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## **Political parties of the radical direction in Ukraine: is this strengthening of the national security or threats? (On the example of AUU “Svoboda”)**

The relevance of political parties of radical direction in Ukraine has been considered. The main stages of party evolution and indicators of radicalism at each stage have been traced on the example of AUU “Svoboda”. The level of support for the radical agenda by the citizens of Ukraine has been revealed on the basis of the results of voting in the parliamentary elections. Reasons for the high level of support during the 2012 parliamentary elections and factors for the gradual decline in support have been analyzed. The main forms of radical actions and statements and their impact on the population of the country, the agenda of the political process and national security have been assessed. An assessment of a provocative character of a number of public actions and statements that are aimed at different addresses has been made.

*Keywords: political party, radicalism, ethnic nationalism, ideological identification, national security*

## **Partie polityczne radykalnego kierunku na Ukrainie: czy to wzmocnienie bezpieczeństwa narodowego, czy zagrożenia? (Na przykładzie AUU „Svoboda”)**

Rozważono znaczenie partii politycznych o radykalnym kierunku na Ukrainie. Główne etapy ewolucji partii i wskaźniki radykalizmu na każdym etapie zostały prześledzone na przykładzie AUU „Svoboda”. Poziom poparcia obywateli Ukrainy dla radykalnej agendy ujawnił się na podstawie wyników głosowania w wyborach parlamentarnych. Przeanalizowano przyczyny wysokiego poparcia w wyborach parlamentarnych w 2012 r. oraz czynniki powolnego spadku poparcia. Oceniono główne formy radykalnych działań i wypowiedzi oraz ich wpływ na ludność kraju, agendę procesu politycznego i bezpieczeństwo narodowe. Dokonano oceny prowokacyjnego charakteru szeregu działań publicznych i wypowiedzi skierowanych do różnych adresatów.

*Słowa kluczowe: partia polityczna, radykalizm, nacjonalizm etniczny, identyfikacja ideologiczna, bezpieczeństwo narodowe*

## **Політичні партії радикального спрямування в Україні: посилення національної безпеки чи загрози?(на прикладі ВО «Свобода»)**

Розглянуто актуальність вивчення політичних партій радикального спрямування в Україні. На прикладі ВО «Свобода» простежено основні етапи партійної еволюції та показники радикалізму на кожному етапі. Рівень підтримки радикального порядку денного громадянами України виявлено на підставі результатів голосування на парламентських виборах. Проаналізовано причини високого рівня підтримки під час парламентських виборів 2012 р. та чинники поступового зниження рівня підтримки. Оцінено основні форми радикальних дій і заяв та їх вплив на населення країни, порядок денний політичного процесу та національну безпеку. Зроблена оцінка про провокативний характер низки публічних дій і заяв, які спрямовані на різні адресати.

*Ключові слова:* політична партія, радикалізм, етнічний націоналізм, ідеологічна ідентифікація, національна безпека

The issue of radical parties in Ukraine is quite sensitive, as it is accompanied by numerous PR events involving politicians and political forces from different countries. Perhaps the most famous are the statements of the president of Russia about the “business card of Yarosh” (the head of the “Right Sector”). Summarizing the previous experience, we can state that the assessment of existing and current radical groups as threatening the liberal-democratic course of Ukraine, dangerous for national minorities living in Ukraine and treating them as “hawks” outside Ukraine is actively spreading, seeking to steer Ukraine towards a tough course of ethnic nationalism within the country and an aggressive course towards its neighbors. However, if we pay attention to the reaction of political actors and citizens within Ukraine itself, we can talk about much less attention to the activities of Ukrainian radicals, their falling out of the political agenda. Accordingly, we can formulate a number of questions: 1) how real are the threats to Ukrainian society and the outside world from Ukrainian radicals? 2) perhaps Ukrainian politicians and the public underestimate all the threats posed by the representatives of Ukrainian radical structures? 3) to what extent is the situation with radical structures in Ukraine different from the situation with radicals in other European countries? These issues are the subject of the conference. Among the Ukrainian-language publications dedicated to Ukrainian radical nationalist groups are the works of a member of the “Svoboda” All-Ukrainian Union, head of the Ivano-Frankivsk Regional Council in 2010-2012, 2015 – to date, and People’s Deputy of

Ukraine in 2012-2014 O. Sych<sup>1</sup>. In 2015, E. Andryushchenko defended his dissertation in which he analyzed the formation and development of Ukrainian right-wing radical organizations<sup>2</sup>. In 2020, O. Sych defended his doctoral dissertation on modern Ukrainian nationalism<sup>3</sup>. The joint publication of two Lviv researchers devoted to the development of Ukrainian radical parties after the Revolution of Dignity is noteworthy<sup>4</sup>. Significantly more publications were made in English in publications outside Ukraine. In our opinion, this is due to the increased attention of researchers and public opinion of democratic countries to the phenomenon of radicalism, including its Ukrainian equivalent. One of the first to address this problem was T. Kuzyo, an English political scientist of Ukrainian origin<sup>5</sup>. Subsequently, attention was focused on a wide range of activities of Ukrainian extreme rights<sup>6</sup>. A number of publications are devoted to the analysis of the activities of AUU "Svoboda"<sup>7</sup>.

At the same time, the presence of radical nationalist organizations in the political space of Ukraine, their activity especially in the context of threats to national security during the occupation and the actual war in eastern Ukraine, necessitate a permanent analysis of the state and trends of this movement.

In the context of Ukraine, by radical nationalist parties we mean, based on the assessment of Daniel Bochsler, the parties of the titular nation, which demand cultural homogeneity, deny the rights of minorities, advocate stronger political and economic centralization or promote irredentism<sup>8</sup>. Radical nationalist organizations operating in Ukraine today include the All-

<sup>1</sup> Sych O. Istorychnyj rozvytok ukraińskogo organizovanogo nacionalizmu // Osnovy nacionalizmu. Kurs I. Ivano-Frankivsk: Instytut politychnoi osvity VO "Svoboda". 2008. S. 41-55; Sych O.M. Organizacija ukraińskych nacionalistiv i stanovlennja struktur suchasnoho nacionalizmu // Prykarpats'kyj visnyk NTSh. Serija: Dumka. 2017. № 5/6. S. 181-194

<sup>2</sup> Andrjushhenko E. Ukraiński pravoradykalni organizacii u konteksti suspil'no-politychnyh procesiv (kinec' 1980-h – 2015 rr.). Dys... kand. ist. nauk: 07.00.00 / Zaporiz'kyj nacional'nyj universytet. Zaporizhzhja, 2015. 284 s

<sup>3</sup> Sych O. M. Suchasnyj ukraińskij nacionalizm: politologichni aspekty transformacijnoi paradygmy: avtoref. dys. ... dokt. polit. nauk: 23.00.01. Kyiv, 2020. 40 s.

<sup>4</sup> Tanchyn L., Lucyshyn G. Ukraiński pravi radykalni partii' pislja Revoljucii' Gidnosti // Politychni nauky. 2016. T. 2, № 2. S. 43-48

<sup>5</sup> Kuzio T. Radical nationalist parties and movement s in contemporary Ukraine before and after independence: The right and its politics, 1989-1994 // Nationalities Papers. The Journal of Nationalism and Ethnicity. 1997. Vol. 25. Issue 2. P. 211-242

<sup>6</sup> Ishchenko V. Far right participation in the Ukrainian Maidan protests: an attempt of systematic estimation // European Politics and Society. 2016. Vol. 17. Issue 4. P. 453-472; Mierzejska- Voznyak M. The Radical Right in Post-Soviet Ukraine // The Oxford Handbook of Radical Right / ed. by Jens Rydgren. Apr. 2018. URL: oxford/handbooks.com/view/10.1093/oxfordhb/0780190274559.0001/oxford-9780190274559-e.30; Doroshenko L. Ukrainian nationalist parties and connective action: an analysis of electoral campaigning and social media sentiments // Information, Communication & Society. 2019. Vol. 22. Issue 10. P. 1376-1395; Umland A. The Far Right in Pro-and Post-Euromaidan Ukraine: From Ultra-Nationalist Party Politics to Ethno-Centric Uncivil Society // Demokratizatsiya: The Journal of Post-Soviet Democratization. Spring 2020. Vol. 28. Issue 2. P. 247-268.

<sup>7</sup> Iovenko A. The ideology and development of the Social-National Party of Ukraine and its transformation into the All-Ukrainian Union "Svoboda" in 1990-2004 // Communist and Post-Communist Studies. 2015. Vol. 48. Issue 2-3. P. 229-237; Likhachev V. Right-Wing extremism in Ukraine: the phenomenon of "Svoboda". Kyiv: EAJC. 2013. URL: library.jewseurasia.org/data/image/books/18/14/9/18149\_d.pdf; Shekhotsov A. The Creeping Resurgence of the Ukrainian Radical Right? The Case of the Freedom Party // Europa-Asia Studies. 2011. Vol. 63. Issue 2. P. 203-228; Shekhotsov A. From Para-Militarism to Radical Right-Wing Populism: The Rise of the Ukrainian Far-Right Party Svoboda // Right – Wing Populism in Europe: Politics and Discourse / edit. Ruth Wodak, Mojib Khosravi, Nik and Brigitte Mral. Bloomsbury London, New Delhi, New York, Sydney. 2013. P. 249-266; Bustikova L. Voting, identity and security threats in Ukraine: who supports the Radical "Freedom" Party // Communist and Post-Communist Studies. 2015. Vol. 48. Issue 2-3. P. 239-256; Romanyuk A. Peculiarities of structural construction and ideological positioning of the all-ukrainian union "Svoboda" // Studium Europy Srodkowej i Wschodniej. – Półrocznik, 2018, #10. – P. 6-19.

<sup>8</sup> Bochsler D. The spread of the ethnic/nationalist divide over post-communist Europe // Post-communist social and political conflicts: citizenship and consolidation in new democracies of South East Europe Conference at the New Europe College. Bucharest. 1-3 June 2007. URL: citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.669.83608.rep=rep1&ctype=pdf.



Ukrainian Union "Svoboda", the Congress of Ukrainian Nationalists, the National Corps Party, "Right Sector" Party / Movement, and public association S 14 (Sich-14). They also include individual organizations, the list of which, as well as their activity, changes regularly, as they become the subject of public attention only for a short time.

The main unit of Ukrainian radicals is AUU "Svoboda". The party has a history dating back to 1991, when representatives of nationalist structures: the Guard of the Movement, the Student Brotherhood, the Spadshchyna OUM and the Ukrainian Veterans of Afghanistan founded the "Social National Party of Ukraine" (SNPU), which was officially registered by the Ministry of Justice of Ukraine in 1995. In February 2004, at the IX Congress of the SNPU, the party changed its name to the All-Ukrainian Union "Svoboda", and O. Tyahnybok was elected as the chairman of the party. In the activity of the party, on the basis of changing the level of support of the party by the citizens of Ukraine, we can distinguish three stages: the first – until February 2004; the second – since the party operated under the current name until 2014 and the third – from the early parliamentary elections in 2014 and to the present. In the process of analyzing the program documents and practical activities of the party, we will consider the indicators of party radicalism.

As a part of the first stage of development, the indicators of SNPU radicalism include:

1. The symbols of the party for which the monogram "Idea of the Nation" (I + N) was chosen. As the researcher A. Shekhovtsov noted, "This runic sign became sad information as a symbol of several SS divisions in the Nazi Reich, as well as some post-war neo-fascist organizations in Europe"<sup>9</sup>. The introduction of uniforms and the adoption of the very name "social-nationalism", which also, according to a number of experts, provided for an association with National Socialism of the Third Reich period;
2. The presence of organizations of the paramilitary format "People's Security Detachments" and "Patriot of Ukraine", their use during party events and during a number of conflict situations;
3. Attachment to the history of the OUN-URA, constant veneration of S. Bandera and many nationalist figures of the interwar period and the Second World War, while denying any assessments of nationalists and nationalist organizations of that period of non-positive content;
4. Extensive use of radical rhetoric to assess historical and contemporary political events and phenomena, as exemplified by the speech of O. Tyahnybok on Mount Yavoryna in 2004;
- 5) Cooperation with the French National Front, which has traditionally been perceived in France and in democratic countries as a radical, anti-immigrant, right-wing political party in respect of which the country has actively applied the practice of "sanitary border".

<sup>9</sup> Shehovcov A. VO «Svoboda»: problema legitimacy borot'by za vladu – S. 179. URL: [uamoderna.com/images/archive/2013-20/shekhovtsov.pdf](http://uamoderna.com/images/archive/2013-20/shekhovtsov.pdf)

The second stage in the development of the AUU “Svoboda” begins with the IX Congress, which saw significant changes in the overall pattern of the party. A. Shekhovtsov wrote in this regard: “In early 2004, the “image makers” of the French National Front, with whom the SNPU had been cooperating since 2000 within the framework of Euronat, the European far-right alliance, consulted with the party leadership, as a result of which the social nationalists initiated a “rebranding of the party”<sup>10</sup>. The annoying previous name was changed, party symbols were changed, a relatively moderate program was approved, the “Patriot of Ukraine” paramilitary organization ceased to function, the party leadership began to look for allies outside nationalist party structures, and appealed to national democratic parties.

At the same time, AUU “Svoboda” continued to demonstrate its ability to take radical action. In particular, such demonstrations include nationalist marches. Initially, they were tested in some cities of Western Ukraine. Since 2005 onwards, the UPA March has been held annually on October 14 in Kyiv (in 2017 it was held under the slogan “March of Heroes’ Glory”) and since 2007 a joint torchlight march of nationalists in honor of S. Bandera took place in Kyiv annually on January 1. In addition, nationalists periodically held marches on current events in socio-political life<sup>11</sup>.

The party has developed cooperation with the structures of football fans and hooligans (it was relevant until 2014). The image of a single radical political force in this time space proved to be in demand. This was due to the following factors: 1) the inability of the “Nasha Ukraina” and AUU “Bar’kivshchyna” parties, as the main parties of the Orange Camp, to implement the demands made on the Maidan in 2004; 2) increasing of the level of support for potential voters of the Party of Regions with the threat of revenge and revision of the results of the Orange Revolution; 3) fatigue from the centrist parties and their leaders, who did not fulfill their declared obligations and were focused on fighting against each other for power. A. Shekhovtsov gives an interesting argument on the basis of calculating the frequency of appearances of representatives of AUU “Svoboda” in various kinds of television talk shows. He explains the Party of Regions’ interest in the broad presence of AUU “Svoboda” representatives in television broadcasts by the desire to weaken the positions of the “Orange Camp” parties in Western and Central Ukraine, which were basic to them. Accordingly, the media activity of the AUU “Svoboda” was to increase the number of votes for it<sup>12</sup>. Under these conditions, the party, which declared radical potential and phraseology (at that time actively used the slogan “Bandera will come – Bandera will bring order!”) was considered by many voters as the only real force capable of opposing the Party of Regions. The results of the elections to local authorities in a number of regions in 2010 and the parliamentary elections of 2012 were a manifestation of the change in the spirit

<sup>10</sup> Shehovcov A. VO «Svoboda»: problema legitymnosti borot'by za vladu. S. 186. URL: [uamoderna.com/images/archive/2013-20/shekhovtsov.pdf](http://uamoderna.com/images/archive/2013-20/shekhovtsov.pdf).

<sup>11</sup> Do prykladu, 29 bereznja 2008 r. VO «Svoboda» bula organizatorom Marshu ukrai'ns'kogo gjadacha v Kyjevi pid gaslom: «Vid kina ukrai'ns'kogo – do Ukrai'ns'kogo kina!»

<sup>12</sup> A. Shehovcov. Vkazana pracija. S.198-199.

of the population. The party took an active part in the protests on the Maidan in late 2013. Party members initiated the demolition of the monument to Lenin in Kyiv in December 2013, which gave impetus to "Leninfall" throughout the country. During the Euromaidan protests in early 2014, 19 party members were killed and 123 were injured<sup>13</sup>. With the start of hostilities in Donbas, party members formed the Sich Battalion, whose personnel consisted mainly of party members and their sympathizers (in August 2015, due to the adoption at the legislative level of a ban on servicemen in the anti-terrorist operation zone to be members of a political party, the battalion personnel were already non-partisan).

**Table 1.** Results of the AUU "Svoboda" in the parliamentary elections<sup>14</sup>

		2006	2007	2012	2014	2019
	Ukraine	0,36	0,76	10,44	4,71	2,15
1	Lviv region	2,23	3,06	8,02	6,19	5,46
2	Ivano-Frankivsk region	1,28	3,41	33,79	8,81	8,39
3	Ternopil region	1,97	3,44	31,22	8,18	6,69
4	Volyn region	0,55	1,45	17,98	6,38	3,85
5	Kyiv	0,37	1,25	17,33	7,1	2,57
6	Rivne region	0,22	1,12	16,63	6,51	3,99
7	Khmelnysk region	0,31	0,48	11,79	5,43	2,83
8	Kyiv region	0,19	0,67	10,84	5,64	2,22
9	Cherkasy region	0,23	0,73	9,48	5,85	1,77
10	Chernivci region	0,41	0,76	8,71	4,82	1,86
11	Vinnysya region	0,14	0,47	8,4	4,25	1,54
12	Zakarpatska region	0,17	0,54	8,35	3,51	1,27
13	Poltava region	0,15	0,3	7,94	4,58	1,58
14	Zhytomyr region	0,13	0,39	7,47	4,16	1,54
15	Sumy region	0,13	0,21	6,37	4,24	1,05
16	Kirovograd region	0,13	0,25	6,22	4,11	1,32
17	Chernigiv region	0,11	0,28	5,98	3,87	1,16
18	Dnipropetrovsk region	0,1	0,27	5,19	2,84	0,85
19	Kherson region	0,07	0,2	4,71	3,52	0,96
20	Mykolaiv region	0,11	0,2	4,3	2,79	0,8
21	Zaporizhzhya region	0,06	0,21	3,85	2,2	0,66
22	Kharkiv region	0,07	0,22	3,83	2,08	0,68
23	Odessa region	0,12	0,17	3,3	2,3	0,53
24	Sevastopol city	0,05	0,09	1,37	-	-
25	Lugansk region	0,03	0,06	1,29	1,47	0,45
26	Donetsk region	0,03	0,08	1,2	1,19	0,6
27	Autonomous Republic of Crimea	0,05	0,09	1,04	-	-

<sup>13</sup> Istorija VO «Svoboda». URL: [svoboda.org/ua/party/history](http://svoboda.org/ua/party/history)

<sup>14</sup> CVK: Vybory narodnyh deputativ Ukraïny. URL: [cvk.gov.ua/vibory\\_narodnich\\_deputativ\\_ukraini.html](http://cvk.gov.ua/vibory_narodnich_deputativ_ukraini.html)

As we can see, after the party's rebranding in the 2006 and 2007 parliamentary elections, the result was extremely symbolic, even in three oblasts in western Ukraine. During the 2012 parliamentary elections, the "Svoboda" All-Ukrainian Union achieved the greatest result in its history and in the history of the Ukrainian elections (we have already considered the grounds for such a result above).

The third stage in the development of the party, in our opinion, should be identified after the early parliamentary elections in 2014, when the party, under formally favorable conditions from the party's point of view, in particular in the context of "Svoboda" members' participation in the Revolution of Dignity events, participation in creation of voluntary divisions which took an active part in deterrence of the Russian aggression in Donbas and in general in the conditions of aggression, direct threat to national security, didn't manage to carry out deputies to parliament. The dynamics of further decline in party support for voters remained in the 2019 parliamentary elections. Moreover, during the 2019 parliamentary elections, the "Svoboda" All-Ukrainian Union and the "National Corps" and the "Right Sector" parties merged into a single nationalist bloc, respectively, hoping for synergy and consolidation of the electorate that supports nationalist discourse. However, this did not increase the result; moreover, there was a further decrease in the level of support. It is also worth paying attention to the results of the 2020 local elections. The total number of elected deputies of region, district, city, settlement and village councils and district councils in cities from AUU "Svoboda" amounted to 890 persons out of 24,438 (3.6%). 369 mayors were elected in the local elections, representatives of the "Svoboda" AUU won only in 6 cities (Khmelnitskyi – O. Simchyshyn, Ivano-Frankivsk – R. Martsinkiv, Ternopil – S. Nadal, Kamyanets – Podilskyi – M. Poitko, Konotop – A. Semenikhin and A. Naida Kalush – A. Naida). Thus, we can state that at present the level of support and influence of the party on the agenda of political life of Ukraine is minimal.

**Table 2.** Regional distribution of ideological orientations of Ukrainian citizens (in %) <sup>15</sup>

	West	Center	South	East
Ecological ("green")	4,0	1,8	5,3	2,8
Communist	0,4	1,7	2,5	2,1
Liberal	2,5	5,7	4,1	2,3
National-democratic	27,8	12,7	13,2	13,9
National-radical	4,7	2,8	1,2	2,3
Communist	0,2	1,0	0,4	1,7
Political direction, which includes the idea of reunification of Ukraine with Russia	0,6	1,0	6,6	5,4
Social-democratic	2,5	9,7	5,3	10,1
Socialist	0,8	2,5	4,1	6,2
Christian Democratic	5,5	2,3	0,4	0,6

<sup>15</sup> Centr imeni O. Razumkova: Ideologichni orijentacii gromadian Ukraïny: zagal'nonacional'ne opytuvannya, cherven' 2018 r. URL: razumkov.org.ua/napriamky/sotsiologichni-doslidzhennia/presreliz-tsentru-razumkova-ideologichni-orietatsii-hromadian-ukrainy.

