiation and introduction of completely new institutions of local policy, which in general led to an intensification of cooperation between self-government bodies and non-governmental and public organizations. Mentioning all this, in general it can be stated that the Polish system of local self-government (in the electoral and administrative-territorial dimensions) is one of the most developed and effective in Central and Eastern Europe despite its rather frequent institutional variability, it often serves as a guide for development for many countries.

Nevertheless, the Polish design of the system of local self-government in this context is still endowed with certain relative or even significant shortcomings, which should also be noted. In particular, even though there are three (or two and a half) levels of local self-government in reality and nominally, the exclusively communal level in Poland is protected by the constitution and characterized by a nationwide way of electing both legislative and executive bodies on the ground. Instead, the formation, existence and form of supra-commune (county and voivodship) levels are purely functional and depend on laws passed by parliament and acts delegated by the government. In addition, they are only partially - regarding legislative or representative bodies, but not the executive branch - popularly elected. All this shows that today a significant gap remains a huge problem between the development and institutionalization of electoral procedures at the level of local self-government, on the one hand, gmina and, on the other hand, counties and voivodeships, especially given the regulated liberal and participatory facade of the local government system, but, in contrast, the actual absence or lack of political and social pluralism on the ground and the peculiar partisanship due to the unification of the principles of the formation of representative authorities «from top to bottom» at almost all levels of the political and administrative-territorial system, especially since 2015, when the «decline» of democrats began.

Resources:

1. Bairak S., Udoskonalennia zakonodavstva Respubliky Polshcha pro mistsevi vybory yak peredumovademokratyzatsii politychnoi uchasti (1990–2010 rr.), *“Economic annals-XXI”* 2013, vol. 3–4, nr. 2, s. 7–9.
2. Bratic V., Local self-government in Central and Eastern Europe – A strong and independent local-level management tool or just a paper tiger?, *“Financial Theory and Practice”* 2008, vol. 32, nr. 2, s. 139–157.

3. Brusis M., *Institution building for regional development: A comparison of Bulgaria, the Czech Republic, Estonia, Hungary, Poland and Slovakia*, Presented at a workshop on the "Political Making of Socio-Economic Progress," Humboldt University Berlin (November 19–20, 1999).
4. Brusis M., Party Strategies and Administrative-Territorial Reforms in Poland, "*West European Politics*" 2013, vol. 36, nr. 2, s. 405–425.
5. Brusis M., *Re-Creating the Regional Level in Central and Eastern Europe: Lessons from Administrative Reforms in Six Countries*, [w:] Breska E., Brusis M. (eds.), *Central and Eastern Europe on the Way into the European Union: Reforms of Regional Administration in Bulgaria, the Czech Republic, Estonia, Hungary, Poland and Slovakia*, Wyd. Center for Applied Policy Research 1999, s. 1–22.
6. Cielecka A., Gibson J., *Local Government in Poland*, [w:] Coulson A. (ed.), *Local Government in Eastern Europe: Establishing Democracy at the Grassroots*, Wyd. Edward Elgar 1995, s. 23–40.
7. Dudzińska A., *Non-party Lists in Local Election in Poland*, [w:] Reiser M., Holtmann E. (eds.), *Farewell to the Party Model? Independent Local Lists in East and West European Countries*, Wyd. VS Verlag für Sozialwissenschaften 2008, s. 105–126.
8. Emilewicz J., Wolek A., *Reformers and Politicians: The Power Play for the 1998 Reform of Public Administration in Poland as Seen by Its Main Players*, Wyd. Elipsa 2002.
9. Flis J., *Blokowanie list i koalicje w sejmikach wojewódzkich*, [w:] Wolek A. (ed.), *Władza i polityka lokalna: polskie wybory samorządowe 2006*, Krakow 2008, s. 11–27.
10. Gendzwill A., Zoltak T., How single-member districts are reinforcing local independents and strengthening mayors: on the electoral reform in Polish local government, "*Local Government Studies*" 2016, vol. 43, nr. 1, s. 1–22.
11. Gendzwill A., Zoltak T., Why do non-partisans challenge parties in local politics? The (Extreme) Case of Poland, "*Europe-Asia Studies*" 2014, vol. 66, nr. 7, s. 1122–1145.
12. Heurtaux J., *The Direct Election of Mayors in Poland and the Paradox of the Depoliticization of Local Politics*, [w:] Reynaert H., Steyvers K., Delwit P., Pilet J.-B. (eds.), *Revolution or Renovation? Reforming Local Politics in Europe*, Wyd. Vanden Broele 2005, s. 81–106.
13. Hicks J., Kaminski B., Local Government Reform and Transition from Communism: The Case of Poland, "*Journal of Developing Societies*" 1995, vol. 11, nr. 1, s. 1–20.
14. Jakubek-Lalik J., Transition from authoritarian regime to democracy: The role of local self-government. The case of Poland, "*International journal of civil service reform and practice*" 2020, vol. 5, nr. 2, s. 1–15.
15. Kaminski M., Do Parties Benefit from Electoral Manipulation? Electoral Laws and Heresthetics in Poland, 1989–93, "*Journal of Theoretical Politics*" 2002, vol. 14, nr. 3, s. 325–358.
16. Kantorowicz J., Electoral systems and fiscal policy outcomes: Evidence from Poland, "*European Journal of Political Economy*" 2017, vol. 47, s. 36–60.
17. Kasinski M., Ethical and political dilemmas of local self-government in Poland in the course of systemic transformations (1990–2018), "*Annales. Ethics in Economic Life*" 2018, vol. 21, nr. 7, s. 7–26.