Other	1,7	3,4	2,5	2,1
No one	9,1	8,3	9,5	12,2
I do not orient myself in political currents	21,4	28,8	19,8	20,8
Difficult to answer	18,6	18,3	25,1	17,6
Social-democratic	9,1	8,3	9,5	12,2
In total	100	100	100	100

The comparisons of the level of support in the elections and indicators of ideological identifications of citizens, based on a survey conducted by the Razumkov Center's sociological service a year before the 2019 parliamentary elections, indicate that the identification corresponds to the national-radical ideological direction. At the same time, this indicates a low level of identification and support for radical nationalism in Ukrainian society and a slight advantage in the number of sympathizers in this area among the inhabitants of Western Ukraine, which has traditionally been recorded by many researchers. In our opinion, the decline in the level of support for the program and candidates from the "Svoboda" All-Ukrainian Union in the parliamentary, presidential<sup>16</sup> and local elections is explained by the following factors: first, the lack of results in the government of party representatives. Previous activities outside parliament and in the opposition, based on criticism and radical assessments, have expressed many voters' expectations of the party's / its representatives' ability to take decisive steps to crack down on corruption schemes, bring order quickly (slogan "Bandera will come – Bandera will bring the order") and carrying out reforms. However, being in power showed the illusory nature of such expectations. In particular, there were many accusations against the acting Prosecutor General of Ukraine, member of the "Svoboda" AUU Makhnitskyi (when he was appointed, he left the party). He was accused of lacking any results in the investigation of crimes during the Revolution of Dignity and in the fight against corruption. Moreover, he himself was accused of acts of corruption and unethical acts<sup>17</sup>. Secondly, the negative character had a situation with the head of the Lviv Regional State Administration Iryna Sekh, which categorically refused to carry out a constitutional norm that did not allow a combination of a public office with the position of a people's deputy of Ukraine and despite the requirements of the public and protests, continued to stay simultaneously on two positions. At the same time, she was in Kyiv most of the time, without paying due attention to solving the problems of the region<sup>18</sup>.

In the presidential election of 2019, "Liberty" nominated Ruslana Koshulinskyi candidate. As a result, he gained 1.62%, or 307,244 votes. At the same time, the result exceeded the conditional 5% threshold only in Ivano-Frankivsk. Ternopil and Lviv regions.

Thirdly, one of the main messages of the party, especially in the face of I. Farion, was the requirements of the domination of the Ukrainian language and coercive ukrainianization of

<sup>16</sup> In the presidential election of 2019, AUU@ nominated Ruslana Koshulinskyi candidate. As a result, he gained 1.62%, or 307,244 votes. At the same time, the result exceeded the conditional 5% threshold only in Ivano-Frankivsk. Ternopil and Lviv regions.

<sup>17</sup> The figure of the former executive duties of the Prosecutor General of Ukraine Oleg Myrnyi becomes more interesting. URL: [Protocol.ua/ua/postat\\_kolishnego\\_vikonuyuczego\\_obov\\_yazki\\_generalnogo\\_prokurora\\_ukraini\\_oleg\\_machnitskogo\\_stac\\_vse\\_dali\\_tsikavishoyu](http://Protocol.ua/ua/postat_kolishnego_vikonuyuczego_obov_yazki_generalnogo_prokurora_ukraini_oleg_machnitskogo_stac_vse_dali_tsikavishoyu)

<sup>18</sup> Iryna Sekh is convenient for two armchairs. URL: [WZ.LVIV.UA/BLOGS/126372-Ini-SKH-ZRUCZNO-NA-DVOCH-KRISLACH](http://WZ.LVIV.UA/BLOGS/126372-Ini-SKH-ZRUCZNO-NA-DVOCH-KRISLACH)

citizens, which Use Russian and names in Russian transcription<sup>19</sup>. These statements proved to dissonance with a significant involvement of citizens who used Russian, to the events on the Maidan during the dignity revolution, among volunteers and ATO participants. Fourthly, more attention to the activity of the AUU “Svoboda” activities allowed identifying an opaque system of financing a party from the businessman I. Krivetskyi, its close ties with Ukrainian oligarchs and its decisive impact on the policy and behavior of the party<sup>20</sup>. Collectively, the practice has unmasked the myths or hopes of some citizens that radical nationalists are fundamentally different from Ukrainian parties that were previously in power and failed to achieve the expected results in reforming the country.

The main manifestations of the party’s radicalism in the third stage should be considered sharp criticism of Russia as a threat to national security; public dissemination of positive assessments of S. Bandera and other figures of the OUN-URA and the organizations themselves, including soldiers of the SS “Halychyna” division; conducting torchlight marches in the form of similar marches of fascists and right-wing radicals in European countries to the birthday of S. Bandera (1.01) and 14.10 March of Glory of Heroes (until 2014 – March of the Ukrainian Insurgent Army), dedicated to the Day of Defender of Ukraine on the (Protection of Holy mother) holiday<sup>21</sup>. Thus, we can distinguish three stages in the activity of AUU “Svoboda”. The first stage covered the period of party formation and the search for and development of the program and pattern of the party; during the second stage there was a sharp increase in party support in the 2012 parliamentary elections and local elections due to the disappointment of a large number of citizens. political forces and hopes for the ability of radicals to act quickly and effectively not only to oppose the pro-Russian Party of Regions, but also to fight corruption and to carry out the necessary reforms.

The third stage was characterized by significant frustration of the majority of citizens in the practical activities of the party, which was reflected in the fall in the level of support for the AUU “Svoboda”. An analysis of the party’s positioning and activities shows that it adheres to the principles of ethnic Ukrainian nationalism. Its radicalism is mainly reduced to sharp rhetoric / assessments and demonstrative marches, similar to rallies and demonstrations of right-wing radicals in European countries. As a rule, such events are not popular, but create a bright television image, which is fondly used by critics of Ukraine. Moreover, the owners of the event are one of the few arguments to prove the validity of Ukraine’s accusations of fascism. The insignificant level of support for the Svoboda All-Ukrainian Union and the considerable publicity of some of the party’s statements and actions give us grounds to speak about the party’s conditional influence on strengthening national security.

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<sup>19</sup> Farion puts the kindergarten on his ears. URL: [youtube.com/watch?v=wMMdDsCj0fk](https://youtube.com/watch?v=wMMdDsCj0fk) (28.04.2021).

<sup>20</sup> Leshchenko S. Gray Cardinal of AUU «Svoboda» Igor Kryvetskyi: I could stand up for myself. But this does not mean that I am a criminal authority. URL: [Pravda.com.ua/articles/2014/03/21/7019774/](https://pravda.com.ua/articles/2014/03/21/7019774/). (28.04.2021).

<sup>21</sup> March of Glory of Heroes. URL: [uk.wikipedia.org/wiki/Марш\\_Слави\\_Героїв](https://uk.wikipedia.org/wiki/Марш_Слави_Героїв) (28.04.2021)

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## **STABILITY AND CONFLICT OF INTER-INSTITUTIONAL RELATIONS WITHIN THE FRAMEWORK OF POLISH SEMI-PRESIDENTIALISM OF THE PERIOD OF THE "SMALL CONSTITUTION" (1992–1997)**

The article is dedicated to studying the parameters of stability and conflict of inter-institutional relations within the framework of Polish semi-presidentialism of the period of the "Small Constitution" (1992–1997). The study is based on the fact that this period of the development of the Polish political system was the first stage in the development of Polish semi-presidentialism in the recent political history of this country. It is argued that the early stage of the development of Polish semi-presidentialism was characterized by quite significant conflicts in inter-institutional relations. The author argued that Poland chose a rather complex scenario of political and inter-institutional relations during the period of 1992–1997, since the formalized attributes of Polish semi-presidentialism at that time were significantly modified by the lack of political traditions and personal characteristics of Polish politicians, especially presidents. In general, the Polish semi-presidential system of 1992–1997 often provided incentives for power and inter-institutional conflicts and political/constitutional destabilization, especially if certain constitutional conditions, including the powers of political institutions, were ambiguous. Thus, it is established that both formally and politically, the Polish early case of semi-presidentialism not only foresaw, but even dictated the possibility and probability of inter-institutional conflicts, even when different political institutions and their personalities represented the same electoral majority or even a parliamentary majority.

*Keywords:* inter-institutional relations, system of government, semi-presidentialism, president, parliament, government, prime minister, "Small Constitution", Poland.

## **STABILNOŚĆ I KONFLIKT STOSUNKÓW MIĘDZY INSTYTUCJONALNYCH W RAMACH POLSKIEGO SEMIPRZEZYDENCJALIZMU W OKRESIE „MAŁEJ KONSTYTUCJI” (1992-1997)**

W artykule zostały przeanalizowane parametry stabilności i konfliktowości stosunków międzyinstytucjonalnych w ramach polskiego semiprezydencjonalizmu w okresie „małej konstytucji” (1992-1997). Ten okres rozwoju polskiego systemu politycznego przyjęto za postawę pierwszego etapu rozwoju polskiego semiprezydencjonalizmu w najnowszej historii politycznej państwa. Argumentowano, że wczesny etap rozwoju polskiego semiprezydencjonalizmu

charakteryzował się sporymi konfliktami w stosunkach międzyinstytucjonalnych. Uzasadniono, że Polska wybrała dość skomplikowany scenariusz uregulowania stosunków politycznych i międzyinstytucjonalnych w latach 1992-1997, gdyż sformalizowane atrybuty polskiego semiprezydencjalizmu w tamtym czasie uległy znacznej modyfikacji przez brak określonych tradycji politycznych. Stwierdzono, że polski system semiprezydencki w latach 1992-1997 często stwarzał bodźce do konfliktów o władzę i konfliktów międzyinstytucjonalnych oraz destabilizacji politycznej i konstytucyjnej, zwłaszcza jeśli pewne normy konstytucyjne, w tym dotyczące uprawnień instytucji politycznych, były niejednoznaczne. W ten sposób ustalono, że zarówno formalnie, jak i politycznie, polski semiprezydencjonalizm nie tylko przewidywał, ale wręcz dyktował możliwość i prawdopodobieństwo konfliktów międzyinstytucjonalnych, nawet gdy różne instytucje polityczne reprezentowały tę samą większość wyborczą nawet większość w parlamencie.

*Słowa kluczowe:* stosunki międzyinstytucjonalne, system rządów, semiprezydencjonalizm, prezydent, parlament, rząd, premier, „mała Konstytucja”, Polska.

## **СТАБІЛЬНІСТЬ І КОНФЛІКТНІСТЬ МІЖІНСТИТУЦІЙНИХ ВІДНОСИН У РАМКАХ ПОЛЬСЬКОГО НАПІВПРЕЗИДЕНТАЛІЗМУ ПЕРІОДУ «МАЛОЇ КОНСТИТУЦІЇ» (1992–1997)**

У статті проаналізовано параметри стабільності і конфліктності міжінституційних відносин у рамках польського напівпрезиденталізму періоду «Малої Конституції» (1992–1997). За основу взято той факт, що цей період розвитку польської політичної системи – це перший етап розвитку польського напівпрезиденталізму в новітній політичній історії цієї держави. Аргументовано, що ранній етап розвитку польського напівпрезиденталізму характеризувався доволі значними конфліктами у міжінституційних відносинах. Обґрунтовано, що Польща обрала доволі складний сценарій впорядкування політичних та міжінституційних відносин упродовж періоду 1992–1997 рр., оскільки формалізовані атрибути польського напівпрезиденталізму в цей час доволі суттєво модифікувались відсутністю політичних традицій та персональними характеристиками польських політиків, передусім президентів. Загалом констатовано, що польська напівпрезидентська система періоду 1992–1997 рр. часто створювала стимули для владних та міжінституційних конфліктів і політичної та конституційної дестабілізації, особливо якщо певні конституційні умови, в тому числі стосовно повноважень політичних інститутів, були неоднозначними. Відтак встановлено, що і формально, і політично польський ранній кейс напівпрезиденталізму не лише передбачав, а й навіть диктував можливість і спроможність і ймовірність міжінституційних конфліктів, навіть коли різні політичні інститути та їхні

персоналії представляла одну й уявляють ту ж виборчу вибірку більшістьчи навіть більшість у парламенті.

**Ключові слова:** міжінституційні відносини, система правління, напівпрезиденталізм, президент, парламент, уряд, прем'єр-міністр, «Мала Конституція», Польща.

In 1997, Poland adopted a current constitution, which, according to most researchers, defines the inter-institutional system and the system of government of our state as semi-presidential. Accordingly, the period from 1997 to the present is largely and quite comprehensively covered by the available scientific research, which reveals the signs and consequences of Polish semi-presidentialism. However, the available research does not sufficiently cover the parameters of inter-institutional relations in Poland before the adoption of the current constitution, in particular the period between 1992 and 1997, when the so-called "Small Constitution" was in force in Poland. This, in turn, actualizes the formulation of research on the stability and conflict of inter-institutional relations within the framework of Polish semi-presidentialism of the "Small Constitution" period.

This issue was considered in a rather small array of available scientific research of the late twentieth century, in particular in the research of such scientists as T. Frye<sup>1</sup>, B. Geddes<sup>2</sup>, K. Jasiewicz<sup>3</sup>, A. Lijphart<sup>4</sup>, J. Linz<sup>5</sup>, A. Maleckaite<sup>6</sup>, J. McGregor<sup>7</sup>, M. Shugart<sup>8</sup>, R. Taras<sup>9</sup>, J. Wiatr<sup>10</sup>.

They mostly state that the political system of Poland in the period 1992-1997 (after the adoption of the "Small Constitution") was a model of a mixed, hybrid or so-called semi-presidential system of government or, in other words, an agreement to correct the shortcomings of "pure" models of the government systems – presidential and parliamentary, – especially in the relation to the democratic stability of political institutions and the regulation of stability and overcoming the conflict of inter-institutional relations. However, in this regard, scholars have

<sup>1</sup> Frye T., Politics of Institutional Choice: Post-Communist Presidencies, "Comparative Political Studies" 1997, vol. 30, nr. 5, s. 523–552.

<sup>2</sup> Geddes B., Initiation of New Democratic Institutions in Eastern Europe and Latin America, [w:] Lijphart A., Waisman C. (eds.), Institutional Design in New Democracies: Eastern Europe and Latin America, Wyd. Westview Press 1996.

<sup>3</sup> Jasiewicz K., Poland: Walesa's Legacy to the Presidency, [w:] Taras R. (ed.), Postcommunist Presidents, Wyd. Cambridge University Press 1997, s. 130–167.

<sup>4</sup> Lijphart A., Democratization and Constitutional Choices in Czechoslovakia, Hungary and Poland, 1989–91, "Journal of Theoretical Politics" 1992, vol. 4, nr. 2, s. 207–223; Lijphart A., Presidentialism and majoritarian democracy, [w:] Linz J., Valenzuela A. (eds.), The failure of presidential democracy: Comparative perspectives: vol. 1, Wyd. Johns Hopkins University Press 1994, s. 3–87.

<sup>5</sup> Linz J., Presidential or Parliamentary Democracy: Does It Make a Difference?, [w:] Linz J., Valenzuela A. (eds.), The failure of presidential democracy: Comparative perspectives: vol. 1, Wyd. Johns Hopkins University Press 1994, s. 3–87.

<sup>6</sup> Linz J., Presidential or Parliamentary Democracy: Does It Make a Difference?, [w:] Linz J., Valenzuela A. (eds.), The failure of presidential democracy: Comparative perspectives: vol. 1, Wyd. Johns Hopkins University Press 1994, s. 3–87.

<sup>7</sup> McGregor J., The Presidency in East Central Europe, "RFE/RL Research Report" 1994, vol. 3, nr. 2, s. 23–31.

<sup>8</sup> Shugart M., Executive-Legislative Relations in Post-Communist Europe, "Transition" 1996 (December 13), s. 6–11; Shugart M., Of Presidents and Parliaments, "East European Constitutional Review" 1993, vol. 2, nr. 1, s. 30–32.

<sup>9</sup> Taras R., Consolidating Democracy in Poland, Wyd. Westview press 1995.

<sup>10</sup> Wiatr J., Executive-Legislative Relations in Crisis: Poland's Experience, 1989–1993, [w:] Lijphart A., Waisman C. (eds.), Institutional Design in New Democracies: Eastern Europe and Latin America, Wyd. Westview Press 1996.

clearly understood that the expected stability of Polish (and any other similar) semi-presidentialism depended on a whole list of preconditions. In particular, first, it was expected that within the established system of government there should be incentives to find an inter-institutional compromise, because institutional and intersectional conflicts are theoretically natural for semi-presidentialism. In addition, secondly, it was understood that semi-presidentialism can be stable only if the political and institutional environment is stable; including regulated and established political norms, institutions and traditions, including stable political, party and electoral systems. This was especially important against the background of the fact that in the early 90's of the twentieth century in virtually all new democracies, including Poland, lacked the listed requirements of stable semi-presidentialism. Therefore, it has often been suggested that the system of government may lead to democratic instability in a relatively short period of time. Although this could not be verified in the case of the 1992-1997 models, after all, it was replaced by a modified model of semi-presidentialism following the adoption of a new constitution in 1997.

At the same time, it should be noted that the classification of the Polish model of inter-institutional relations and the system of government in 1992–1997 as semi-presidential is not a self-evident issue. The fact is that in the political science of the early 90's of the twentieth century there were many arguments against this<sup>11</sup>, including the observation of researchers that this model *de jure* and *de facto* approached parliamentarism or modified parliamentarism<sup>12</sup>. However, in contrast, Poland's "Small Constitution" of 1992 still met the criteria of a semi-presidential model of government. The fact is that the president of Poland was elected by popular vote for a fixed term, and the government headed by the prime minister was collectively responsible (i.e. could terminate his powers) exclusively to parliament. At the same time, the president nominated the prime minister, who had to be approved by parliament. But as part of the statement that the government was subject to parliamentary trust (or distrust) and its survival depended solely on parliament, the president did not have the formal authority to dismiss either individual ministers or the entire government and prime minister<sup>13</sup>. Accordingly, the issues of interinstitutional relations between the President, the Prime Minister / Government and the Parliament were definitely on the agenda, and thus the verification of whether the Polish constitutional model of 1992-1997 was free from ambiguities that could create and escalate conflicts between presidents and prime ministers or to disrupt the stability of the dual system of executive power.

To answer this question, we must first consider the status and powers of the various political institutions of this historical period of Polish semi-presidentialism. According to the Basic

<sup>11</sup> Hollstein A., Valstybes organizacinis modelis Lietuvos Konstitucijoje: trečiasis kelias tarp prezidentinės ir parlamentinės sistemos?, "Politologija" 1999, vol. 2, s. 17–56.

<sup>12</sup> Eruolis D., Lithuania, [w:] Berglund S. (ed.), *The Handbook of Political Change in Eastern Europe*, Wyd. Edward Elgar 1998

<sup>13</sup> Pugaciuskas V., *Institucijų modelių įtaka demokratijos stabilumui: Lietuvos ir Lenkijos pusiau prezidentizmo lyginamoji analizė*, Vilnius 1999.

Law of 1992, the Polish President was “the highest representative of the Republic of Poland and the guarantor of the continuity of state power.” Although governments in Poland were solely accountable to parliament for their collective action, the Polish “Small Constitution” clearly defined the option of individual accountability of ministers, including to the president and the Sejm (parliament). In addition, the President of Poland was given foreign policy powers, but he had to cooperate with the Prime Minister and the relevant Minister on foreign policy. On the other hand, the main powers of foreign policy were given not to the President, but to the Council of Ministers (government). The situation was compounded by the fact that the president was the commander-in-chief of the Polish armed forces. In addition, as in the “classic” case of contemporary European semi-presidentialism in France, the Polish president could convene and chair cabinet meetings, although the prime minister was certainly the prime minister, and therefore the president did not possess his competencies.

The Polish president, like his French counterpart, also had the right to call national referendums. However, in contrast, the powers of the Polish president were clearly limited by the condition that the government conducts all cases that were not regulated by other authorities or local governments.

Accordingly, subsequent to the results of a qualitative analysis and description of the constitutional model of inter-institutional relations in force in 1992–1997, Poland was indeed a semi-presidential country. However, some objections or inconsistencies arise when applying quantitative analysis tools to Poland at the time. Thus, we notice significant features of the positioning of the system of government in Poland on the basis of its quantitative comparison with other countries in the region, in particular through the prism of assessing and comparing the powers of presidents, who were sometimes stronger in formally parliamentary republics<sup>14</sup>. On the other hand, as A. Melekeit points out, an analysis of the comparison of the powers of presidents in Central and Eastern Europe in the early 1990s<sup>15</sup> showed that the powers of Polish presidents corresponded almost entirely to French “ideal type” of semi-presidentialism. And even more, because the assessment of the legislative and non-legislative powers of the Polish president, which were based on the “Small Constitution” of 1992, showed that they were slightly higher than that of his French homologue. Therefore, the Polish model, although with some corrections, was largely placed in the paradigm of the French model, and therefore was semi-presidential.

Therefore, it is important to appeal to the fact that in the case of semi-presidentialism it is necessary to focus not only on the constitutional powers of presidents, but also on the palette of political practice and the real political process. The fact is that constitutional rules are just

<sup>14</sup> McGregor J., The Presidency in East Central Europe, “RFE/RL Research Report” 1994, vol. 3, nr. 2, s. 23–31.; Frye T., Politics of Institutional Choice: Post-Communist Presidencies, “Comparative Political Studies” 1997, vol. 30, nr. 5, s. 523–552.; Shugart M., Executive-Legislative Relations in Post-Communist Europe, “Transition” 1996 (December 13), s. 6–11.

<sup>15</sup> Maleckaite A., Constitutional Framework of State and Consolidation of Democracy: Semi-presidential Regimes. The Case of Eastern Europe, Wyd. Central European University 1994, s. 44.

“rules and frameworks of the game” and they do not always speak of a political process. Instead, other factors are important, including customs, traditions, and the influence of personal qualities of officials, including depending on the outcome of the presidential and parliamentary elections. And this is not surprising, because the personal qualities of politicians are certainly more important than any circumstances, although the semi-presidential model of government, at least in the constitutionalized context, does not clearly indicate this, but it is quite obvious at the level of real politics.

Accordingly, it is clear that the personal influence of representatives of political institutions can inevitably become an institutionalized long-term political tradition that can modify the formal and constitutionalized “rules and frameworks of the game” in the context of semi-presidentialism. The experience of the Fifth Republic in France is the most obvious in this respect. After all, its constitution of 1958, as amended in 1962 (after which it actually became semi-presidential), “sought” to create a non-dominant and not omnipotent president, but instead the formation and implementation of national policy was preserved in the government cabinet headed by the prime minister. In addition, the presidency in France was initially considered exceptional, and the main one was arbitration. However, the constitution quickly became formal and France gained a system of dualism of executive power, in which the “first head” of executive power is traditionally and de facto the president, although constitutionally it is not him but the prime minister. In this context, it is important that the process of drafting the constitution and its internal “spirit” in France was influenced by the vision of a prominent leader – General Charles de Gaulle<sup>16</sup>. After his election as president, he ensured maximum use of the president’s prerogative to first appoint individuals to public office. By electing “obedient” prime ministers, he has established a tradition where the president is strong not only in the constitutional spheres of foreign affairs and defense policy, but in all spheres of domestic policy in general. That is why the successors of Charles de Gaulle were already forced to act in the same manner. This had one profound “side effect” as a result of which party resources shifted to supporting presidential candidates rather than candidates parties to the parliament. Accordingly, between presidents and prime ministers in France, except in some cases of cohabitation (coexistence), constructions of peaceful complementarities have been established, and in all others the situation has become quite obvious the presidency over presidents, even though that this is not regulated by the constitution at all. All this means that the stabilization of inter-institutional relations in France has been guaranteed by extraconstitutionality and mainly by political traditions that previously met and still meet the dominant expectations of the electorate. These factors not only guide political behavior, but also stimulate fundamental changes in the party system, as a result of which the political system in France is able to survive virtually any “circumstance”.

Unlike France, Poland in the period 1992-1997 did not start the semi-presidential system from a clearly defined position of the president. In our country, the presidency was the result

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<sup>16</sup> Elgie R., *Political Leadership in Liberal Democracies*, Wyd. Macmillan Press 1995, s. 62–63.

of compromises between political forces, which could be tentatively called “communists” and “anti-communists.”

Negotiations on institutional reform and the status of the president were characterized by the struggle for direct political gain, rather than the goal of establishing an effective and most productive mechanism of power relations. At the same time, B. Geddes in his work “Initiation of new democratic institutions in Eastern Europe and Latin America” emphasizes that in Poland a relatively strong presidency was the prerogative of the “communists”<sup>17</sup>. Similar is Lijphart’s statement from his cross-national political science study, “Democratization and Constitutional Elections in Czechoslovakia, Hungary, and Poland”, that “old” parties in Poland sought to maintain their influence by supporting the institution of a strong president<sup>18</sup>. However, the Polish case was characterized by a misunderstanding: the Polish presidency was originally designed for a specific person – W. Jaruzelski. It was believed that he would be a strong and effective president and would maintain the continuity of communist rule in Poland. The Communists, however, suffered a crushing defeat in the election, and the presidency later ceased to be used in their original appointment. However, according to E. Wiatr, this was enough for the role of the president, in particular, to consider him as an important political figure, including “anti-communists”<sup>19</sup>. As a result, the semi-presidential constitution of 1992 was supported both by political forces that defended the conditionally “parliamentary” constitution and by those who supported broader presidential powers. The latter were probably in favor of the semi-presidential model, at least because it allowed for the strengthening of presidential power by political means.

Accordingly, the Polish president from the initial stages of choosing an institutional design in the state had to be seen as a strong constitutional actor. This was especially demonstrated by the first democratically elected President of Poland, L. Valensa, who was given the opportunity to use much broader powers (actually designed for another person) and even tried to increase them, contrary to constitutional regulations. It is important to note here that at the beginning of his presidency L. Valensa had more legitimacy than the parliament, as only 35 percent of the representatives of the Sejm were elected democratically (such were the rules of elections for the first post-communist parliament in Poland). L. Walesa approved radical socio-economic reforms and successfully rejected the growing public discontent, which led to a point of open confrontation with the Seim.

The latter achieved several victories in this confrontation, and the government of J. Olszewski (1991-1992) even managed to position itself as an institution of a secondary presidency. This confrontation was especially acute during the so-called “neo-communist” Sejm, elected

<sup>17</sup> Geddes B., *Initiation of New Democratic Institutions in Eastern Europe and Latin America*, [w:] Lijphart A., Waisman C. (eds.), *Institutional Design in New Democracies: Eastern Europe and Latin America*, Wyd. Westview Press 1996, s. 21.

<sup>18</sup> Lijphart A., *Democratization and Constitutional Choices in Czechoslovakia, Hungary and Poland, 1989–91*, “*Journal of Theoretical Politics*” 1992, vol. 4, nr. 2, s. 207–223.

<sup>19</sup> Wiatr J., *Executive-Legislative Relations in Crisis: Poland’s Experience, 1989–1993*, [w:] Lijphart A., Waisman C. (eds.), *Institutional Design in New Democracies: Eastern Europe and Latin America*, Wyd. Westview Press 1996, s. 105.

in 1993, which even led to a constitutional crisis. This allowed President L. Valencia to use his authority to appoint key ministers. Eventually, the president even resorted to an open confrontation with the government and, after threatening to dissolve parliament, forced him to replace the then prime minister by a two-thirds majority. In general, according to K. Yasievich<sup>20</sup>, during his presidency L. Walesa survived three “hostile” parliaments and six governments, of which only two could be described as more or less friendly to the president.

In contrast, the style of the next democratically elected president in 1992-1997 differed significantly from the style of his predecessors. This can be explained by the imposition of formal restrictions on presidential power, which was established by the “Small Constitution” of 1992. Also, in addition, the different political style could be explained by the personal qualities of the presidents – L. Valensa and his successors O. Kwasniewski. The fact is that O. Kwasniewski began to pursue less “presidential” policy. During the period of his term as head of state before the 1997 parliamentary elections, his level of activity was generally insignificant. Although the coalition of the pro-presidential Union of the Democratic Left and the Polish Peasants’ Party had a majority in the Sejm, the president usually observed political events from a distance and handed over power to the prime minister. In contrast, political activity and activism increased after the parliamentary elections and the adoption of the current constitution in 1997, when a center-right and opposition coalition was formed, but this was already part of the next (outside the scope of the “Small Constitution”) stage of development of Polish semi-presidentialism.

The previous focus of our attention, especially in the period 1992–1997, points to the clear existence in Polish political practice of the influence of personal qualities of presidents on the political process. The fact is that the presidents of the time retained their influence, even when they were in a state of cohabitation with “hostile” parliaments or avoided active politics. All this leads to the conclusion that in Poland during the period of the “Small Constitution” the long-term traditions of semi-presidentialism were virtually absent, although the attributes of the latter were clearly visible. However, unlike in France, the political practice of Poland’s first democratically elected president was not embodied in a “material” constitution and was not a guideline for the political practice of his successors. However, due to the fact that it was during this period that presidents were typically distanced from drafting the current 1997 constitution, they began to be perceived as secondary, as various constitutional drafts did not reflect their vision and limited their future actions.

This means that here, too, the personal qualities of presidents proved to be crucial, as they led to the distancing of heads of state from politics or to their constant search for immediate political alliances and their changes (although the situation after 2015 in Poland, though within the current constitution and outside the field of research of this article, has changed significantly).

<sup>20</sup> Jasiewicz K., *Poland: Walesa’s Legacy to the Presidency*, [w:] Taras R. (ed.), *Postcommunist Presidents*, Wyd. Cambridge University Press 1997, s. 130–167.



In practice, this manifested itself, for example, in the fact that Polish President O. Kwasniewski considered it inappropriate and improper to remain bound by the methods established by his predecessor L. Walesa. In addition, O. Kwasniewski presented an excellent political orientation than his predecessor. While, for example, in the same France, the successor of Charles de Gaulle was also a supporter of his principles and the strengthening of the importance and role of the president. However, in contrast, O. Kwasniewski was far from positioning himself as a "symbolic" / weak president. However, despite the fact that the first Polish presidents still managed to take certain extra-constitutional measures, such as the dismissal of prime ministers who had the support of the parliamentary majority, Polish parliaments instead managed to limit presidential powers. At the same time, it is very important that both spectrums of action did not actually lead to the disruption of democracy in Poland. However, feeling the lack of traditions of political behavior in the semi-presidential system, political actors were ready to repeat the same steps in different conditions and different contexts. Therefore, purely theoretically, such actions, both practically and theoretically, have begun to be perceived or assessed as unexpected and potentially destructive for governmental and democratic political stability. This is particularly important given the fact that during 1992–1997, the situation of the Polish presidents' lack of institutionalized political traditions in some cases could even lead to constitutional impasse. Moreover, in the case of semi-presidentialism, it would be very bold to say that constitutions provide for all possible situations and that a political system that lacks political traditions is less vulnerable in situations of formal impasse and institutional conflict<sup>21</sup>.

This situation is complemented by the nature of the duality of national elections in the semi-presidential system of government, which was Poland during 1992–1997. Accordingly, the shortcomings of Polish semi-presidentialism of this period were mainly related to direct presidential elections and separation of presidential and parliamentary elections as they were asynchronous.

This is particularly important given the theoretical assumption that the stability of semi-presidential (as well as presidential) systems may be jeopardized by limited transparency of elections and the political process, in particular through a possible reassessment of the candidate's victory, and the fact that "the winner gets everything" from the election and from the established term of the powers. At the same time, the analysis of the Polish presidential elections of the early-mid 90s of the XX century successfully confirms that during this period the political transparency and especially the predictability of the political process and the responsibility of the presidents decreased. This problem of transparency and accountability was directly created by L. Valenzuela, in particular by making unexpected political decisions (such as the appointment in 1992 of the opposition candidate V. Pavlyak to the post of Prime Minister, although the government was never created). Instead, the predictability of President O. Kwasniewski was

<sup>21</sup> Linz J., *Presidential or Parliamentary Democracy: Does It Make a Difference?*, [w:] Linz J., Valenzuela A. (eds.), *The failure of presidential democracy: Comparative perspectives*: vol. 1, Wyd. Johns Hopkins University Press 1994, s. 3–87.

somewhat higher, but even so, after the 1997 parliamentary elections, transparency was reduced by the need to cohabit the president with a center-right majority in parliament. Accordingly, it is pertinent to argue that the problem of transparency in semi-presidential systems of government, such as Poland in the early 1990s, is even more acute than in presidential systems, as the president's responsibility is a priori reduced not only by the possibility of electing a "foreign" candidate and the likelihood of cohabitation with the opposition prime minister and parliament. In addition, the transparency of the parliamentary and governmental political process is also reduced, as these institutions must take into account the advantages of the president. In some cases, this inter-institutional balance can be seen as a force for semi-presidentialism, but as A. Leiphart observes, every president, the general public and even researchers believe that the president's demands are stronger than the demands of parliament<sup>22</sup>. Accordingly, such situations can be either stabilized or destabilized by the popularity of officials. Even though Poland deviated from the danger of delegative democracy in the early 1990s, L. Walesa was quite popular during certain periods of his presidency, and the surplus effect was also noted when the high popularity of the official increased the popularity of the presidency as institution. This was reflected in the fact that the Polish presidency during this period was more popular than other institutions with democratic legitimacy, including parliament and the cabinet.

All this is complemented by the fact that the president in semi-presidentialism is positioned as a person elected for a fixed term. Therefore, a fixed term is not typically perceived as a problem of semi-presidentialism, especially given that the government cabinet depends on a parliamentary majority and must therefore respond accordingly to the problems that arise.

However, in contrast, a fixed term does not encourage the president to cooperate with other political forces. The head of state can easily ignore the opposition to parliament without any threat to his survival. In addition, the president may try, especially at the end of his term, to shift responsibility for his actions and decisions to the government, even if the latter is formed from a presidential party or coalition of parties. Nevertheless, even purely theoretically and practically in the case of Poland in 1992-1997, the semi-presidential system of government in some respects is characterized by negative features, including the possibility of inter-institutional collapse, due to a fixed / immovable term of the head of the state power. If we talk about the analyzed Polish case, in it, mainly unlike the French case, presidents could dissolve their opposition parliament only under certain conditions during the formation of government cabinets, but the government was by no means formed after the presidential election. Therefore, the newly elected President of Poland was obliged to cohabit with the government during this period, while the latter was supported by a majority in parliament, which was anti-presidential. Thus, fixed presidential and parliamentary terms in semi-presidentialism actually played a political role in Poland in the period 1992-1997, because in this case and in case of inter-institutional collapse, the president

<sup>22</sup> Lijphart A., *Presidentialism and majoritarian democracy*, [w:] Linz J., Valenzuela A. (eds.), *The failure of presidential democracy: Comparative perspectives*: vol. 1, Wyd. Johns Hopkins University Press 1994, s. 102.

could seek a way out only through extra- or unconstitutional measures. For example, the Polish political practice of that period demonstrated that President L. Valensa was successful in finding political solutions in the face of such inter-institutional impasse.

However, in theory, this asymmetry of the Polish constitutional model was unfavorable for the president, and could be very unfavorable for governmental stability and political stability, because it created incentives to "bypass" the constitution<sup>23</sup>. Although, as R. Taras notes, in the Polish case, in an unfavorable scenario of inter-institutional relations, the president could try to find a way out of the situation of political immobilism by issuing special decrees (thus bypassing parliament) or trying to carry out constitutional reform. And even if in this context the president also proved ineffective and did not try to find a way out of the stalemate, in Poland there was still the possibility of illegal interference of the armed forces in the political process<sup>24</sup>. It helped in this case in Poland that this country did not follow the radical scenario, primarily due to the consolidation of the party and electoral system.

Therefore, what happened in Poland and as a result of which this country remained politically stable is not a guarantee of semi-presidentialism, but often extra-institutional factor, especially against the background of experienced and tested cases between party and party confrontation between President L. Valensa and opposition to him and factionalized parliaments. This became possible due to the fact that against the background of consolidation of the party and electoral system in Poland with its semi-presidential system, the institution of the president theoretically and practically (at least since of its election O. Kwasniewski), although it did not always become an instrument of strengthening political parties in the country. The fact is that the institution of the president began to be regarded by parties as the main and determining "prize" in the political system, and the desire to win this "prize" stimulated the development and strengthening of parties<sup>25</sup>.

The consideration of the peculiarities of inter-institutional relations / conflicts and the possibilities of their stabilization can be supplemented by analyzing the presidential and parliamentary elections in Poland for their synchronicity or asynchrony. Poland is in line with the theoretical trend that asynchronous presidential and parliamentary elections are one of the main conditions for divided government and cohabitation, which are potentially dangerous in cases of political systems without political customs and traditions and asymmetric semi-presidentialism. The fact is that a presidential majority in parliament is most possible when the parliament is elected at the same time as the president, and this has been clearly demonstrated by French practice since 2002 (when some amendments were made to the French constitution regarding the term of office of the president). In addition, similar conclusions are confirmed by the Polish elections, but within the framework of semi-presidentialism under the rules of

<sup>23</sup> Shugart M., Of Presidents and Parliaments, "East European Constitutional Review" 1993, vol. 2, nr. 1, s. 30–32.

<sup>24</sup> Taras R., Consolidating Democracy in Poland, Wyd. Westview press 1995, s. 172.

<sup>25</sup> Tallat-Kelpa L., Pusiau prezidentizmas Lietuvoje ir jo ataka politinio režimo stabilumui: Politikos mokslo specialybės bakalauro darbas, Wyd. VU Tarptautinio santykio ir politikos mokslo institutas 1998, s. 16–21.

the 1997 constitution, which encouraged the formation, functioning and competition of two stable inter-party blocs. However, in contrast, the model of the Polish constitution of 1992-1997 established a certain asymmetry in the relations and powers of the president and the prime minister. In particular, it was regulated that the allocation of “residual” powers (powers not defined by the then “Small Constitution”) was in favor of the non-president (as in many other semi-presidential states, especially Eastern Europe, in the early 90’s of the twentieth century, whereas instead in favor of the Prime Minister and the Government. This position looked more conducive to inter-institutional stability, as it ensured that one member of the whole team was in principle unable to usurp the powers that are by definition important in special cases.

In general, this gives grounds to state that the Polish semi-presidential system of 1992-1997 often created incentives for political and constitutional destabilization between the authorities and inter-institutional conflicts, especially if certain constitutional conditions, including the powers of political institutions, were ambiguous.

However, even if the Polish “Small Constitution” provided existing mechanisms to prevent or resolve such conflicts, all political and formal measures underlying such a semi-presidential system of government by definition could not solve the fundamental uncertainty of the executive diarchy or the dualism of the executive. Accordingly, both formally and politically, it was clear that the Polish early case of semi-presidentialism not only foresaw but even dictated the possibility and likelihood of inter-institutional conflicts, even when different political institutions and their personalities represented the same electoral majority or even a parliamentary majority. This was exacerbated by the fact that regulated or probable political conflicts in Poland in the period 1992-1997 tended to develop in constitutional debates and disagreements, as well as in political struggles for power, i.e. in conflicts on which state, governmental and democratic stability directly depended. This was primarily due to the fact that Poland did not have a political tradition of semi-presidentialism, but began immediately with a rather complex model of inter-institutional relations in the triangle “president – government – parliament”. In addition, the situation in Poland was intensified not only by constitutional ambiguities, but also by deviations from the tried and tested models of semi-presidentialism that had previously been applied in other European countries.

Therefore, we can safely say that the model of semi-presidentialism tested in Poland in 1992-1997 experienced quite significant shortcomings of the political model of government. Thus, the country could potentially be described as “dangerous” in terms of lowering government / political stability and intensifying inter-institutional conflicts. That is why a period of several years of testing this system of government in Poland gave politicians and the research pool the opportunity to conclude the need to modernize semi-presidentialism to a more traditional and formal framework, such as the French or Portuguese model, which resulted in increased political stability and harmonization of options and parameters of inter-institutional relations.

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## **CABINET RESPONSIBILITY AS AN INSTITUTIONAL, PROCEDURAL, POLITICAL AND BEHAVIORAL ATTRIBUTE OF SEMI-PRESIDENTIALISM IN EUROPEAN COUNTRIES**

The article is dedicated to analyzing the phenomenon and components of parliamentary responsibility of governmental cabinets as an institutional, procedural, political and behavioral attribute of semi-presidentialism in European countries. It is emphasized that parliamentary responsibility of governmental cabinet is a systemic and immanent feature of semi-presidentialism and can be reflected mainly through the procedures of parliamentary votes of no confidence in running governmental cabinets and optionally through the procedures of parliamentary votes of confidence in running governmental cabinets. These procedures were characterized and clustered on the basis of a comparative analysis of European semi-presidential countries. Additionally, the study analyzes the electoral and non-electoral factors of parliamentary responsibility of governmental cabinets in the context of semi-presidentialism in Europe.

*Keywords: semi-presidentialism, government, governmental cabinet, parliamentary responsibility of governmental cabinet, vote of no confidence in running cabinet, vote of confidence in running cabinet, European countries.*

## **ODPOWIEDZIALNOŚĆ GABINETU JAKO INSTYTUCJONALNY, PROCEDURALNY, POLITYCZNY I BEHAWIORALNY ATRYBUT PÓŁPREZYDENCJALNOŚCI W KRAJACH EUROPEJSKICH**

Artykuł poświęcony jest analizie zjawiska i elementów odpowiedzialności parlamentarnej gabinetów rządowych jako instytucjonalnego, proceduralnego, politycznego i behawioralnego atrybutu semiprezydenckiego w krajach europejskich. Podkreśla się, że parlamentarna odpowiedzialność gabinetu rządowego jest systemową i immanentną cechą semiprezydencjonalizmu i może być odzwierciedlona głównie w procedurach parlamentarnych wotum nieufności dla sprawowania rządów i fakultatywnie poprzez procedury parlamentarnych wotum nieufności dla sprawowania rządów. szafki. Procedury te zostały scharakteryzowane i pogrupowane na podstawie analizy porównawczej europejskich krajów półprezydenckich. Ponadto w opracowaniu przeanalizowano wyborcze i pozawyborcze czynniki odpowiedzialności parlamentarnej gabinetów rządowych w kontekście semiprezydenckiego w Europie.

*Słowa kluczowe: semiprezydencja, rząd, gabinet rządowy, odpowiedzialność parlamentarna gabinetu rządowego, wotum nieufności dla rządu, wotum zaufania dla rządu, kraje europejskie.*

## **ВІДПОВІДАЛЬНІСТЬ УРЯДОВИХ КАБІNETІВ ЯК ІНСТИТУЦІЙНИЙ, ПРОЦЕСУАЛЬНИЙ, ПОЛІТИЧНИЙ І ПОВЕДІНКОВИЙ АТРИБУТ НАПІВПРЕЗИДЕНТАЛІЗМУ В КРАЇНАХ ЄВРОПИ**

У статті проаналізовано феномен і складові парламентської відповідальності урядових кабінетів як інституційного, процесуального, політичного і поведінкового атрибуту напівпрезиденталізму в країнах Європи. Наголошено, що парламентська відповідальність урядового кабінету є системною іманентною ознакою напівпрезиденталізму і може бути відображена головню через процедури парламентських вотумів недовіри чинним урядовим кабінетам, а також опціонально через процедури парламентських вотумів довіри чинним урядовим кабінетам. Ці процедури було схарактеризовано і кластеризовано на підставі порівняльного аналізу напівпрезидентських країн Європи. Додатково дослідженні проаналізовано секторальні і несекторальні чинники парламентської відповідальності урядових кабінетів в умовах напівпрезиденталізму у Європі.

*Ключові слова: напівпрезиденталізм, уряд, урядовий кабінет, парламентська відповідальність урядового кабінету, вотум недовіри чинному кабінету, вотум довіри чинному кабінету, країни Європи.*

Semi-presidentialism is a system of government with the institution of fixed-term elected president and the position of prime minister who heads governmental cabinet, which is collectively responsible (i.e., may be terminated entirely) at least to parliament or both to parliament and president (depending on the type of semi-presidentialism). Accordingly, as it is clear from the definition and attribution of semi-presidentialism, it is important to take into account the specifics of the responsibility of the executive and governmental cabinets in this context. The fact is that the terminal or discretionary patterns of functioning of governmental cabinets under semi-presidentialism are largely derived from the influence and powers of the heads of state (presidents), although, on the other hand, these patterns are necessarily dependent on the legislature and thus determine the analyzed system of government quite specifically<sup>1</sup>. The explanation is that voters theoretically (but not always actually) have two channels and mechanisms for controlling governmental cabinets and the executive, namely the first or initial one

<sup>1</sup> Kang S.-G., *Government Formation and Termination in European Democracies with Presidential Heads of State*, Wyd. University of Rochester 2008.; Kang S.-G., The influence of presidential heads of state on government formation in European democracies: Empirical evidence, "European Journal of Political Research" 2009, vol. 48, nr. 4, s. 543–572.

through the legislature and the second or alternative one through the president. As a result, the study of the influence of both the legislature and the president on the responsibility of governmental cabinets under semi-presidentialism is important normatively and practically, as it can certify institutional, procedural, political and behavioral attributes of one or another type of constitutional design. This is especially valuable through the prism of taking into account party determination and composition of the heads of state, parliaments and governmental cabinets<sup>2</sup>. At the same time, it is noticeable that the nature of governmental cabinets under semi-presidentialism is or may be conflicting or dualistic one (based on the contradiction of the mandates of the presidents and the legislatures), and therefore can lead to exceptional consequences, including involvement of non-party ministers in cabinets<sup>3</sup>.