18. Kasinski M., *Monizm i pluralizm władzy lokalnej*, Wyd. Wydawnictwo Uniwersytetu Łódzkiego 2009.
19. Kobielska K., *Kształtowanie się samorządu terytorialnego w Polsce*, [w:] Antoszewski A., Kolodij A., Kowalczyk K. (eds.), *Transformacja w Polsce i na Ukrainie. Wybrane aspekty*, Wyd. ATUT 2010, S. 115–128.
20. Kowalczyk A., *Local Government in Poland*, [w:] Horvath T. (ed.), *Decentralization: Experiments and Reforms*, Budapest 2000, s. 217–253.
21. Kubat M., *Reforming Local Governments in a New Democracy: Poland as a Case Study*, “*Politics in Central Europe*” 2011, vol. 7, nr. 2.
22. Kulesza M., Szescilo D., *Local Government in Poland*, [w:] Moreno A. (ed.), *Local Government in the Member States of the European Union: A Comparative Legal Perspective*, Wyd. INAP 2012.
23. Lazin F., *Local Government Reforms in Eastern Europe after the Collapse of the Soviet Union: Some Observations*, “*HKJU – CCPA*” 2014, vol. 14, nr. 1, s. 59–84.
24. Piekara A., *Samorząd terytorialny i inne formy aktywności społecznej dawniej i dzisiaj*, Wyd. Twigger SA 2005.
25. Pierzgalski M., Stępcien P., *A Peculiar Interpretation of the Constitutional Principle of “One Person, One Vote” in Poland: Voter (In)equality in the Elections to 1,200 Local Legislatures*, “*East European Politics and Societies and Cultures*” 2017, vol. 20, nr. 10, s. 1–35.
26. Radzik-Maruszak K., *Roles of Municipal Councils in Poland and in the Czech Republic: Factors Shaping the Roles and the Dynamic of Change*, “*Journal of Universal Excellence*” 2016, vol. 5, nr. 1, s. 47–64.
27. Sakowicz M., *Rebirth of Local Government in Poland: 25 Years of Decentralization Reform*, [w:] Ruano J., Profiroiu M. (eds.), *The Palgrave Handbook of Decentralisation in Europe*, Wyd. Palgrave Macmillan 2017, s. 327–352.
28. Sauer A., *The System of the Local Self-Governments in Poland*, “*Research Paper of Association for International Affairs*” 2013, vol. 6, 25 s.
29. Sidor M., Kuc-Czajkowska K., Wasil J., *Wpływ rozwiązań przyjętych w Kodeksie wyborczym na zjawisko koabitacji w gminach*, “*Polityka i Społeczeństwo*” 2015, vol. 3, nr. 13, s. 151–164.
30. Sitek M., *Reforma administracyjna 1998 r.*, [w:] Jackiewicz I. (ed.), *Budowanie instytucji państwa 1989–2001. W poszukiwaniu modelu*, Wyd. Wydawnictwo Sejmowe 2004, s. 152–172.
31. Slobodian T., *Polityko-prawowy analiz vyboriv viitiv, burmistriv i prezidentiv mist u Respublitsi Polishcha*, “*Suchasna ukrainska polityka. Polityky i politolohy pro nei*” 2009, vol. 18, s. 353–365.
32. Slobodian T., *Transformatsiia vyborchoho zakonodavstva v Respublitsi Polishcha ta Ukraini 1990–2015 rr. (na prykladi mistsevykh vyboriv)*, “*Hileia: politychni nauky*” 2015, vol. 100, s. 281–285.
33. Swianiewicz P., *Poland: Europeanization of Subnational Governments*, [w:] Loughlin J., Hendriks F., Lidstrom A. (eds.), *The Oxford Handbook of Local and Regional Democracy in Europe*, Wyd. Oxford University Press 2011, s. 480–504.

34. Swianiewicz P., *Reforming local government in Poland. Top-down and bottom-up processes*, [w:] Kersting N., Vetter A. (eds.), *Reforming Local Government in Europe*, Wyd. VS Verlag für Sozialwissenschaften, 2003, s. 283–307.
35. Swianiewicz P., *The values of local democracy as seen by mayors in East-Central Europe*, [w:] Baldersheim H., Illner M., Wollmann H. (eds.), *Local Democracy in Post-Communist Europe*, Wyd. Leske & Budrich 2003, s. 263–273.
36. Yoder J., Decentralisation and Regionalisation after Communism: Administrative and Territorial Reform in Poland and the Czech Republic, “*Europe-Asia Studies*” 2003, vol. 55, nr. 2, s. 263–286.
37. Wollmann H., Lankina T., *Local Government in Poland and Hungary: From Post-Communist Reform towards EU Accession*, [w:] Baldersheim H., Illner M., Wollmann H. (eds.) *Local Democracy in Post-Communist Europe*, Wyd. Leske & Budrich 2003, s. 91–122.
38. Wyrzykowski M., *Legitimacy: The Price of a Delayed Constitution in Poland*, [w:] Zielonka J. (ed.), *Democratic Consolidation in Eastern Europe*, Wyd. Oxford University Press 2001, s. 431–454.