This regulates that the responsibility of cabinets under semi-presidentialism is dynamic one and is based on the interaction between the president and the legislature (i.e., between parliamentary parties), as well as between the results of their elections<sup>4</sup>, which can cause/intensify conflicts within the executive and the constitutional ambiguity of semi-presidentialism in general<sup>5</sup>. This is determined by the fact that semi-presidentialism is characterized by the participation of the president and parliament in the election/formation and/or responsibility of governmental cabinet, as a result of which their decisions to appoint a governmental cabinet can be modeled as a two-way game on arrangements about this<sup>6</sup>. Complementing this situation in the conditions of semi-presidentialism is the consideration of the factor of who can dismiss governmental cabinet – either only the parliament or both the parliament and the president. When the right to terminate a governmental cabinet belongs only to parliament, then the president is faced with an “inter-institutional choice”: either to appoint a prime minister who reflects the preferences of the legislature, or to appoint a close candidate for prime minister and to be prepared that the legislature will be able to dismiss this prime minister at any time and change the president-oriented governmental cabinet. Quite different strategies emerge when the president and

<sup>2</sup> Austen-Smith D., Banks J., Elections, Coalitions, and Legislative Outcomes, “*American Political Science Review*” 1988, vol. 82, s. 405–422.; Baron D., A Spatial Bargaining Theory of Government Formation in Parliamentary Systems, “*American Political Science Review*” 1991, vol. 85, nr. 1, s. 137–164.; Baron D., Government Formation and Endogenous Parties, “*American Political Science Review*” 1993, vol. 87, nr. 1, s. 34–47.; Baron D., Diermeier D., Elections, Governments, and Parliaments in Proportional Representation Systems, “*Quarterly Journal of Economics*” 2001, vol. 116, nr. 3, s. 933–967.; Laver M., Shepsle K., Coalitions and Cabinet Government, “*American Political Science Review*” 1990, vol. 84, nr. 3, s. 873–890.; Sened I., A Model of Coalition Formation: Theory and Evidence, “*Journal of Politics*” 1996, vol. 58, nr. 2, s. 350–372.

<sup>3</sup> Schleiter S., Morgan-Jones E., *Semi-Presidential Regimes: Providing Flexibility or Generating Representation and Governance Problems?*, Presented at the Annual Meeting of the American Political Science Association, Washington, 1–4 September 2005, 29 s.; Amorim Neto O., Strøm K., *Breaking the Chain: The Impact of Presidents on Cabinet Selection in European Parliamentary Democracies*, Paper prepared for delivery at the Conference on Electoral Reform in Brazil in Comparative Perspective, Rio de Janeiro, 2002.; Amorim Neto O., Strøm K., Breaking the Parliamentary Chain of Delegation: Presidents and Non-partisan Cabinet Members in European Democracies, “*British Journal of Political Science*” 2006, vol. 36, nr. 4, s. 619–643.; Almeida A., Cho S.-J., *Presidential Power and Cabinet Membership Under Semi-Presidentialism*, Paper Presented at the Midwest Political Science Association Annual Meeting, Chicago, 3–6 April, 2003, 42 s.

<sup>4</sup> Kang S.-G., *Government Formation and Termination in European Democracies with Presidential Heads of State*, Wyd. University of Rochester 2008.

<sup>5</sup> Movchan U., Dualizm vykonavchoi vlady: problema rozpodilu povnovazhen u napiivprezidentskykh systemakh, “*Visnyk Kharkivskoho natsionalnoho universytetu imeni V.N. Karazhina. Seriya: Pytannia politologii*” 2011, nr. 984, s. 102–108.

<sup>6</sup> Protsyk O., Prime ministers’ identity in semi-presidential regimes: Constitutional norms and cabinet formation outcomes, “*European Journal of Political Research*” 2005, vol. 44, nr. 5, s. 724.



parliament can unilaterally dismiss the prime minister and his or her cabinet. As the president has the power to dismiss governmental cabinet, this gives him or her an advantage in the cabinet formation process. Nevertheless, ensuring the election of a more parliamentary acceptable prime minister and cabinet does not necessarily guarantee their long term, since the loyalty to parliament may prove to be threatened by the need to live up to the president's hopes<sup>7</sup>. The situations outlined above are complicated by the threat of a permanent review and redistribution of powers between prime ministers and presidents, especially in the institutional cases that have only recently become semi-presidential ones<sup>8</sup>. Although, controversially, only the parliament is obliged to prematurely terminate the powers of governmental cabinets and its prime ministers in all cases of semi-presidentialism, that summarizes the bilateral nature of the conflict of interest over the responsibility of cabinets under the dualism of the executive in semi-presidentialism. By this logic, the delineation of cabinets under semi-presidentialism is its location within the continuum between the right to nominate/appoint the prime minister and the right to dismiss the cabinet and its prime minister<sup>9</sup>.

As for the responsibility of governmental cabinets in the conditions of semi-presidentialism, it is necessary to speak about the outlined issue (as well as about the peculiarities of governmental cabinets' formation under semi-presidentialism) from the standpoint of political, behavioral, institutional and procedural dimensions<sup>10</sup>. However, hypothesizing about the political, behavioral, procedural and institutional dimensions of cabinet responsibility and early terminations of governmental cabinets under semi-presidentialism is multifaceted and occurs within taking into account competitive non-electoral and electoral risks (in particular, in the case of early parliamentary and, to a lesser extent, presidential elections). Non-electoral risks (institutional, procedural, political and behavioral ones) traditionally involve perturbation of party/inter-party control of governmental cabinets based on the change or no change of prime ministerial parties, supplemented by the influence of presidential and parliamentary powers to dismiss cabinets<sup>11</sup>. Thus, in European semi-presidential countries, where the president (along with the parliament – by the definition of semi-presidentialism) has the power to dismiss governmental cabinet (as of December 2020, such European countries were Austria, Azerbaijan, Belarus, Iceland and Russia, and earlier/historically Armenia, Croatia, Georgia, Portugal, Ukraine) or

<sup>7</sup> Protsyk O., Prime ministers' identity in semi-presidential regimes: Constitutional norms and cabinet formation outcomes, *European Journal of Political Research* 2005, vol. 44, nr. 5, s. 726–727.

<sup>8</sup> Elgie R., *The Politics of Semi-Presidentialism*, [w:] Elgie R. (ed.), *Semi-Presidentialism in Europe*, Wyd. Oxford University Press 1999, s. 1–21.; Elgie R., *Semi-Presidentialism and Comparative Institutional Engineering*, [w:] Elgie R. (ed.), *Semi-Presidentialism in Europe*, Wyd. Oxford University Press 1999, s. 281–299.; Taras R., *Postcommunist Presidents*, Wyd. Cambridge University Press 1997.

<sup>9</sup> Protsyk O., Prime ministers' identity in semi-presidential regimes: Constitutional norms and cabinet formation outcomes, *European Journal of Political Research* 2005, vol. 44, nr. 5, s. 721–748.

<sup>10</sup> Fernandes J., Magalhães S., Government survival in semi-presidential regimes, *European Journal of Political Research* 2016, vol. 55, nr. 1, s. 61–80.; Groffman B., Van Roozendaal S., Modelling cabinet durability and termination, *British Journal of Political Science* 1997, vol. 27, nr. 3, s. 419–451.; Laver M., Government termination, *Annual Review of Political Science* 2003, vol. 6, nr. 1, s. 23–40.; Smith A., *Election timing*, Wyd. Cambridge University Press 2004.; King G., Alt J., A Unified Model of Cabinet Dissolution in Parliamentary Democracies, *American Journal of Political Science* 1990, vol. 34, nr. 3, s. 846–871.

<sup>11</sup> Diermeier D., Stevenson R., Cabinet survival and competing risks, *American Journal of Political Science* 1999, vol. 43, nr. 4, s. 1051–1068.

to dissolve the legislature, if it expresses and confirms a vote of no confidence in the running governmental cabinet (Belarus, Croatia, Georgia, Lithuania, Russia and Serbia were among such European countries as of December 2020, and Poland and Turkey were such cases earlier/historically), the risk of early cabinet termination on the basis of early parliamentary elections is quite significant, especially if the president and the prime minister belong to mutually oppositional parties<sup>12</sup>. The fact is that the political and behavioral context of the executive dualism in this case is more problematic, confrontational and complicated, but serves the political presidentialization of the heads of state, who can dismiss cabinet with relative ease<sup>13</sup>. Instead, when the ideological orientations/positions of the governmental cabinet and the president are more similar or tangent, the incentives for conflict within the executive dualism are theoretically and practically reduced, though not completely gone<sup>14</sup>. As a result, it is much more difficult for the governmental cabinet to resign and to be terminated in its powers and time.

All of this argues that semi-presidential systems, where presidents can dismiss cabinets, are more "problematic"<sup>15</sup>, especially when presidents have significant legislative powers and are able to dissolve legislatures and call early parliamentary elections for various (even discretionary) reasons. The reason is that such powers of presidents contribute to the formation of a mechanism that encourages an unstable structure of appointments and dismissals<sup>16</sup>. Quite controversial logic is inherent in semi-presidential countries, where the right to dismiss governmental cabinets is vested exclusively in the legislatures. Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Finland, France, Georgia, Ireland, Lithuania, Macedonia, Moldova, Montenegro, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia and Ukraine (and historically Armenia and Turkey) were such countries in Europe as of December 2020. The fact is that in this sample of European semi-presidentialism, legislatures can dismiss governmental cabinets, even if presidents do not want this (although in Croatia, Georgia, Lithuania, Serbia and historically in Turkey the president may oppose this, choosing between resignation of governmental cabinet (with the possible formation of new governmental cabinet) and dissolution of the legislature, or

<sup>12</sup> Shugart M., Carey J., *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*, Wyd. Cambridge University Press 1992, s. 125.; Shugart M., Semi-presidential systems: Dual executive and mixed authority patterns, *French Politics* 2005, vol. 3, no 3, s. 333.

<sup>13</sup> Sartori G., *Comparative Constitutional Engineering. An Inquiry into Structures, Incentives and Outcomes*, London 1997, s. 125; Elgie R., Varieties of Semi-Presidentialism and Their Impact on Nascent Democracies, *Taiwan Journal of Democracy* 2007, vol. 3, nr. 2, s. 57.; Sedelius T., Ekman J., Intra-executive Conflict and Cabinet Instability: Effects of Semi-presidentialism in Central and Eastern Europe, *Government and Opposition* 2010, vol. 45, nr. 4, s. 519.

<sup>14</sup> Protsyk O., Intra-Executive Competition between President and Prime Minister: Patterns of Institutional Conflict and Cooperation under Semi-presidentialism, *Political Studies* 2006, vol. 54, nr. 2, s. 223.; Protsyk O., Politics of Intra-executive Conflict in Semipresidential Regimes in Eastern Europe, *East European Politics and Societies* 2005, vol. 19, nr. 2, s. 135–160.; Skach C., *Borrowing Constitutional Designs. Constitutional Law in Weimar Germany and the French Fifth Republic*, Wyd. Princeton University Press 2005.; Tavits M., *Presidents with Prime Ministers: Do Direct Elections Matter?*, Wyd. Oxford University Press 2009.

<sup>15</sup> Shugart M., Carey J., *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*, Wyd. Cambridge University Press 1992, s. 121, 165.

<sup>16</sup> Sedelius T., Ekman J., Intra-executive Conflict and Cabinet Instability: Effects of Semi-presidentialism in Central and Eastern Europe, *Government and Opposition* 2010, vol. 45, nr. 4, s. 505–530.; Strom K., Swindle S., Strategic parliamentary dissolution, *American Political Science Review* 2002, vol. 96, nr. 3, s. 575–591.; Schleiter S., Morgan-Jones E., Constitutional power and competing risks: Monarchs, presidents, prime ministers, and the termination of East and West European cabinets, *American Political Science Review* 2009, vol. 103, nr. 3, s. 496–512.

the legislature cabinedpendently be exposed to the risk of dissolution on the basis of current institutional and procedural rules)<sup>17</sup>.

Intuitively, this regulates that the peculiarities of governmental cabinets' responsibility in semi-presidential systems depend on the ability of presidents and legislatures to dismiss governmental cabinets, on the ability of presidents to influence the dissolution of the legislatures and on verification whether a particular semi-presidential system of government is determined by the presence or absence of a stable and consistent a parliamentary majority that can or cannot satisfy the president's political priorities and goals. Hypothetically, this implies that in the political and behavioral context of an average semi-presidential country, the possibility, ease, and frequency of early termination of governmental cabinets increases when: presidents have the power to dissolve the legislatures; presidents have the power to dismiss governmental cabinets independently; presidents and prime ministers belong to different and opposing political parties or blocs that are not the members of the government/cabinet coalition. In this context, the constitutional and legal attribution of the responsibility of governmental cabinets under semi-presidentialism is interesting and even decisive one, since it can be defined by the procedures of parliamentary votes of no confidence and confidence in running governmental cabinets (see tables 1 and 2).

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<sup>17</sup> Shugart M., Semi-presidential systems: Dual executive and mixed authority patterns, *"French Politics"* 2005, vol. 3, no 3, s. 333; Samuels D., Shugart M., *Presidents, Parties, and Prime Ministers: How the Separation of Powers Affects Party Organization and Behavior*, Wyd. Cambridge University Press 2010, s. 99.

**Table 1.** Peculiarities and descriptors of the procedures of parliamentary votes of no confidence in running governmental cabinets in the current cases of European semi-presidentialism (as of December 2020)<sup>18</sup>

European semi-presidential country	The initiator of a vote of no confidence in cabinet	The object of a vote of no confidence in cabinet	The type of a vote of no confidence in cabinet	The rule of deciding on a vote of no confidence in cabinet	Frequency of declaring a vote of no confidence in cabinet	Consequences of a successful/full vote of no confidence in cabinet	Consequences of a failed/incomplete vote of no confidence in cabinet
SEMI-PRESIDENTIAL COUNTRIES WITH POSITIVE RULES OF CABINET FORMATION (OBTAINING POSITIVE INVESTITURE VOTES INCABINETS)							
Azerbaijan (since 1995)	Parliament	Cabinet	Simple/usual	Absolute majority	–	Raising the question of cabinet's resignation to the president	Confidence in cabinet / dissolution of parliament
Belarus (since 1996)	1/3 of parliament (the lower house)	Cabinet, cabinet program	Simple/usual	Absolute majority (the lower house only)	–	Resignation of cabinet or dissolution of the lower house of parliament	Confidence in cabinet
Bosnia and Herzegovina (since 1995)	Parliament (the lower house)	Cabinet	Simple/usual	Simple (relative) majority / negative majority (the lower house only) <sup>19</sup>	–	Resignation of cabinet	Confidence in cabinet
Bulgaria (since 1991)	1/5 of parliament	Cabinet, prime minister	Simple/usual	Simple (relative) majority	Once in 6 months	Resignation of cabinet	Confidence in cabinet
Croatia (1991–2000)	1/10 of parliament (the lower house)	Cabinet, prime minister	Simple/usual	Absolute majority (the lower house only)	Once in 3 months	Resignation of cabinet or dissolution of parliament	Confidence in cabinet
Croatia (since 2000)	1/5 of parliament	Cabinet, new prime minister and the composition of cabinet	Complicated/constructive or simple/usual	Absolute majority	Once in 6 months	Resignation of cabinet + providing vote of investiture to new cabinet / resignation of cabinet + dissolution of parliament <sup>20</sup>	Confidence in cabinet / dissolution of parliament
Czech Republic (since 2012)	1/4 of parliament (the lower house)	Cabinet	Simple/usual	Absolute majority (the lower house only)	–	Resignation of cabinet	Confidence in cabinet
Finland (since 1999)	Parliament	Cabinet	Simple/usual	Simple (relative) majority	–	Resignation of cabinet	Confidence in cabinet

<sup>18</sup> The table is compiled on the basis of databases and constitutions. If we mention the parliament, then in the case of bicameralism we mean the lower house. Otherwise, we make clarifications.

<sup>19</sup> A vote of no confidence in cabinet must be approved by the lower house of parliament by a simple (relative) majority of the MPs present, but not less than by 1/3 of the MPs from each ethnic group. If this is not possible, a vote of no confidence is approved by a negative majority, in particular by the majority of MPs present, provided that the MPs who vote against a vote of no confidence in cabinet are not 2/3 or more of all members of each ethnic group.

<sup>20</sup> After the legislature approves a vote of no confidence in the running cabinet, the president initiates the formation of a new cabinet. However, if the legislature is unable to form a new cabinet within 30 days after the vote of no confidence, then the president must dissolve it (recognizing the vote of no confidence) and call early parliamentary election. However, the resignation of the running cabinet and the formation of a new cabinet are delimited in time (in the interval of no more than 30 days). There is also a parliamentary vote of no confidence in an individual member of cabinet. If such a vote of no confidence is successful one, then the prime minister may nominate a new member of the cabinet, but if he or she fails to do so, then the entire cabinet must resign.

Georgia (2004–2013)	1/3 of parliament	Cabinet	Simple/usual	Absolute majority / qualified majority (3/5 of parliament)	Once in 3 / 6 months	Resignation or continuation of cabinet / Resignation of cabinet or dissolution of parliament / Resignation of cabinet <sup>21</sup>	Confidence in cabinet
Georgia (since 2013)	2/5 of parliament	Cabinet, new prime minister and the composition of cabinet	Complicated/constructive	Absolute majority / qualified majority	Once in 6 months	Resignation of cabinet + nomination of a prime minister + providing vote of investiture to new cabinet <sup>22</sup>	Confidence in cabinet / dissolution of parliament
Ireland (since 1937)	Parliament (the lower house)	Cabinet	Simple/usual	Simple (relative) majority (the lower house only)	–	Resignation of cabinet	Confidence in cabinet
Lithuania (since 1992)	Parliament	Cabinet, prime minister	Simple/usual	Absolute majority	–	Resignation of cabinet or dissolution of parliament	Confidence in cabinet
Moldova (since 2016)	1/4 of parliament	Cabinet	Simple/usual	Absolute majority	–	Resignation of cabinet	Confidence in cabinet
Montenegro (2006–2007)	27 deputies of parliament	Cabinet	Simple/usual	Absolute majority	Once in 3 months	Resignation of cabinet	Confidence in cabinet
Montenegro (since 2007)	27 deputies of parliament	Cabinet	Simple/usual	Absolute majority	Once in 3 months	Resignation of cabinet	Confidence in cabinet
Northern Macedonia (since 1991)	20 deputies of parliament	Cabinet	Simple/usual	Absolute majority	Once in 3 months <sup>23</sup>	Resignation of cabinet	Confidence in cabinet
Poland (1990–1992)	Parliament	Cabinet	Simple/usual	Absolute majority	–	Resignation of cabinet	Confidence in cabinet

<sup>21</sup> In 2004–2013, Georgia had several options for a vote of no confidence in cabinet. Under normal circumstances, a vote of no confidence in cabinet could be declared by 1/3 and approved by an absolute majority of the legislature. As a result of this, the president was authorized to dismiss or not to dismiss the cabinet. If the cabinet continued to function, the legislature within 90–100 days of the previous vote of no confidence could express and approve a new vote of no confidence by an absolute majority. This could result in the resignation of cabinet or the dissolution of parliament at the choice of the president. In addition, once every 6 months, the legislature could issue (by at least 1/3 of its full membership) and approve (by at least 3/5 of its full membership) an unconditional vote of no confidence in cabinet, which should have resulted exclusively in the resignation of cabinet.

<sup>22</sup> In parallel with a vote of no confidence in the running cabinet by the parliament, the 2/5 of its full membership must nominate at least one or two candidates for a prime minister, and an absolute majority of the total membership of the legislature after confirmation this procedure must submit it to the president. The president is authorized to accept or reject the candidacy of the new prime minister. If the president approves the prime minister's candidacy, then the legislature must vote on the investiture for the composition of new cabinet. Instead, if the president does not agree to the candidacy of the prime minister, the legislature by at least 3/5 of its full membership must reaffirm it. Only after that, the president is obliged to agree to the candidacy of the prime minister and to ask the legislature to vote on the investiture for the composition of new cabinet. If the parliament during such a constructive vote of no confidence in cabinet is unable to express investiture to the composition of new cabinet, then the president has the right to dissolve the legislature and call its early election.

<sup>23</sup> If a vote of no confidence in the running cabinet is proposed by an absolute majority of the deputies of the legislature, then it can be put on the parliamentary agenda earlier than in 3 months.

Poland (1992–1997)	1/10 of parliament (the lower house)	Cabinet, new prime minister	Complicated/ constructive or simple/usual	Absolute majority (the lower house only)	Once in 3 months	Resignation of cabinet + nomination of a prime minister / Resignation of cabinet or dissolution of parliament <sup>24</sup>	Confidence in cabinet
Poland (since 1997)	1/10 of parliament (the lower house)	Cabinet, new prime minister	Complicated/ constructive or simple/usual	Absolute majority (the lower house only)	Once in 3 months	Resignation of cabinet + nomination of a prime minister / Resignation of cabinet <sup>25</sup>	Confidence in cabinet
Romania (since 1991)	1/4 of the two houses of parliament	Cabinet	Simple/usual	Absolute majority (the two houses)	Once per session	Resignation of cabinet	Confidence in cabinet
Russia (since 1993)	Parliament (the lower house)	Cabinet	Simple/usual	Absolute majority (the lower house only)	Once in 3 months	Resignation or continuation of cabinet / Resignation of cabinet or dissolution of parliament <sup>26</sup>	Confidence in cabinet
Serbia (since 2006)	60 deputies of parliament	Cabinet, new composition of cabinet	Complicated/ constructive or simple/usual	Absolute majority	Once in 6 months	Resignation of cabinet + providing vote of investiture to new cabinet/resignation of cabinet + dissolution of parliament <sup>27</sup>	Confidence in cabinet / dissolution of parliament
Slovakia (since 1999)	1/5 of parliament	Cabinet, prime minister	Simple/usual	Absolute majority	Anytime	Resignation of cabinet	Confidence in cabinet

<sup>24</sup> At the same time, there was a vote for the resignation of the running cabinet and for the appointment of a new prime minister. However, if the legislature voted for the resignation of the running cabinet, but did not vote for the appointment of a new prime minister, the president was authorized to accept the resignation of cabinet or to dissolve the lower house of parliament. There was also a procedure for early (earlier than in three months) and repeated vote of no confidence in the same and running cabinet. This required the consent of at least 115 deputies of the lower house of parliament.

<sup>25</sup> The legislature simultaneously votes for the resignation of the running cabinet and the nomination of a new prime minister. However, an unsuccessful vote of confidence in the running cabinet or its prime minister can lead to a vote of no confidence in the running cabinet. There is also a procedure for early (earlier than in three months) and repeated vote of no confidence in the same and running cabinet. This requires the consent of at least 115 deputies of the lower house of parliament.

<sup>26</sup> Under normal circumstances, a vote of no confidence in cabinet is approved by an absolute majority of the lower house of parliament. As a result of successful vote of no confidence, the president is authorized to dismiss or not to dismiss the cabinet. If the cabinet continues to function, but the legislature expresses and approves a new vote of no confidence in the same cabinet within three months of the previous vote of no confidence, then the president may accept the resignation of cabinet or dissolve the lower house of parliament.

<sup>27</sup> After the legislature approves a vote of no confidence in the running cabinet, the president initiates the formation of a new cabinet. However, if the legislature is unable to form a new cabinet within 30 days of the vote of no confidence in the previous cabinet, the president must dissolve the legislature (recognizing the vote of no confidence) and call early parliamentary election. However, the resignation of the running cabinet and the formation of a new cabinet are delimited in time (in the interval of no more than 30 days).

Slovenia (since 1991)	1/9 <sup>o</sup> parliament (the lower house)	Cabinet, new prime minister and the composition of cabinet	Complicated/constructive	Absolute majority / qualified majority (the lower house only) <sup>28</sup>	–	Resignation of cabinet + providing vote of investiture to new cabinet (new prime minister)	Confidence in cabinet
Ukraine (1996–2006)	1/3 of parliament	Cabinet	Simple/usual	Absolute majority	Once per session	Resignation of cabinet	Confidence in cabinet
Ukraine (2006–2010)	1/3 of parliament, president	Cabinet	Simple/usual	Absolute majority	Once per session	Resignation of cabinet	Confidence in cabinet
Ukraine (2010–2014)	1/3 of parliament	Cabinet	Simple/usual	Absolute majority	Once per session	Resignation of cabinet	Confidence in cabinet
Ukraine (since 2014)	1/3 of parliament, president	Cabinet	Simple/usual	Absolute majority	Once per session	Resignation of cabinet	Confidence in cabinet
SEMI-PRESIDENTIAL COUNTRIES WITH NEGATIVE RULES OF CABINET FORMATION (OBTAINING NEGATIVE INVESTITURE VOTES IN CABINETS OR WITHOUT INVESTITURE VOTES IN CABINETS)							
Austria (since 1945)	Parliament (the lower house)	Cabinet	Simple/usual	Simple (relative) majority (the lower house only)	–	Resignation of cabinet	Confidence in cabinet
Finland (1919–1999)	Parliament	Cabinet	Simple/usual	Simple (relative) majority	–	Resignation of cabinet	Confidence in cabinet
France (since 1962)	1/10 <sup>o</sup> of parliament (the lower house)	Cabinet	Simple/usual	Absolute majority (the lower house only)	Once per session	Resignation of cabinet	Confidence in cabinet
Iceland (since 1944)	Parliament	Cabinet	Simple/usual	Absolute majority	–	Resignation of cabinet	Confidence in cabinet
Portugal (1976–1982)	1/4 of the members or any faction of parliament	Cabinet	Simple/usual	Absolute majority	Once per session	Resignation of cabinet	Confidence in cabinet
Portugal (since 1982)	1/4 of the members or any faction of parliament	Cabinet	Simple/usual	Absolute majority	Once per session	Resignation of cabinet	Confidence in cabinet

Zdrolo: Armington K., Wenger V., Wiedemier F., Weisstanmer D., Isler C., Knöpfel L., Supplement to the Comparative Political Data Set – Government Composition 1960–2015 (36 OECD countries and 10 EU-member Countries), Wyd. Institute of Political Science 2017, zdrojto: <http://www.cpd-data.org/index.php/dataChieubub> J. A., Martin S., Rasch B., The Investiture Vote and the Formation of Minority Parliamentary Governments, Paper prepared for presentation at the 7th ECPR general conference, Bordeaux, 4–7 September 2013, 25 s.; Sieberer U., Hire or Fire? The link between cabinet selection and removal in European Democracies, Wyd. University of Konstanz 2012.; Panchak-Baloblaska N., Uniady menshosi v yevropejskych parlamentskych demokratiakh, Wyd. Lvivskiy natsionalnyi universytet imeni Ivana Franka 2017, s. 148–237.; Lytvyn V., Attributy ta iznomydy napriydzdeniskoi systemy pravlinnia v Yevropi: instytutsino-probessualnyi i politychno-povvediniovyy aspekty, Wyd. Lvivskiy natsionalnyi universytet imeni Ivana Franka 2018, s. 146–181.

<sup>28</sup> In the event of a state of emergency or martial law, the approval of a constructive vote of no confidence in cabinet requires the support of at least 2/3 of the nominal membership of the legislature.

Parliamentary votes of no confidence and confidence in running cabinets differ by the fact that the first ones are always directly initiated by legislatures (and sometimes by another political actors/institutions), and the second ones are always directly initiated by running governmental cabinets (including by the prime ministers). Institutional and procedural features/parameters of early termination of powers of governmental cabinets in the conditions of semi-presidentialism, which are incorporated in the votes of no confidence, correlate on the basis of verification of: what are the constitutional and institutional rules for deciding on the resignation of governmental cabinets; what restrictions are imposed on the procedures of votes of no confidence in governmental cabinets; what are the consequences of different types and procedures of votes of no confidence in governmental cabinets. In turn, a vote of confidence in running governmental cabinet, as the right to be initiated only by the latter, can request or verify the confidence of the legislature in any bill or socio-political issue of the governmental cabinet activity, as well as the composition or program of the governmental cabinet and the very fact of the existence of the governmental cabinet, etc. Therefore, as political practice shows, a vote of confidence in running governmental cabinet may or may not be equated to a vote of no confidence in running governmental cabinet and may or may not lead to a vote of no confidence in running governmental cabinet in its legal and political consequences<sup>29</sup>.

A comparison of the procedural, institutional and procedural features of votes of no confidence in running governmental cabinets in European semi-presidential countries generates the possibility of distinguishing several their classification patterns. Firstly, traditionally, with the exception of Romania, where a vote of no confidence in cabinet must be initiated and confirmed by two houses of parliament at the same time, this is done in other European semi-presidential countries by unicameral parliaments or the lower houses of bicameral parliaments. However, parliaments initiate votes of no confidence in running cabinets in different ways, in particular depending on the share of the membership of legislatures (in order to simplify these requirements), including by: 2/5 of nominal membership – in Georgia, 1/3 of nominal membership – in Belarus, Georgia (until 2013) and Ukraine, 1/4 of nominal membership – in the Czech Republic, Moldova, Portugal and Romania, 1/5 of nominal membership – in Bulgaria, Croatia and Slovakia, 1/9 of nominal membership – in Slovenia, 1/10 of nominal membership – in France and Poland, 60 MPs – in Serbia, 27 MPs – in Montenegro, 20 MPs – in Macedonia, etc. Secondly, running governmental cabinets in actually all European semi-presidential countries, running governmental cabinets or their programs in Belarus, running governmental cabinets or their prime ministers in Bulgaria, Lithuania, Slovakia, running governmental cabinets, their prime ministers and new prime ministers/ministers in Croatia, Georgia, Poland, Serbia and Slovenia are the subjects of votes of no confidence. Accordingly, with the exception of Croatia (since 2000), Georgia (since 2013), Poland (since 1992), Serbia and

<sup>29</sup> Ström K., Müller W., Bergman T., *Delegation and Accountability in Parliamentary Democracies*, Wyd. Oxford University Press 2003.; Laver M., Shepsle K., *Government Accountability in Parliamentary Democracy*, [w:] Przeworski A., Stokes S., Manin B. (eds.), *Democracy, Accountability, And Representation*, Wyd. Cambridge University Press 1999, s. 279–281.



Slovenia, where there are complicated/constructive votes of no confidence in running governmental cabinets or procedural variations close to them, all the other European semi-presidential countries use simple/usual votes of no confidence in governmental cabinets, which supplementally do not require the expression of investiture in alternative/new governmental cabinets. Thirdly, the rules for deciding on parliamentary votes of no confidence in governmental cabinets in the analyzed European semi-presidential countries also differ and are divided into the following groups, where there are used: the absolute or qualified majority systems – in Georgia and Slovenia; exclusively the absolute majority system – in Azerbaijan, Belarus, Croatia, Czech Republic, France, Iceland, Lithuania, Moldova, Montenegro, Northern Macedonia, Poland, Portugal, Romania (by two houses of the parliament), Russia, Serbia, Slovakia and Ukraine; exclusively the simple (relative) majority system – in Austria, Bulgaria, Finland and Ireland; the simple (relative) or negative majority systems – in Bosnia and Herzegovina. Finally, the most common consequence of a successful vote of no confidence in running governmental cabinet in European semi-presidential countries is the resignation of governmental cabinet, less often one – the resignation of the running governmental cabinet and providing vote of investiture to new governmental cabinet, and the least often one – the resignation of governmental cabinet or the dissolution of parliament (see table 1 for details).

In turn, a comparison of procedural, institutional and procedural attributes of votes of confidence in running governmental cabinets in European semi-presidential countries (see table 2 for details) generates the conclusion that such a phenomenon is not typical for Austria, Azerbaijan, Bosnia and Herzegovina, Georgia (since 2013), Iceland, Lithuania and Ukraine and was not typical for Poland until 1997, although his typical of this country at present. The absence of parliamentary vote of confidence in running cabinets automatically weakens the potential of cabinet responsibility to legislatures, but also the possibility of “pressure” of governmental cabinets and prime ministers on the majority (and personal composition) in legislatures. Instead, in European semi-presidential countries, where votes of confidence in running governmental cabinets are in place, they are initiated either exclusively by cabinets, exclusively by prime ministers and by cabinets or prime ministers by their choice. Parliamentary votes of confidence in running governments almost always check the assessment of cabinets’ work and productivity, less often – the adoption or non-adoption of cabinets’ bills, and the least often – the assessment of the programs or compositions of governmental cabinets. According to the rules of decision on votes of confidence in running governmental cabinets, all European semi-presidential countries, where these procedures are regulated currently or have been regulated earlier, should be divided into the following groups, where there are or were used: the absolute majority system – Belarus, Croatia, Czech Republic, Georgia (until 2013), Moldova, Montenegro, Northern Macedonia, Romania (by two houses), Russia, Serbia, Slovakia, Slovenia; the simple (relative) majority system – Bulgaria, Finland, Ireland and Poland (since 1997); the negative majority system – France and Portugal.

**Table 2.** Peculiarities and descriptors of the procedures of parliamentary votes of confidence in running governmental cabinets in the current cases of European semi-presidentialism (as of December 2020)<sup>30</sup>

European semi-presidential country	The initiator of a vote of confidence in cabinet	The question or object of a vote of confidence in cabinet	The rule of deciding on a vote of confidence in cabinet	Consequences of a successful vote of confidence in cabinet or of failure to consider a vote of confidence in cabinet	Consequences of an unsuccessful vote of confidence (denial of confidence) in cabinet	Confirmation of the consequences of the denial of confidence in cabinet by another political institution
SEMI-PRESIDENTIAL COUNTRIES WITH POSITIVE RULES OF CABINET FORMATION (OBTAINING POSITIVE INVESTITURE VOTES IN CABINETS)						
Azerbaijan (since 1995)	–	–	–	–	–	–
Belarus (since 1996)	Prime minister	Cabinet / cabinet program / bills	Absolute majority (the lower house only)	Continuation of cabinet / change of the cabinet program / adoption of the law	Resignation of cabinet or dissolution of parliament	Yes: president
Bosnia and Herzegovina (since 1995)	–	–	–	–	–	–
Bulgaria (since 1991)	Cabinet	Cabinet / cabinet program / bills	Simple (relative) majority	Continuation of cabinet / change of the cabinet program / adoption of the law	Resignation of cabinet	No
Croatia (1991–2000)	Prime minister	Cabinet	Absolute majority (the lower house only)	Continuation of cabinet	Resignation of cabinet	No
Croatia (since 2000)	Prime minister	Cabinet	Absolute majority	Continuation of cabinet	Resignation of cabinet or dissolution of parliament	Yes: president + prime minister
Czech Republic (since 2012)	Prime minister / cabinet	Bills	Absolute majority (the lower house only)	Adoption of the law or the possibility of dissolving parliament	Vote of no confidence in cabinet / non-adoption of the law	No
Finland (since 1999)	Prime minister / cabinet	Cabinet / bills	Simple (relative) majority	Continuation of cabinet / adoption of the law	Resignation of cabinet	No
Georgia (2004–2013)	Prime minister, president <sup>31</sup>	Cabinet / cabinet composition / bills	Absolute majority	Continuation of cabinet / clarification of the cabinet composition / adoption of the law	Resignation of cabinet or dissolution of parliament	Yes: president

<sup>30</sup> The table is compiled on the basis of databases and constitutions. If we mention the parliament, then in the case of bicameralism we mean the lower house. Otherwise, we make clarifications.

<sup>31</sup> In 2004–2013, the Georgian president was required to test parliamentary confidence in the running cabinet if, for the first time since the cabinet was formed, at least 1/3 (but not less than 5 ministers) of its membership have changed.

Georgia (since 2013)	–	–	–	–	–	–
Ireland (since 1937)	Prime minister	Cabinet	Simple (relative) majority (the lower house only)	Continuation of cabinet	Resignation of cabinet	No
Lithuania (since 1992)	–	–	–	–	–	–
Moldova (since 2016)	Cabinet	Cabinet / cabinet program / bills	Absolute majority	Continuation of cabinet / change of the cabinet program / adoption of the law	Resignation of cabinet	No
Montenegro (2006–2007)	Cabinet	Cabinet	Absolute majority	Continuation of cabinet	Resignation of cabinet	No
Montenegro (since 2007)	Cabinet	Cabinet	Absolute majority	Continuation of cabinet	Resignation of cabinet	No
Northern Macedonia (since 1991)	Cabinet	Cabinet	Absolute majority	Continuation of cabinet	Resignation of cabinet	No
Poland (1990–1992)	–	–	–	–	–	–
Poland (1992–1997)	–	–	–	–	–	–
Poland (since 1997)	Prime minister	Cabinet	Simple (relative) majority (the lower house only)	Continuation of cabinet	Resignation of cabinet	No
Romania (since 1991)	Cabinet	Cabinet / cabinet program / bills	Absolute majority (the two houses)	Continuation of cabinet / change of the cabinet program / adoption of the law	Resignation of cabinet	No
Russia (since 1993)	Prime minister	Cabinet	Absolute majority (the lower house only)	Continuation of cabinet	Resignation of cabinet or dissolution of parliament	Yes: president
Serbia (since 2006)	Cabinet	Cabinet / bills	Absolute majority	Continuation of cabinet / adoption of the law	Resignation of cabinet + vote of investiture in new cabinet / resignation of cabinet + dissolution of parliament	No
Slovakia (since 1999)	Prime minister / cabinet	Cabinet / cabinet program or composition / bills	Absolute majority	[Continuation of cabinet / change of the cabinet program or composition / adoption of the law] or the possibility of dissolving parliament	Resignation of cabinet / non-change of the cabinet program or composition / non-adoption of the law	No

Slovenia (since 1991)	Prime minister	Cabinet / bills	Absolute majority (the lower house only)	Continuation of cabinet / adoption of the law	Resignation of cabinet + vote of investiture in new cabinet or in the event of a re-vote resignation of cabinet + dissolution of parliament / non-adoption of the law	Yes: president
Ukraine (1996–2006)	–	–	–	–	–	–
Ukraine (2006–2010)	–	–	–	–	–	–
Ukraine (2010–2014)	–	–	–	–	–	–
Ukraine (since 2014)	–	–	–	–	–	–
SEMI-PRESIDENTIAL COUNTRIES WITH NEGATIVE RULES OF CABINET FORMATION (OBTAINING NEGATIVE INVESTITURE VOTES IN CABINETS OR WITHOUT INVESTITURE VOTES IN CABINETS)						
Austria (since 1945)	–	–	–	–	–	–
Iceland (since 1944)	–	–	–	–	–	–
Portugal (1976–1982)	Cabinet	Cabinet / bills	Negative majority	Continuation of cabinet / adoption of the law	Resignation of cabinet or dissolution of parliament	Yes: president
Portugal (since 1982)	Cabinet	Cabinet / bills	Negative majority	Continuation of cabinet / adoption of the law	Resignation of cabinet	No
Finland (1919–1999)	Prime minister / cabinet	Cabinet / bills	Simple (relative) majority	Continuation of cabinet / adoption of the law	Resignation of cabinet / non-adoption of the law	No
France (since 1962)	Prime minister / cabinet	Cabinet / cabinet program / bills	Negative majority <sup>32</sup>	Continuation of cabinet / change of the cabinet program / adoption of the law	Resignation of cabinet	No

Zdrolo: Armington K., Wenger V., Wiedemeier F., Weisstanner D., Isler C., Knöpfel L., *Supplement to the Comparative Political Data Set – Government Composition 1960–2015 (36 OECD countries and/or EU-member Countries)*, Wyd. Institute of Political Science 2017, zdrojlo: <http://www.cplis-data.org/index.php/data>; Cheibub J. A., Martin S., Rasch B., *The Investiture Vote and the Formation of Minority Parliamentary Governments*, Paper prepared for presentation at the 7th ECPR general conference, Bordeaux, 4–7 September 2013, 25 s.; Sieberer U., *Hire or Fire? The link between cabinet selection and removal in European Democracies*, Wyd. University of Konstanz 2012; Panchak-Bialoblotska N., *Uряди меншості в європейських парламентах демократій*, Wyd. Львівський національний університет імені Івана Франка 2017, s. 148–237; Лютвн V., *Атрибути та різновиди напівпрезидентської системи правління в Європі: інституційно-правові аспекти*, Wyd. Львівський національний університет імені Івана Франка 2018, s. 146–181.

<sup>32</sup> A vote of confidence in cabinet on a financial bill or a social security bill is considered successful if the lower house of parliament does not initiate a vote of no confidence in the cabinet within 24 hours of the vote of confidence in cabinet.

Usually, the result of vote of confidence in running governmental cabinet is a positive decision on the issue of this vote initiation. Instead, if a vote of confidence in running governmental cabinet is not considered in time, as in the case of Slovakia and Czechia, then this may be the basis for the dissolution of the legislature. In turn, the refusal of legislature in vote of confidence in governmental cabinet is traditionally resulted in the resignation of cabinet, less often – in the resignation of cabinet or the dissolution of parliament, much less often – in the resignation of the running cabinet and giving a vote of investiture to new cabinet or in the resignation of cabinet and the dissolution of parliament, and finally the least often – in raising the question about a vote of no confidence in running cabinet. In most countries, with the exception of Belarus, Croatia, Georgia (until 2013), Portugal (in 1976–1982), Russia and Slovenia, the confirmation of the effects of vote of confidence's denial in parliament by other political institutions is unnecessary.

In general, the mutual imposition of institutional and procedural attributes of different options of governmental cabinet responsibility in European semi-presidential countries suggests that the influence of diverse political institutions is variative in this process. A reflection of this is the comparison and correlation of the procedural complexity of the rules of decision-making on parliamentary votes of no confidence and confidence in running governmental cabinets, with the assumptions that: a) the complication of the rules of adopting a vote of no confidence in running governmental cabinet on the part of the legislature weakens the government-formation power of the latter; b) the complication of the rules of adopting a vote of confidence in running cabinet by the legislature strengthens the government-formation power of the latter.

**Table 3.** Groups of current cases of European semi-presidentialism based on the correlation of the procedural complexity of parliamentary responsibility (parliamentary votes of no confidence and confidence) of running governmental cabinets (as of December 2020)

The rules for deciding on different types of parliamentary votes in running governmental cabinets in terms of their parliamentary responsibility (in order to weaken the powers of legislatures regarding possible resignations of governmental cabinets under semi-presidentialism)	The examples of European semi-presidential countries
A vote of no confidence – a simple (relative) majority, a vote of confidence – a simple (relative) majority	Bulgaria, Finland, Ireland
A vote of no confidence – a simple (relative) majority, a vote of confidence – missing	Austria, Bosnia and Herzegovina
A vote of no confidence – an absolute majority, a vote of confidence – a simple (relative) majority	Poland
A vote of no confidence – an absolute majority, a vote of confidence – an absolute majority	Armenia, Belarus, Croatia, Czech Republic, Georgia, Moldova, Montenegro, Northern Macedonia, Romania, Russia, Serbia, Slovakia, Slovenia
A vote of no confidence – an absolute majority, a vote of confidence – a negative majority	France, Portugal
A vote of no confidence – an absolute majority, a vote of confidence – missing	Azerbaijan, Iceland, Lithuania, Ukraine

Zródło: Own correlations based on tables 1 and 2. Simplifying the procedural rules of votes of no confidence in running governmental cabinets and complicating the procedural rules of votes of confidence in running governmental cabinets increases parliamentary responsibility of governmental cabinets under semi-presidentialism.

With regard to electoral risks and features of the responsibility of governmental cabinets under semi-presidentialism, then they traditionally relate to the expected results of early parliamentary elections in the context of governmental cabinets' resignations, as well as the electoral systems used to do so. If the electoral system (used for the formation of the legislature in any semi-presidential country) affects the number of parliamentary parties and therefore the fractionalization/fragmentation of the legislature, then it affects the parliamentary unity and hence the possibility of early resignation of governmental cabinet. Therefore, when the greater is the number of parties and the greater is the fractionalization of parliament, then the greater is the likelihood of early resignation of governmental cabinet, especially if each party of cabinet is endowed with veto-powers<sup>33</sup>. Similarly, when the smaller is the number of parties or the larger is the number of parties in the conditions of presence of a dominant party, then the less likely is that the governmental cabinet will resign early, since a much smaller is the number of parties, which have veto powers. Since the relationship between the electoral system and the party system is relevant one (in particular, according to Duverger's law<sup>34</sup>), then it inevitably designs inter-institutional relations under semi-presidentialism and therefore affects the peculiarities of responsibility of governmental cabinets under this system of government. By these logics, parliamentary and intra-party unity and centripetal tendencies in the party system increase, but the probability of resignation of governmental cabinets under semi-presidentialism decreases, when the electoral systems of legislatures are associated not with multi-member, but with single-member constituencies<sup>35</sup>. The reason is that the electoral system with single-member constituencies increases the chances that the legislature will be dominated by a disciplined party or coalition that has the ability to "boycott" governmental cabinet bills, and therefore this and other parties should not raise the issue of no confidence in the prime minister or governmental cabinet in general. In turn, the electoral system with multi-member constituencies is more likely to promote multipartyism, when coalition formation is "expensive" one and majority in the legislature is fragmented one. As a result, raising the issue of a vote of no confidence in governmental cabinet or denial in a vote of confidence in governmental cabinet almost always does not lead to a significantly different electoral and party result. It is also interesting that electoral and non-electoral risks of early terminations of powers of governmental cabinets under of semi-presidentialism can be combined together<sup>36</sup>.

<sup>33</sup> Lin J.-W., *The Rules of Electoral Competition and the Accountability of Semi-Presidential Governments*, [w:] Elgie R., Moestrup S., Wu Y.-S. (eds.), *Semi-Presidentialism and Democracy*, Wyd. Palgrave 2011, s. 61–80.

<sup>34</sup> Duverger M., *Political parties: Their organization and activity in the modern state*, Wyd. Wiley 1963, s. 217, 239.

<sup>35</sup> Lin J.-W., *The Rules of Electoral Competition and the Accountability of Semi-Presidential Governments*, [w:] Elgie R., Moestrup S., Wu Y.-S. (eds.), *Semi-Presidentialism and Democracy*, Wyd. Palgrave 2011, s. 61–80.; Downs A., *An Economic Theory of Democracy*, Wyd. Harper 1957.

<sup>36</sup> Arter D., From the "rainbow coalition" back down to "red earth"? The 2003 Finnish general election, *West European Politics* 2003, vol. 26, nr. 3, s. 153–162.; Coakley J., *The foundations of statehood*, [w:] Coakley J., Gallagher M. (eds.), *Politics in the Republic of Ireland*, Wyd. Routledge 1999, s. 1–31.; Fernandes J., Magalhães S., Government survival in semi-presidential regimes, *European Journal of Political Research* 2016, vol. 55, nr. 1, s. 61–80.

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## **Formation and peculiarities of definition of the concept of “national minority” in the Ukrainian discourse and the impact of western political, legislative and research results**

The history and features of the formation and development of the definition of the concept of “national minority” in the Ukrainian discourse and the influence of western political, legislative and research results have been analyzed in the article. The researcher has outlined the issues raised on the basis that Ukraine in 1991 ceased to be an integral part of the USSR and instead entered a new political, academic and legal reality. Accordingly, in this new state, the problem of determining the concept of “national minority” was actualized both as an actual situation and by attempts to change the design of the perception of ethno political reality, which was developed and implemented for decades within the framework of the Soviet Union. This was supplemented by the fact that in the Ukrainian scientific and political (and therefore legislative) environment – that at the time of the declaration of independence, and later – the issue of understanding and defining the category of “national minority” remained relevant, and it was significantly influenced primarily by Western or international legislation and research achievements. It has been stated that the definition of a “national minority” in the scientific environment is more developed in the Ukrainian case, which largely coincides with the international understanding of the studied category, although with the Ukrainian local specifics. Instead, the legislative regulation of the concept of “national minority” in Ukraine was and still is insufficient, even despite the implementation of international law in this country. Therefore, in the Ukrainian case in this direction there is still a fairly wide range of opportunities for development and improvement of the situation.

Artykuł analizuje historię i specyfikę powstawania oraz rozwoju definicji „mniejszości narodowej” w dyskursie ukraińskim oraz jaki mają na nią wpływ zachodnie wyniki polityczne, legislacyjne i badawcze. Wyodrębniono problematykę na podstawie tego, że w 1991 roku Ukraina przestała być częścią ZSRR, a zamiast tego weszła w nową rzeczywistość polityczną, akademicką i prawną. W związku z tym w nowym państwie problem zdefiniowania pojęcia „mniejszości narodowej” był aktualizowany zarówno przez stan faktyczny, jak i przez próby zmiany struktury postrzegania rzeczywistości etnopolitycznej, wypracowanej i realizowanej przez dziesięciolecia w Związku Radzieckim. Uzupełniał to fakt, że w ukraińskim środowisku naukowo-politycznym (a więc legislacyjnym) – w momencie ogłoszenia niepodległości, a później – kwestia rozumienia i definiowania kategorii „mniejszość narodowa” pozostawała aktualna, na co znaczący wpływ miały zachodnie ustawodawstwa. Stwierdzono, że definicja mniejszości narodowej w środowisku

naukowym jest bardziej rozbudowana w przypadku ukraińskim, co w dużej mierze pokrywa się z międzynarodowym rozumieniem badanej kategorii, aczkolwiek z ukraińską specyfiką lokalną. Ale regulacje legislacyjne pojęcia „mniejszości narodowej” na Ukrainie, jak było i nadal pozostają niewystarczające, nawet pomimo wdrożenia norm prawa międzynarodowego w tym państwie. A w przypadku Ukrainy w tym kierunku nadal istnieje dość szeroki wachlarz możliwości rozwoju i poprawy sytuacji.

**Słowa kluczowe:** *mniejszość, mniejszość narodowa, grupa etniczna/narodowa, Ukraina.*

After gaining its independence, Ukraine has faced a number of problems or simply issues that need to be addressed and controlled by the sovereign unit of the political map of the world. One of the areas of interest of the independent state was to become, of course, the issue of national character and interethnic relations, in particular the question of the features and essence of the definition of “national minority”. This issue was actualized both by the actual situation and by the efforts to change the structure of perception of ethno political reality, which had been developed and implemented within the Soviet Union for decades. The fact is, for example, that along with the titular Ukrainian nation – as the ethnic basis of an independent Ukrainian state – civil society and socio-political process in Ukraine, immediately after the proclamation of its independence, started to create and still create representatives of about 150 ethnic groups and nationalities<sup>1</sup>. On the other hand, these ethnic groups and nationalities were still and still are far from commensurate in number. After all, a prominent place among the peoples and cultures that have inhabited and continue to inhabit the Ukrainian State since 1991 was occupied by the Russian national minority, which has been and is the object not only of research but also of real political and even geopolitical process Federation), which even affected the violation of the territorial integrity of Ukraine in 2014.

Accordingly, in the Ukrainian scientific and political (and consequently, legislative) environments – that at the time of the proclamation of independence, which later – has always been actualized issues of understanding and definition of the category “national minority”. This actually actualizes the presented scientific research, which is mainly aimed at elucidating the parameters of formation and peculiarities of defining the concept of “national minority” in the Ukrainian discourse and the influence on it primarily of Western or international legislative and research works.

The peculiarity of the solution of the research task is first of all that it concerns Ukraine – the state, as it was first a part of the Soviet Union, and then became independent as the main opponent of returning to the fold of the Soviet Union. This is important at least because during the socialist regime and the USSR in general, especially in the context of the policy of “merger

<sup>1</sup> Osaulenko O., Natsionalnyi sklad naselennia Ukrainy ta yoho movni oznaky za danymi Vseukrainskoho perepysu naselennia 2001 roku, Wyd. Derzhavnyi komitet statystyky Ukrainy 2003, s. 114.

of nations”, the studies of Soviet authors were very descriptive, factual and journalistic, because in the party monopoly on science, scientists offered only some material on cultural life of minorities. It was supplemented or even determined by political factors, in particular the awareness and planting of the Russian national element “title” in the construction of the so-called “Soviet people”. Thus, it was the “Russian ethnos” that was perceived as titular, even in those territories or in those former republics of the USSR in which Russians were a minority compared to other national groups, and this logic was perceived as unshakable, albeit internally false. However, the situation changed dramatically (apart from the perception of the Russians themselves – both in Russia and in the new states in the Soviet Union) just after the collapse of the USSR, in particular the proclamation of Ukraine’s independence, when due to the abolition of ideological and political dogma in academic environment has adequate opportunities to study the phenomenon of national minorities and their diversity (within the framework of interethnic relations), and in the field of legislation – the possibility of their political and regulatory regulation primarily as an integral part of civil society of any newly formed state.

Nevertheless, it was at this moment that Ukrainian science and practical politics (including the legislative process), as well as similar spheres in other post-Soviet states, felt (including within a certain vacuum and at the junction of ideological and political epochs) the main and a fundamental problem, which was reduced primarily to defining the essence and role of the concept of national minority, their understanding in the plural and the separation and gradation of their various options (primarily in the context of the Russian minority) in Ukraine. In the legislative sphere, this was complemented by the need to define the status of a national minority. The main difficulty in this process was the fact that at the turn of the late 80’s - early 90’s of the twentieth century there were huge and very perceptible differences in the interpretation and definition of “national minority”, on the one hand, between Soviet and post-Soviet legal systems, as well as, on the other hand, between the different national legal systems (post-Soviet and non-Soviet) countries, which were taken into account by Ukrainian lawmakers and scholars.

Accordingly, the best solution to the situation regarding the definition of a “national minority” in Ukraine (note that the law “On National Minorities in Ukraine”<sup>2</sup> was adopted not immediately after the declaration of independence of Ukraine, and later – on June 25, 1992), it turned out that Ukrainian scholars and politicians appealed to this issue through the prism of its formation in international / Western science and politics, starting from the beginning, but mainly in the second half of the twentieth century. Ukrainian scholars and politicians realized that the dynamic nation-building process of the early twentieth century, as well as the creation of the League of Nations (1919) led to an active study of the understanding, definition and international protection of national minorities. In addition, in this (interwar) period, the works of Ukrainian scholar O. Bochkovskyi, in particular the monograph “Introduction to

<sup>2</sup> Pro natsionalni menshyny v Ukraini: Zakon Ukrainy № 2494-XII vid 25 chervnia 1992 roku, “Vidomosti Verkhovnoi Rady Ukrainy” 1992, nr. 36, s. 529.

Nationology"<sup>3</sup>, were notable contributions to the development of political ethnology, which studied the genesis of European ethnic processes, identified the role of national minorities in the formation and development of domestic and international relations, paid special attention to the analysis of Ukrainian nation-building processes, and put forward an ethnocentric concept of political system – the so-called "Natiocracy" (where national minorities virtually disappear, uniting into a single nation).

After that, especially after the creation of the USSR and its "occupation" of Ukraine, as well as after the Second World War, the work of Ukrainian researchers on this subject became extremely rare (except for some works by Ukrainians in exile), and it was clear political and ideological reasons. The scholars, therefore, (and less often the politicians) of the period after the restoration of Ukraine's independence have rarely appealed to them, and have turned to the works of Western scholars instead. Among them, for example, in the early 70's of the twentieth century, the study of the phenomenon of ethnic revival of national minorities took a central place among foreign researchers. E. Smith was one of the first to describe the essence and nature of this phenomenon in his work "National Identity", in which the causes and consequences of the formation of national identity as a collective phenomenon, the emergence of nations and nationalism are analyzed, as well as the signs of national identification and the attributes of the ethnic community are substantiated. Nevertheless, the most common and most successful in the 70's of the twentieth century and further was the definition of "national minority" by F. Capotorti.

The researcher noted that this is a population group that: differs from the main population group by its ethnic origin, nationality, language or religion; the number is inferior to the main group of the population; does not occupy a dominant (including quantitatively and politically) position in the country; demonstrates a desire to preserve identity, culture, traditions, religion and language; does not consist of recent emigrants or refugees; has deep roots in the country of residence (usually citizens of this country)<sup>4</sup>. The definition of national minorities, formulated by F. Capotorti, contains two important components and features. The essence of the first is that restricting the status of minorities by citizens of the state mostly excludes migrant workers, stateless persons and refugees from this concept. These groups are protected from discrimination by international law. In addition, they have additional rights, which are enshrined, for example, in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in the Convention relating to the Status of Stateless Persons and in the Convention Relating to the Status of Refugees. There is also a Declaration of Human Rights for persons who are not citizens of the country in which they live. The second feature is the fact that the recognition of minority ethnic, religious or linguistic features distinguishes them from groups that can be identified by other common features. Thus,

<sup>3</sup> Bochkovskiy O., *Vstup do natsiolohii*, Wyd. Geneza 1998.

<sup>4</sup> Capotorti F., *Study on the rights of persons belonging to ethnic, religious and linguistic minorities*, New York 1979, s. 307

the characteristics of minorities, set out in the definition of F. Capotorti, make it possible to distinguish both objective (unique ethnic characteristics: numerical minority, non-dominant position) and subjective (the desire to preserve the existing characteristics) criteria. However, scholars note that in general this definition cannot be defined exhaustively, as it refers to “minorities at will” (groups that want to remain distinct), but does not cover “forced minorities” (groups that want to assimilate with the majority when the latter opposes them in achieving this goal). The position that a national minority should be inferior to the rest of the population in terms of its number is also ambiguous among researchers. Thus, according to A. Fene, the quantitative factor can be of great practical importance, but it does not characterize the deep reality of the situation of national minorities. An objective attitude to power also creates a minority. Accordingly, a minority is a group that is specifically subjugated, placed in a dependent or “humiliating” position by a factor of power.

Such comments were taken into account at the international legislative level. Thus, in 1985, the UN Subcommittee on Prevention of Discrimination and Protection of Minorities described a “national minority” as a group of citizens who constitute a quantitative minority, are in a non-dominant position, and have ethnic, religious or linguistic characteristics different from the majority population, and feelings of solidarity with each other, the purpose of which is to achieve *de facto* and legal equality with the majority<sup>5</sup>. Another attempt to define from the text of the Recommendations of the Parliamentary Assembly of the Council of Europe № 1201 (from 1993) on the Additional Protocol on the Rights of National Minorities to the European Convention on the Rights and Fundamental Freedoms of Minorities was made in 1993, when it comes to the definition from the text of the Recommendations of the Parliamentary Assembly of the Council of Europe № 1201 (since 1993) on the Additional Protocol on the Rights of National Minorities to the European Convention on the Rights and Fundamental Freedoms of Minorities.

The definition is worded as follows: “The term “national minority” refers to such groups of persons in a state who: reside in the territory of that state and are its citizens, maintain long-standing ties with that state, have ethnic, cultural, religious or linguistic characteristics, quite a number, though smaller in number than the rest of the population of a given country or region, are concerned about preserving what creates their common identity, culture, traditions, religion or language”<sup>6</sup>. However, the problem is that this Recommendation is not mandatory, so European countries are able to arbitrarily determine which groups of the population living in their territories fall into the category of national minorities. The recommendation also does not make a clear distinction between ethnic and national minorities. As for the term “the indigenous peoples”, the Recommendation refers to peoples whose social, cultural and economic living conditions distinguish them from other subjects of interethnic relations and whose

<sup>5</sup> Antoniuk O., *Natsionalna menshyna yak etnopolitychnyi fenomen*, “Nova polityka” 2000, vol. 2, s. 40.

<sup>6</sup> Belitsker N., *Natsionalni, etnichni ta relihiini menshyny*, “Krymski studii” 2002, vol. 3–4, s. 38.

position is governed by their customs, traditions or special legislation. All this is complemented by the fact that the term "national minorities" is also widely used in the documents of such an authoritative international organization as the Organization for Security and Cooperation in Europe. In the context of understanding this organization, this concept encompasses both ethnic and linguistic minorities. In general, the documents of the Organization for Security and Cooperation in Europe understand national minorities only as the citizens of a certain state (including migrant workers). In addition, they imply the existence of another state, the historical homeland of minorities living in the territory of the particular state in question<sup>7</sup>.

Such a Ukrainian researcher, mainly from the 1990s, as M. Shulha, draws attention to a completely different aspect of understanding the concept of "national minority", in particular in the context of legislation and practice of foreign countries. The scientist notes that in many countries after the Second World War there was an official reaction to the fact that the word "minority" has a moment of insult and humiliation<sup>8</sup>. For example, in Austria in 1976 a law was passed regulating the status of citizens of non-Austrian ethnic origin in the country. In this law, the word-combination "ethnic group" is used in principle instead of "ethnic minority". Germany also enshrined the legal status of certain groups of its citizens of non-German ethnic origin. These are, for example, Danes, Frisians, Lusatian Serbs, and so on. All other groups of German citizens of non-German ethnic origin – in particular Poles, Gypsies, Turks, Jews, etc. – on the contrary are not fixed in German law as special ethnic communities. The definition of a national group can also be found in the documents of the Federalist Union of European National Groups.

It is an alliance that is a non-governmental international organization that has existed since 1949 and includes non-governmental organizations of national minorities from 20 countries. The documents of this organization, although they do not have an official status, but arouse considerable scientific and practical interest. In the statute of the Federalist Union, a national group is defined as a national community, characterized primarily by the characteristics it wishes to preserve: its own language, culture and history. It does not form its own state in its own homeland or resides outside the state of its nationality. In general, scholars, following the political and legal status of ethnic communities in Western Europe, emphasize that there are different definitions of foreign citizens, including the most common, such as "national minority", "linguistic minority", "ethnic minority", and "nationality". However, the definition of groups of a foreign-speaking population that constitutes a single community, or any individual representative of this group, even if established, the criteria contained therein are rather vague in most legislative acts.

However, all the above theoretical developments were summarized in the document "Minority Rights: Declaration of the Rights of Ethno cultural and National Minorities and

<sup>7</sup> Abashidze A., *Natsional'nye men'shinstva i pravo na opredelenie (mezhdunarodno-pravovye problemy)*, "Etnograficheskoe obozrenie" 1995, vol. 2, s. 152.

<sup>8</sup> Shulha M., *Mizhnarodnyi dosvid zakhystu prav natsionalnykh menshyn*, "Prava liudyny v Ukraini" 1998, vol. 21, s. 43–49.

Indigenous Peoples”<sup>9</sup>. It examines the rights of three subjects of ethno politics, including such as: 1) ethno cultural minorities (consisting of immigrants, refugees and their descendants who do not live for a long time in the countries of origin; most features of race and / or religion; they are not universally recognized minorities in the classical sense, so they cannot claim broad rights); 2) national minorities, (which include historically established communities that have their own language and / or culture or religion, often become minorities as a result of changes in borders and the transfer of their territories from one country to another, or are ethnic groups without own statehood and are part of one or more major states; it is this category that focuses on international law, and therefore, respectively, Ukrainian law and the research pool); 3) indigenous peoples (have attributes that are characteristic of national minorities, but their additional characteristics and differences are that they inhabited the lands before the current majority, and therefore became a minority as a result of subjugation or colonization; indigenous peoples must also be endowed with specific rights).

In view of all this, Ukrainian researchers since the early 1990s have quite successfully stated that the definitions of a national minority are based on subjective and objective criteria. Objective criteria should include a numerical minority, length of residence in a particular country, citizenship, stable ethnic characteristics (ethnic, religious, linguistic, cultural features or minority consolidation), non-dominant position, lack of statehood in the territory of residence.

Instead, among the subjective criteria, the pragmatic desire to preserve the status quo (available characteristics) should be singled out. Therefore, it is wrong to think that a national minority is a separate group of the population in the state, linguistically and culturally different from the dominant nation, which has its own past and seeks to exist as a national community. Given this, the well-known Ukrainian researcher of ethno-national issues<sup>10</sup> V. Yevtukh in the 90s of the twentieth century began to characterize the concept of “national minority” on several criteria, according to which: 1) the condition for the implementation of the ethnic minority as a whole structure is its interaction with other ethnic groups of the population of the country of residence, in the process of which the formula “us – them” is filled with meaning; 2) ethnic minority is a clearly defined status in the relations that are formed in a polyethnic society, where the basic formula is “majority – minority”; 3) ethnic minority is a kind of community of people, which is based on their social origin, has common linguistic and cultural properties, psychological orientations and awareness of belonging to this community; 4) the boundaries of the term “ethnic minority are determined by its relationship with the terms “ethnic group” or “national group”<sup>11</sup>. In this regard, it is obvious that this is the view held by most Ukrainian researchers in the early 1990s that the national minority is a kind of ethnic minority, with a described status

<sup>9</sup> Prava menshyn: Deklaratsiia prav etnokulturnykh ta natsionalnykh menshyn ta korinnykh narodiv, “Krymski studi” 2001, vol. 1–7, s. 42.

<sup>10</sup> Kubijiovych V., *Entsyklopediia ukrainoznavstva*: u 5 t., Wyd. Naukove tovarystvo im. T. Shevchenka 1993, vol. 3, s. 1738.

<sup>11</sup> Yevtukh V., *Etnopolityka v Ukraini: pravnychi ta kulturolohichni aspekty*, Wyd. Feniks 1997, s. 27.



in a polyethnic country, special administrative relations with it, and therefore with clear political goals and claims to a special status in the system of administrative and state relations. It is on this basis that the question of the political and legal status of national minorities arises, including through the prism of reflections on it within the framework of Ukrainian legislation. Accordingly, among the basic characteristics that reflect the essence of the phenomenon of ethnic or national minority in the Ukrainian scientific discourse such as common stable ethnic characteristics, stay in a particular sovereign state under the preconditions of their own historical homeland, interaction with other ethnic groups on the principle "us – them", a clear status for the majority of the population, as well as the presence of its function in the structure of a multiethnic society are identified and used.

At the same time, Ukrainian researchers were pushed to a position that corresponds to the opinion of Western scholar F. Heckmann<sup>12</sup>. This scholar believes that an ethnic minority is an ethnic group that is discriminated against, oppressed and deprived in a system of ethnic stratification. The researcher divides all ethnic minorities by status, different socio-structural positions in society and political orientation into the following types: 1) national (as a consequence of the emergence of nation-states (national states), for which an important condition was the coincidence of state self-organization and ethnicity of their population); 2) regional or population groups (formed for various reasons, despite unification and assimilation, have preserved their ethnic identity); 3) immigrant minorities (created as a result of large-scale industrialization), including settlers and workers; 4) colonial minorities (as descendants of the ancient population of the territories conquered and inhabited by colonists, who in the course of looting, extermination and displacement were deprived of their inherited economic basis of life, due to which their social structure and culture were destroyed); 5) minority peoples and new national minorities (arose as a result of the formation of new national countries after the collapse of the colonial system). At the same time, according to this scientist, the attributes of an ethnic group are: common origin and awareness of community, which are characterized by collective history and culture; collective perception of oneself as an ethnic group, which is based on the self-consciousness of the group and the perception of its separation from other groups. Therefore, ethnic groups are socio-cultural communities that have statehood, constitute ethnic groups and consist of representatives of one people or parts of peoples.

In contrast, one of the well-known Ukrainian representatives of ethnic political science of the period after Ukraine's independence, I. Varzar, means by "ethnic minority" a concept that defines exclusively quantitative outlines of a population in comparison with the titular people-ethnic group of a particular multinational society. The scientist believes that such groups can and should participate in political life and state-building policy, both directly

<sup>12</sup> Gekmann F., *Narod, nacija, etnitskaja grupa i etnitskoe men'sinstvo: k nekotorym osnovnym kategorijam etnichnosti*, "Zarubezhnyj mir: social'no-politicheskie i ekonomicheskie problemy" 1990, vol. 19, s. 34–36.

and indirectly, and indirectly and representatively<sup>13</sup>. Therefore, he substantiated two lines of correlation of the peoples of compatriots of the same multiethnic society – horizontal and vertical<sup>14</sup>. The horizontal vector contains: 1) the titular people-ethnic group (gives its name to all social attributes of authentic society – country, state, nature, minerals, landscape, shelf, economy, currency, diplomacy, airspace, etc.); 2) one, two or more subtitled ethnic peoples (who in a certain geopolitical field had all the appropriate attributes of ethno-social title, but currently found themselves in the status of minorities with their adequate “historical weight”). In the vertical vector there is a three-level hierarchy of minorities, ethnic groups, including: 1) the dominant people-ethnos is a minority people who (relative to the titular and sub-title peoples-compatriots) in the context of a multiethnic society has leading socio-economic, political-cultural and other constructive roles (in the socio-political sense it objectively dominates, but subjectively should not seek to become the dominant force in society or regional society); 2) recessive people-ethnos – such a minority people that in the context of a multiethnic society objectively occupies non-leading positions, but consciously plays centripetal-constructive state-building roles in relation to the titular, sub-titular and dominant peoples-compatriots; 3) marginal people-ethnos, which to all peoples-compatriots of a multiethnic society plays quite peripheral and constructive roles and lives, as a rule, in marginal (or border) areas of the geopolitical space of the state, bordering on ethno historical homeland.

In a similar vein, Ukrainian scholar of the 1990s M. Shulha notes that the main difference between the concepts of ethnic / national minority and ethnic group is the presence or absence of their own state or homeland outside their current permanent residence<sup>15</sup>. At the same time, the researcher identifies aspects of the concept of “national minority”, including descriptive, political, linguistic, cultural and religious, as well as two contexts of application of this concept, including international law and local specifics, which was important in explaining Ukrainian legislation on that score. In contrast, Ukrainian scholar V. Nikityuk believes that since the issue of belonging to a national minority is a matter of purely individual choice, the rights of ethno-national minorities, which are part of their legal status, are individual, but not collective. After all, these are the rights of individuals who belong to ethno-national minorities, not the rights of groups created by individuals<sup>16</sup>. Therefore, according to the scientist, national minorities are also ethnic minorities. A similar opinion has already been suggested by I. Varzar, who emphasizes that the “ethnic minority” is a physical array of people of “non-local” ethnic status, who live (or are temporarily) in the modern ethnic environment. In the process of determining the ethnic group, the volume of the ethnic mass

<sup>13</sup> Varzar I., *Iz konspektiv mynulykh lit. Vybrane v kontseptualnykh i memuariynykh vymirakh*. Knyha 1: Derzhava i narod-ethnos u politolohichnomu dyskursi, Wyd. Fada LTD 2003, s. 289

<sup>14</sup> arzar I., *Deaki etnosotsialni ta etnorehionalni aspekty formuvannia yedynoderzhavnoi politychnoi elity v bahatonarodnomu suspilstvi*, [w:] *Rehionalni ta natsionalni elity: khto formuie polityku?*, Chernivtsi 2002, s. 130–144.

<sup>15</sup> Shulha M., *Mizhnarodnyi dosvid zakhystu prav natsionalnykh menshyn*, “Prava liudyny v Ukraini” 1998, vol. 21, s. 43.

<sup>16</sup> Nikitiuk V., *Status natsionalnykh menshyn (porivnialno-pravovyi aspekt)*, Kyiv 1996, s. 184.

of people does not play a big role, and the main thing here is the historical place of a certain ethno-phenomenon in the context of a certain ethno-political plane<sup>17</sup>.

All these opinions of Ukrainian researchers correspond to the remarks of Western scholars, who were actually appealed to by the former, in particular with the position that the ethnic or national group is based on its ethnicity. Thus, while researching this issue, Western researcher E. Smith (whose works were translated into Ukrainian in the 90s of the twentieth century<sup>18</sup>) emphasizes the ethnic group as a type of cultural community that attaches great importance to the myth of origin and historical memory and differs in one or more cultural features – religion, customs, language, institutions, and so on. Therefore, national communities are “historical” in two senses, because: first, historical memory is crucial for their continued existence; second, each of the ethnic / national groups is a product of historical forces and may therefore undergo historical changes and disintegration.

Accordingly, the basic attributes of an ethnic community should be the group's own name, the myth of common ancestors, a common historical memory, one or more differential elements of a common culture, as well as a connection with “native land” and a sense of solidarity in a large part of the population. This, as we can see, means that ethnic or national attributes are characterized not only by cultural and historical content, but also by their strong subjective components. Fictional origins and fictional ancestors are important in ethnic identification, and the connection between family and nation is present in nationalist mythology and testifies to the crucial importance of this attribute for ethnic / national affiliation<sup>19</sup>. The ethnic group lives compactly, creates linguistic, cultural, religious and territorial integrity. In a multiethnic society, an ethnic group is part of a nation and has no statehood. However, it can form cultural-national and territorial-national autonomy, striving more intensively and qualitatively to satisfy its cultural and political needs, interests, as well as to realize its “energy potential”<sup>20</sup>. Therefore, an ethnic / national group comprises both a minority and a dominant / titular ethnic group, which is numerically and culturally predominant in a given country, even if it has attained the status of a nation. Therefore, the terms “ethnic group” and “ethnic community” are often identified<sup>21</sup> in the scientific vocabulary.

The various ideas outlined above, discussed at a number of scientific conferences and published in sufficient numbers, became the basis of Ukrainian legislation on national minorities, as well as clarified it after its regulation and implementation in the early 90s of the twentieth century. At the same time, it should be noted that despite the fact that Ukrainian legislation began to focus mainly on the achievements of domestic researchers who followed Western ideas, many of its provisions were nationally or locally dependent and oriented. Even

<sup>17</sup> Rymarenko Y., *Mala entsyklopediia etnoderzhavoznavstva*, Wyd. Geneza 1996, s. 33

<sup>18</sup> Smit E., *Natsionalna identychnist*, Wyd. Osnovy 1994

<sup>19</sup> Smit E., *Natsionalna identychnist*, Wyd. Osnovy 1994, s. 21

<sup>20</sup> Zhuk P., Mazur N., Solomoniuk R., Turchak R., *Etnopolitychna karta svitu XXI stolittia*, Wyd. Mandrivets 2000, s. 33

<sup>21</sup> Rymarenko Y., *Mala entsyklopediia etnoderzhavoznavstva*, Wyd. Geneza 1996, s. 43

though Ukraine, – as a component of the international community, has certainly committed itself to implementing many provisions of international law. In general, it should be understood that in the practice of Ukrainian legislation the concept of “national minority” was first introduced and used, as noted above, not immediately after independence, but somewhat later, in particular in the law “On National Minorities in Ukraine” of 25 June 1992<sup>22</sup>. Prior to that, i.e. before the adoption of this legal act, it occurred only at the level of scientific or political terminology, which was not standardized. It is interesting, that, in Art. 3 of the Law “On National Minorities in Ukraine” the latter were defined as “groups of citizens who are not Ukrainians by nationality show a sense of national self-awareness and community among themselves”<sup>23</sup>.

This remark became important because the presented definition did not cover the real ethnic / national situation in Ukraine and the prevailing tendency after the Second World War, especially in the Western political process, to ethnic heterogeneity, which provides for the possibility of self-determination of ethnic groups. In addition, the national legislation of Ukraine does not contain a list or contains a limited list of groups of citizens belonging to national minorities. Therefore, theorists and practitioners immediately began to express some concerns and warnings about it, in particular about the fact that such a definition makes it possible to classify as “national minorities” virtually any ethnic / national group of citizens, regardless of its historical connection with Ukraine. The whole reason is that the definition proposed in the legislation, and first of all in the mentioned law, did not contain and does not contain clear criteria according to which the representatives of one or another ethnic group of Ukraine could be considered as national minorities. In addition, the legislation does not specify the time criteria for staying in the territory and a certain quantitative characteristics and position of national groups in socio-political life, as well as the presence of a historical homeland. Accordingly, despite the good developments in this context in academic discourse, the Ukrainian legislation has developed the idea of “national minority” as too vague for its legal application, which at the dawn of Ukraine’s independence laid the possibility of granting such status to any person or group of the persons who have the citizenship of Ukraine.

In contrast, the situation turned out to be much better in some other normative legal acts that were adopted under the sovereignty of Ukraine, in particular in international legal acts and international treaties with the participation of Ukraine. For example, the definition of “national minority” is found in interstate legal documents, in particular in the Treaty on Good Neighborliness and Cooperation between Ukraine and Romania. It defines the Romanian minority in Ukraine as citizens of Ukraine, regardless of the regions in which they live and which, according to their free choice, belong to this minority, taking into account their ethnic origin, language,

<sup>22</sup> Pro natsionalni menshyny v Ukraini: Zakon Ukrainy № 2494-XII vid 25 chervnia 1992 roku, “Vidomosti Verkhovnoi Rady Ukrainy” 1992, nr. 36, s. 529

<sup>23</sup> Pro natsionalni menshyny v Ukraini: Zakon Ukrainy № 2494-XII vid 25 chervnia 1992 roku, “Vidomosti Verkhovnoi Rady Ukrainy” 1992, nr. 36, s. 529.

culture and also religion<sup>24</sup>. In addition, Ukraine's agreement with Romania outlines the legal framework that the Ukrainian state should be guided by in its relations with the Romanian national minority. These include, in particular, the 1994 Council of Europe Framework Convention for the Protection of National Minorities, the OSCE Copenhagen Conference on the Human Dimension of 29 June 1990, the UN General Assembly Declaration on the Rights of Persons Belonging to National and Ethnic Religious and linguistic minorities (Resolution 47/135) of 18 December 1992, Recommendation № 1201 of the Parliamentary Assembly of the Council of Europe on an Additional Protocol to the European Convention on Human Rights concerning the Rights of National Minorities.

Such a list of international legal acts is very important, as Ukraine, as a party to the international political process, is obliged to implement it and has done so at different times, which is why it largely complies with international legal norms.

Among all the various international legal acts, the basic pan-European documents in the field of protection of minority rights include, in particular, the Framework Convention for the Protection of National Minorities, which Ukraine ratified after joining the Council of Europe in December 1997. It is interesting, that, there is no definition of a "national minority" in this convention. In addition, the principles set out in the Convention do not provide for the recognition of collective rights, but instead for the protection of persons belonging to national minorities who are able to exercise their rights alone or in combination with others. In this regard, the Framework Convention clearly identifies three basic aspects: respect for the territorial integrity and national sovereignty of the states parties to the convention; the right of every person belonging to a minority to decide freely whether or not to be considered as such (provided that the decision or exercise of rights thereon shall not be prejudicial to such person); understanding that States parties to the Convention will seek to achieve full and genuine equality in all spheres of economic, social, political and cultural life between persons belonging to national minorities and persons belonging to the majority of the population. Thus, in general, the Convention and its explanatory report, which are implemented in Ukrainian law, state that "a pluralistic and truly democratic society must not only respect the ethnic, linguistic and religious identity of every person belonging to a national minority, but also create appropriate conditions for detection, preservation and development of identity"<sup>25</sup>.

Another important international document and part of Ukrainian legislation was the European Charter for Regional or Minority Languages, which Ukraine signed in Strasbourg in May 1996, but ratified on May 15, 2003. Given the impossibility of enforcing the obligations under the Charter for all ethnic groups living in Ukraine who may be considered national minorities by law, and given the right (under the Charter) of each country to determine its own languages for which it undertakes to apply the provisions of the Charter, it has been decided

<sup>24</sup> Dohovir pro vidnosyny dobrosusidstva i spivrobotnytstva mizh Ukrainoiu ta Rumuniu, "Holos Ukrainy", 24 veresnia 1992, s. 4.

<sup>25</sup> Ramochnaja konvencija o zashchite nacional'nyh men'shinstv, "Panorama-Forum" 1996, nr. 4, s. 103.

to determine temporarily a certain number of such languages. The European Charter itself sets out the principles that define the concept of “regional or minority languages”. These are the languages that: are traditionally used within a certain territory of the state by the citizens of that state, who make up a group that is smaller in number than the rest of the population of that state; differ from the official language of the state. These languages are a means of communication for a number of persons, which justifies the implementation of the various safeguards and incentives provided for in the Charter<sup>26</sup>.

Interestingly, the Verkhovna Rada of Ukraine (Parliament of Ukraine), adapting this document to Ukrainian legislation, decided that the provisions of the Charter apply exclusively to the languages of 10 minorities: Belarusian, Bulgarian, Gagauz, Greek, Jewish, Moldavian, Crimean Tatar, German, Polish, Russian, Romanian, Slovak and Hungarian. Thus, Ukraine has demonstrated the influence of the local component and found that any member state of the Council of Europe can in fact choose its own, acceptable definition of a national minority. Given that in the political and legal space of multiethnic European countries there is a constant controversy over the activities of national minorities and the realization of their rights, the problem of terminological definitions immediately became and remains relevant, and Ukraine is a vivid reflection of this. The situation in Ukraine has not changed the attempt to amend the statutory definition of the national minority, because despite the proposed changes, as of 2021 the situation is the same as it was in the early 90s of the twentieth century.

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<sup>26</sup> Chilachava R., Pylypenko T., Yevropeiska khartiia rehionalnykh mov i mov menshyn, [w:] Mizhnatsionalni vidnosyny i natsionalni menshyny Ukrainy: stan, perspektyvy, Wyd. Hol. red. lit-ry movamy nats. menshyn Ukrainy 2004, s. 318

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## USE OF POLITICAL TECHNOLOGIES DURING ELECTION CAMPAIGNS IN UKRAINE

The article emphasizes that during the conduct of elections, political technologies occupy a central place, in the form of their component part – electoral technologies. They differ from all others in their focus on including socio-psychological mechanisms that regulate the behavior of voters. In a narrower sense, electoral technology can be called a certain method of fighting for the electorate. The authors analyzed a significant number of political technologies and found that the most commonly used are technologies for creating a political image; political PR; electoral technologies; political marketing; branding; technologies for regulating political conflicts; lobbying technologies, etc. Various approaches to determining the typology of electoral technologies are considered, in particular those based on the principles of legislation and ethical norms (“white” technologies that do not contradict the current electoral legislation; “gray” technologies that come into conflict with the norms of public morality and the accepted method of conducting an election campaign, but do not provide for direct violation of the law; “black” technologies that violate the current legislation) and the division of electoral technologies according to certain criteria is proposed. It is concluded that the application of such criteria as the scale, nature of motivation, scope of implementation, territorial feature, method, intensity and strength of influence on the electorate, options for their application make it possible to study the essence of electoral technologies more deeply and take a fresh look at the issues of their classification.

*Keywords:* political technologies, election campaign technologies, administrative technologies, election campaign, elections.

## WYKORZYSTANIE TECHNOLOGI POLITYCZNYCH PODCZAS KAMPANII WYBORCZYCH NA UKRAINIE

W artykule podkreślono, że podczas przeprowadzania wyborów technologie polityczne zajmują centralne miejsce, w postaci ich części składowej – technologii wyborczych. Różnią się one od wszystkich innych tym, że skupiają się na włączeniu socjopsychologicznych mechanizmów regulujących zachowanie wyborców. W węższym sensie technologii wyborczą można nazwać pewną metodą walki o elektorat. Autorzy przeanalizowali znaczną liczbę technologii politycznych i stwierdzili, że najczęściej stosowane są technologie kreowania wizerunku politycznego; PR polityczny; technologie wyborcze; marketing polityczny; branding; technologie regulacji konfliktów politycznych; technologie lobbingowe itp. Rozważane są różne podejścia do określania typologii



technologii wyborczych, w szczególności oparte na zasadach prawnych i normach etycznych (technologie „białe”, które nie są sprzeczne z obowiązującym prawodawstwem wyborczym; technologie „szare”, które wchodzą w sprzeczne z normami moralności publicznej i przyjętym sposobem prowadzenia kampanii wyborczej, ale nie przewidujące bezpośredniego naruszenia prawa; „czarne” technologie naruszające obowiązujące prawo) oraz proponuje się podział technologii wyborczych według określonych kryteriów. Stwierdza się, że zastosowanie takich kryteriów jak skala, charakter motywacji, zakres realizacji, cecha terytorialna, sposób, intensywność i siła oddziaływania na elektorat, możliwości ich zastosowania, pozwalają na badanie istoty technologii wyborczych więcej głęboko i świeżego spojrzenia na kwestie ich klasyfikacji.

*Słowa kluczowe: technologie polityczne, technologie kampanii wyborczej, technologie administracyjne, kampania wyborcza, wybory.*

## ВИКОРИСТАННЯ ПОЛІТИЧНИХ ТЕХНОЛОГІЙ У ХОДІ ВИБОРЧИХ КАМПАНІЙ В УКРАЇНІ

У статті підкреслюється, що у ході проведення виборів політичні технології займають центральне місце, у вигляді їх складової частини – виборчих технологій. Вони відрізняються від усіх інших спрямованістю на включення соціально-психологічних механізмів, які регулюють поведінку виборців. У більш вузькому розумінні виборчою технологією можна назвати певний метод боротьби за електорат. Автори проаналізували значну кількість політичних технологій і виявили, що найбільш поширеними є технології створення політичного іміджу; політичний піар; електоральні технології, політичний маркетинг, брендинг; технології регулювання політичних конфліктів; технології лобіювання тощо. Розглянуті різні підходи до визначення типології виборчих технологій, зокрема ті, що ґрунтуються на засадах законодавства та нормах етики («білі» технології, які не суперечать чинному виборчому законодавству; «сірі» технології, що вступають у конфлікт із нормами суспільної моралі і прийнятим способом проведення виборчої кампанії, але не передбачають прямого порушення законодавства; «чорні» технології, які порушують чинне законодавство) та запропоновано поділ виборчих технологій за певними критеріями. Зроблено висновок, що застосування таких критеріїв, як масштаб, характер мотивації, сфера реалізації, територіальна ознака, метод, інтенсивність та сила впливу на електорат, варіанти їх застосування дають змогу більш глибоко дослідити суть виборчих технологій і по-новому поглянути на питання їх класифікації.

*Ключові слова: політичні технології, технології виборчої кампанії, адміністративні технології, виборча кампанія, вибори.*

**Relevance of the topic.** Every election campaign in Ukraine is aimed at winning the sympathy of ordinary citizens who have the right to vote, that is, the electorate. However, among the whole range of actions carried out by the candidates and parties in the course of election campaigns, special attention and importance is attached to the development and application of election technologies – a set of tools and algorithms for purposeful political and psychological influence on electoral moods and behavior, on the results of voting in order to achieve particular goals in the election campaign.

Political technologies play a very important role in political life, being an integral, mandatory element of political communications. Political technologies are divided into the development of political decisions, the formation of political power, electoral technologies, administrative technologies, socialization of the individual, coordination of public interests and conflict resolution. A well-chosen and skillfully implemented set of technologies determines the result of the culminating act of the state's life – elections, which directs the future course of the country, regulates the circle of politicians and political forces that will be in power in the coming years. There is a large number of views on the understanding of political technologies, but for a clear comprehension of their features, structure, and functions, it is necessary to identify the main approaches.

**Presentation of the research materials.** There are several approaches to separating some political technologies from the others and typologizing them. Researcher D. Vydrin divides political technologies into real political technologies and political anti-technologies<sup>1</sup>. In his opinion, real technologies are systems, ways and means of consistently achieving the intended result, while the anti-technologies place the emphasis on achieving a personal or short-term result while ignoring the broad and long-term consequences of decisions made. In general, anti-technologies are based on the existing discontent of certain social strata<sup>2</sup>.

Scientist V. Bebyk distinguishes the following political technologies: developing projects of political decisions; political decision-making, implementation of political decisions; formation of political power; electoral technologies; administrative technologies or totalitarian and authoritarian technologies; formation of civil society structures in the form of parties, movements, associations; formation of public consciousness; socialization of the individual; coordination of public interests; conflict resolution. V. Bebyk contrasts electoral technologies as a manifestation of democracy and equality, and administrative technologies as a manifestation of authoritarianism and totalitarianism<sup>3</sup>.

A well-known Ukrainian researcher of electoral processes, L. Kochubei, is convinced that political technologies of election campaigns can be general and individual. General technologies cover the largest possible number of citizens and subjects of political life. The most common technologies are those of gaining and retaining power and those of the election campaign.

<sup>1</sup> Видрін Д. І. Політика: історія, технологія, екзистенція. К.: Либідь, 2001. С. 18.

<sup>2</sup> Кузь О. М. Вибірчі технології в модерному секторальному процесі США та України: монографія / Кузь О.М., Поліщук І.О., Моторнюк Т.М. Х.: ІНЖЕК, 2012. С.41.

<sup>3</sup> Бебик В. Політологія для політика і громадянина: Монографія. К.: МАУПІ, 2003. С. 50.

Instead, individual technologies are inherent in individual subjects of the political process, including politicians, public and states actors. The most common individual technologies include public speaking, participation in debates, discourses, and conflict resolution. These technologies are diverse and help to create a certain image of a politician, raise his authority, popularity, and so on<sup>4</sup>.

Applying the criteria and functions of political power, L. Kochubei formulated her author's classification of electoral technologies: diagnostic – analytical technologies; directive – management technologies or technologies for making political decisions; mobilizing – the formation of support for political decisions by the majority of the population; rational – in the form of political marketing; irrational – based on authority and manipulation of public opinion<sup>5</sup>.

A similar classification was also proposed by M. Shkoliar. It considers political technologies through the prism of political leadership and distinguishes between general (fundamental) and secondary technologies. General technologies include technologies used during the organization and conduct of election campaigns that prevent the emergence of socio-political conflicts, allow them to be resolved, and achieve political consensus in society. Secondary technologies include tactical technologies that represent the simplest, most practical operations, and tasks that are solved during the election campaign<sup>6</sup>.

Among the many points of view on the concept of “political technologies”, it is worth highlighting the definition of G. Pocheptsov, who considers them a set of ways to influence the masses, influence their electoral behavior, which encourages them to vote for a certain candidate<sup>7</sup>. M. Malyshevskiy considered electoral technologies as a set of actions regulated by the conditions of a particular election campaign: the specifics of the electoral district, the characteristics of candidates, and so on<sup>8</sup>.

Russian scientist A. Soloviov<sup>9</sup> proposed his own typology of political technologies. It describes functional types of political technologies that involve rationalization and creation of algorithms for role loads of various subjects of power, in the form of decision-making, coordination of interests, negotiations, communication with the public; instrumental varieties of political technologies that imitate the use of techniques aimed at rationalizing certain activities, in fact have completely different, hidden goals; subject technologies, such as electoral, lobbying techniques, computer, information technologies, etc.; level technologies, such as global, continental-regional, national-state, corporate, local, interpersonal technologies; technologies by duration of application: strategic, tactical, cyclical; replicated and unique technologies; “hard”

<sup>4</sup> Кочубей Л.О. Вибірчі технології: політологічний аналіз (на прикладі виборів до парламенту сучасної України): монографія. К.: ТОВ Видавництво «Юридична думка», 2006. С. 34.

<sup>5</sup> Кочубей Л.О. Вибірчі технології: політологічний аналіз (на прикладі виборів до парламенту сучасної України): монографія. К.: ТОВ Видавництво «Юридична думка», 2006. С. 70.

<sup>6</sup> Школиар М.В. Технологічність процесу політичного лідерства: дис. ... канд. політ. наук: спец.: 23.00.02. Львів, 2005. С. 21.

<sup>7</sup> Почепцов Г.Г. Информационно-политические технологии. М.: Центр, 2003. С. 194.

<sup>8</sup> Мальшевский Н.М. Технология и организация выборов. Минск: Харвест, 2003. С. 4.

<sup>9</sup> Соловьев А.И. Политология: Политическая теория, политические технологии. М.: Аспект Пресс, 2006. С. 420.

or unchangeable and “soft” technologies; regulatory technologies: conditioned by existing laws, norms, traditions in the country, and the opposite – deviant technologies that do not follow the established requirements; explicit or public and shadow, hidden technologies; rational, which are based on beliefs and are focused on the goals and interests of voters, and irrational, which are based on manipulation of the consciousness and behavior of the voters<sup>10</sup>.

Therefore, it is obvious that there are a significant number of views on the definition and classification of political technologies. Among them, the most common are technologies for creating a political image; political PR; electoral technologies, political marketing, branding; technologies for regulating political conflicts; lobbying technologies; technologies for conducting political negotiations and concluding contracts. There are also many different approaches to determining the typology of electoral technologies. However, the most well-known is the typology of electoral technologies, based on the principles of legislation and ethical norms. According to these criteria, there are: “white” technologies that do not contradict the current electoral legislation; “Gray” technologies that come into conflict with the norms of public morality and the accepted methods of conducting an election campaign, but do not provide for direct violation of the law; “Black” technologies that violate the current legislation<sup>11</sup>.

At the same time, Ukrainian researcher Y. Surmin divides election technologies into two groups: first, regulatory election technologies (technologies for the implementation of electoral rights); second, election campaign technologies, consisting of research technologies, technologies for strategic planning of the election campaign, technologies for organizing the election campaign, financial management technologies, campaign management technologies, advertising and PR technologies, media functioning technologies, candidate training technologies<sup>12</sup>. According to Y. Surmin, it is possible to differentiate elective technologies according to the functions they perform in society:

- diagnostic function – analytical technologies (technologies for collecting and analyzing political information);
- directive function – directive technologies (political decision-making technologies): technologies for determining the content of a political decision;
- mobilizing function – mobilizing technologies (technologies of forcing support for a political decision by significant masses of the population): rational (soft, based on beliefs and hard, based on coercion); irrational (reference to authority, to the views of the majority)<sup>13</sup>.

<sup>10</sup> Васильева Т. Политические технологии избирательной кампании: анализ категории. URL: <https://cyberleninka.ru/article/n/politicheskie-tehnologii-izbiratelnyh-kampaniy-analiz-kategorii>

<sup>11</sup> Дмитришин Ю. Застосування «брудних» технологій у політичній рекламі під час виборчої кампанії 2006 року. URL: <http://ekma.it.ukma.edu.ua/handle/123456789/6742>

<sup>12</sup> Сурмін Ю. П. Виборчі технології / Сурмін Ю. П., Наріжний Д. Ю. Дніпропетровськ; Пороги, 2001. С. 35.

<sup>13</sup> Ibid. P. 36-37.

In our opinion, electoral technologies can be divided according to certain criteria: by scale (technologies aimed at all voters or a certain target group); by the nature of motivation (those that stimulate through promises, expectations, proposals or, conversely, intimidate through the activation of natural fears); by the sphere of implementation (public technologies for the voters, shadow technologies in the form of agreements and concessions to work with the elite, and black technologies and administrative resources for the sphere of power in the form of election fraud, ballot stuffing, removal of candidates, etc.); by territorial characteristic (Eastern and Western type of technologies); by the method of influence on voters (legal and legitimate); by the intensity of influence on voters (active or passive); by application options (flexible and inflexible); by the nature of influence (external and internal) and belonging to market methods of influence (marketing and non-marketing).

Based on the functions of political activity, Russian scientist K. Borishpolets identifies the following among electoral technologies: diagnostic functions or technologies for collecting and analyzing political information; directive functions or technologies for making political decisions: technologies for determining the content of a political decision, technologies for making a political decision; mobilizing functions or technologies for stimulating support for a political decision by the majority of the population<sup>14</sup>.

Quite often, so-called “dirty” election technologies are used during election campaigns, which, as a rule, are based on spreading negative or false information about political competitors.

According to Y. Dmitrishin, “dirty” technologies can be divided into three groups: compromising material, discrediting, and presenting information about the candidate in a negative light. Compromising material as a type of “dirty” technology involves the use of truthful information about a political competitor. This information, which may include intimate details, crimes or unworthy actions from the past, bribery, etc., is undesirable for the latter and negatively affects the rating and harms the candidate’s image.

Discrediting a political competitor or political force is certain actions aimed at discrediting them in the eyes of the electorate, influencing public opinion to throw the opponent out of balance by spreading rumors through communication channels or presenting neutral information about the opponent in combination with negative stories, which forms a negative impression among potential voters.

And, of course, presenting information about the candidate in a negative light violates the positive impression of the candidate and causes distrust.

Administrative resources are also considered “dirty” technologies that hinder the free expression of the will of voters<sup>15</sup>.

<sup>14</sup> Боришполец К. Методы политических исследований. М.: Аспект Пресс, 2005. URL: <http://politics.ellib.org.ua/pages-1492.html>. С. 62.

<sup>15</sup> Дмитришин Ю. Застосування «брудних» технологій у політичній рекламі під час виборчої кампанії 2006 року. URL: <http://ekmairukma.edu.ua/handle/123456789/6742>

**The role of political technologies in election campaigns.** In the modern civilized world, elections are the most common democratic way to gain political power, update the personal composition of government bodies and institutions. Elections are inextricably linked with the concept of a democratic way of public life, which provides for periodic rotation (changeability) not only of the personnel of government institutions, but also of the course they carry out. The progression of elections is directly related to the need to prepare and conduct an election campaign of a certain level<sup>16</sup>.

However, elections are not limited only to the voting process itself, since it is necessary to look at the process on a larger scale, as a mass campaign, a complete set of measures and procedures for the formation of governing state institutions. In this regard, it is necessary to focus on studying the election campaign, which includes a number of important procedures. Election campaigns are usually studied on a national and regional scale. Thus, the organization and conduct of an election campaign includes the implementation of a whole range of different activities. In order for the campaign to be successful, it must be clearly planned, justified and systematic in nature<sup>17</sup>.

From a scientific point of view, the thesis that electoral technologies are used during election and election campaigns is not entirely correct. For example, M. Varyi clearly distinguishes between pre-election and actual electoral technologies. "The difference between the pre-election campaign and an election campaign lies primarily in the peculiarities and possibilities of influencing the potential electorate, in the absence of strict legislative norms and an oversaturated information field"<sup>18</sup>. The scientist notes that the use of technologies during election and election campaigns is differentiated primarily by its nature and intensity. Here, attention is focused on the temporal component of the implementation of electoral technologies, which makes it possible to highlight the features of using technologies at different stages of the election campaign.

We believe that the very concept of "electoral technology" contains a clear indication and regulation of its use during the electoral process. Thus, the main feature of election technologies is that they are used exclusively during election campaigns. This gives reason to call them electoral technologies.

When studying the essence of electoral technologies, according to the Ukrainian scientist O. Khromets, one should be guided by various approaches: psychological, cultural, epistemological, sociological and marketing. However, the author especially emphasizes the marketing approach<sup>19</sup>.

Analyzing the current approaches to determining the essence of electoral technologies, we are convinced that in addition to the marketing approach, psychological, manipulative

<sup>16</sup> Головатий М. Ф. Професія – політик. К.: Парлаам. Вид-во, 2000. 88 с.; Головатий М. Концептуальні засади політичної теорії та методів її дослідження. URL: [https://ipend.gov.ua/wp-content/uploads/2018/08/golovaty\\_i\\_kontseptualni.pdf](https://ipend.gov.ua/wp-content/uploads/2018/08/golovaty_i_kontseptualni.pdf)

<sup>17</sup> Джабасов А. А. Политические технологии избирательных кампаний: проблемы категориального осмысления. Вестник Московского университета. Сер. 12: Политические науки, 2000. №2. С. 49.

<sup>18</sup> Варій М. І. Політико-психологічні передвиборчі та виборчі технології. К.: Ельга: Ніка-Центр, 2003. С.265.

<sup>19</sup> Хромець О.Л. Виборчі технології як чинник політичних трансформацій у пострадянських країнах (на прикладі України та Росії): автореф. дис. на здобуття наук. ступеня канд. пол. наук: 23.00.02 «Політичні інститути та процеси». К., 2009. С. 17.

and structural-functional approaches also deserve special attention. Thus, according to the psychological approach, electoral technologies are a set of ways and techniques to influence the individual and social psyche of voters in order to win their votes. The manipulative approach, which has recently become increasingly relevant, is used in political campaigns for the purpose of mass, sophisticated and cynical manipulation.

Political marketing technologies that identify elections with the free market, where there is a product, supply and demand, help to sell the product most effectively in the form of a candidate, political program, and so on. Therefore, a truly marketing approach is central to understanding election technologies. Another fairly popular approach is structural-functional, which considers selective technologies as a coordinated interaction of elements that together form a complex structure.

The structure of political technologies is formed from specific knowledge, specific techniques, technical and resource components and includes three blocks: a block of objective conditions (accounting for available information); a block of strategy (program development); a block of tactics (a set of tools and methods).

An election campaign is a set of actions of political parties, election blocs, individual candidates and their headquarters aimed at achieving pre-election goals (winning elections or positioning in the political market). This technology belongs to the general electoral technologies. In any democratic state, there is a legislative framework that clearly regulates the behavior of the participants of an election campaign, but there is also an aspect that is not regulated by law – this is the choice of the voter himself. To exert the necessary influence on the voter, specific methods and procedures of influencing the motivation of the voter's choice are used. Let's take a closer look at the main stages of the election campaign (from the point of view of candidates)<sup>20</sup>.

*Information and analytical stage.* Long (6-12 months) before the start of official registration and advertising campaigns, research is conducted to study the state of the political market. These studies are designed to identify: the social structure of the district; the socio-political situation in the district; attitudes and stereotypes of electoral groups; ideas about the ideal candidate; the attitude of electoral groups to state institutions and political parties; the attitude of the electorate to the current government and opposition; the rating of the candidate and competitors; sources of information desirable for different groups of the population. Based on the information received, the strategy and tactics of the election campaign are developed, and the image of the politician is created or adjusted. Based on these data, during the preparation of the election campaign strategy, the target audience is determined, that is, those who are expected to support and who will be targeted by the entire advertising and agitation campaign.

*The stage of "promotion" and positioning the candidate in the political market.* Temporarily, this stage begins after the official registration of candidates and the announcement of the start of the advertising campaign. At this stage, the developed or corrected image of the politician is

<sup>20</sup> Борисов Б. А. Технологии рекламы и PR. М.: ФАИР-ПРЕСС, 2001. С. 39-41.

broadcast to the target audience using various forms of political communication (advertising, propaganda, public relations)<sup>21</sup>.

So, political technologies are divided into the development of political decisions, the formation of political power, electoral technologies, administrative technologies, socialization of the individual, coordination of public interests and conflict resolution. It is at these stages that it is necessary to clearly distinguish between general political technologies (affecting the broad masses and including technologies for gaining and retaining power, as well as electoral technologies) and individual ones (aimed at individual subjects of the political process, such as public conversations, discussions, conflict resolution, which help to create an image of a politician, raise his rating).

**Conclusions.** The conducted research on political technologies has proved that there are many approaches, views and opinions regarding this socio-political phenomenon. The authors are of the opinion that political technologies are a set of consistently applied procedures, methods of activity aimed at achieving goals, as well as a number of certain knowledge and skills that ensure the solution of problems in the field of politics. Another view of this phenomenon considers political technologies as an activity for resolving and preventing conflicts, a set of actions to achieve a certain political result. Some scientists consider political technologies not just as a set of methods and techniques, but as a system of means of implementing the political values of the subject during political activity.

Political technologies occupy a central place in the conduct of elections, in the form of their component part – electoral technologies. Electoral technologies are a certain method of fighting for voters. They differ from all others in their focus on including socio-psychological mechanisms that regulate the behavior of voters. In a narrower sense, electoral technology can be called a certain method of fighting for the electorate.

A fairly common approach is to identify technologies for creating a political image, political PR, electoral technologies, political marketing, technologies for regulating political conflicts, lobbying technologies, technologies for conducting political negotiations and concluding agreements. However, among electoral technologies, the most common typology is based on their compliance with legislation and moral norms: “White” (corresponding to these two categories), “gray” (not corresponding to the category of ethics) and “black” (violating both categories). However, the application of such criteria as the scale, nature of motivation, scope of implementation, territorial feature, method, intensity and strength of influence on the electorate, application options allow us to study the essence of electoral technologies more deeply and take a fresh look at the issues of their classification.

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<sup>21</sup> Комягина М. В. Избирательные технологии: основные подходы и концептуальные основы URL: <https://cyberleninka.ru/article/n/izbiratelnye-tehnologii-osnovnye-podhody-i-kontseptualnye-osnovy>



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## THE PHENOMENON AND FEATURES OF INTERNAL MIGRATION IN THE COUNTRIES OF THE VISEGRAD GROUP

The article is dedicated to analyzing the phenomenon and features of internal migration in the Visegrad group countries. This was done according to such parameters as: “regions – capital” migration, “region – region” and “village – city” migration, “poor regions – rich regions” migration. In addition, the author identified the factors and motives of internal migration in the countries of the region. In this regard, it was established that suburbanization as the growth and development of the suburban area of large cities, due to which urban agglomerations are formed, is a common characteristic of the countries of the Visegrad group. In addition, migration processes from poorer to richer regions and settlements can be traced in the countries of the region. It was also found that in terms of GDP per capita and migration balance in the regions of each of the Visegrad group countries, high GDP per capita is typical for regions with a positive migration balance, and low GDP per capita for regions with a negative migration balance.

*Keywords: migration, internal migration, population, urbanization, Visegrad Group.*

## ZJAWISKO I CECHY MIGRACJI WEWNĘTRZNEJ W KRAJACH GRUPY WYSZEHRADZKIEJ

Artykuł analizuje zjawisko i cechy migracji wewnętrznych w krajach Grupy Wyszehradzkiej. Dokonano tego według takich parametrów jak: migracja „regiony – stolica”, migracja „region – region” i „wieś – miasto”, migracja „regiony biedne – regiony bogate”. Ponadto zidentyfikowano czynniki i motywy migracji wewnętrznej w poszczególnych regionach. W związku z tym ustalono, że suburbanizacja jako wzrost i rozwój obszaru podmiejskiego dużych miast, przez co powstają aglomeracje miejskie, jest wspólną cechą krajów Grupy Wyszehradzkiej. Ponadto w krajach regionu można prześledzić procesy migracji z biedniejszych do bogatszych regionów. Stwierdzono również, że pod względem PKB per capita i salda migracji w regionach każdego z krajów wyszehradzkich wysoki PKB per capita charakteryzuje regiony z dodatnim saldem migracji, a niski – dla regionów z ujemnym saldem migracji.

*Słowa kluczowe: migracje, migracje wewnętrzne, ludność, urbanizacja, Grupa Wyszehradzka.*

## ФЕНОМЕН Й ОСОБЛИВОСТІ ВНУТРІШНЬОЇ МІГРАЦІЇ У КРАЇНАХ ВИШЕГРАДСЬКОЇ ГРУПИ

У статті проаналізовано феномен й особливості внутрішньої міграції у країнах Вишеградської групи. Це було здійснено за такими параметрами, як: міграція «регіони – столиця», міграція «регіон – регіон» і «село – місто», міграція «бідні регіони – багаті регіони». У доповнення визначено чинники мотиви внутрішньої міграції населення у країнах означеного регіону. З цього приводу встановлено, що субурбанізація як зростання і розвиток приміської зони великих міст, через що формуються міські агломерації, є спільною характеристикою країн Вишеградської групи. Крім того, в країнах регіону простежуються міграційні процеси від бідніших до багатших регіонів і населених пунктів. Також встановлено, що за показниками ВВП на душу населення та сальдо міграції у регіонах кожної із країн Вишеградської групи високі показники ВВП на душу населення характерні для регіонів із додатним сальдо міграції, а низькі – для регіонів з від'ємним сальдо міграції.

*Ключові слова:* міграція, внутрішня міграція, населення, урбанізація, Вишеградська група.

Migration and migration processes have become one of the most important research issues, problems and challenges of the late twentieth – early 21<sup>st</sup>. century. Voluntary and forced, domestic and international migrations have accompanied, accompany and will accompany the development of mankind throughout its existence, but it is in the modern period that they have reached the greatest scale. The fact is that emigrants and immigrants have become an integral, necessary and at the same time problematic part of life in different countries, a means of resolving the demographic, social and financial and economic crisis, as well as stimulating the aggravation of social, religious, political and ethnic problems. The situation is particularly active in most countries of the European Union, in particular in the Visegrad countries – Hungary, Poland, Slovakia and the Czech Republic – although they pay considerable attention to migration flows and apply various (sometimes appropriate and sometimes not) migration measures. The component of migration and migration processes, which is relatively less studied against the background of other manifestations, is no exception in this context, as internal migration – as the movement of population within the same country. This has put on the agenda the need for its isolation, understanding and comparative analysis, in particular on the example of the Visegrad countries – Hungary, Poland, Slovakia and the Czech Republic – a region that, on the one hand, meets European migration trends, but on the other hand, quite often positions itself in this context quite separately.

The phenomenon and features of internal migration in the countries of the Visegrad Group were analyzed by such researchers as F. Albert<sup>1</sup>, P. Baimochi<sup>2</sup>, V. Balazh<sup>3</sup>, D. Baliz<sup>4</sup>, L. Balint<sup>5</sup>, L. Vahak<sup>6</sup>, J. Vobetska<sup>7</sup>, S. Goszu<sup>8</sup>, I. Godri<sup>9</sup>, D. Drboglav<sup>10</sup>, R. Dudash<sup>11</sup>, M. Zhyudelova<sup>12</sup>, G. Zubik<sup>13</sup>, C. Kusa<sup>14</sup>, A. Mesyash-Lekh<sup>15</sup>, J. Mladek<sup>16</sup>, M. Okolski<sup>17</sup>, M. Rakotsova<sup>18</sup>, I. Topinska<sup>19</sup>, N. Urbanchikova<sup>20</sup>, M. Urzhednichek<sup>21</sup>, A. Hars<sup>22</sup>, K. Chupelyova<sup>23</sup>, A. Shchepanskaya<sup>24</sup> and many others.

Their research provided comprehensive data on the understanding of internal migration both in general and in the Visegrad countries in particular. However, these studies have

- <sup>1</sup> Albert F., Hárs Á., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Hungary, Wyd. European Commission 2012, 61 s.
- <sup>2</sup> Bajmocy P., Hosszu S., Dudas R., Balizs D., New Migration Trends and Their Motivation in Hungary, "Geographica Timisiensis" 2011, vol. 20, nr. 2, s. 29–40.
- <sup>3</sup> Baláz V., Kusá Z., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Slovakia, Wyd. European Commission 2012, 61.
- <sup>4</sup> Bajmocy P., Hosszu S., Dudas R., Balizs D., New Migration Trends and Their Motivation in Hungary, "Geographica Timisiensis" 2011, vol. 20, nr. 2, s. 29–40.
- <sup>5</sup> Bálint L., Gödri I., Internal migration, [w:] Monostori J., Öri P., Spéder Z. (eds.), Demographic Portrait of Hungary 2015, Wyd. HDRI2015, s. 169–184.
- <sup>6</sup> Vagac L., Internal Labour Mobility in Slovakia, Wyd. European Employment Observatory 2013, źródło: <http://ec.europa.eu/social/BlobServlet?docId=12068&langId=en>
- <sup>7</sup> Vobecká J., Spatial dynamics of the population in the Czech Republic, 1989–2007: Ph.D. thesis, Wyd. Charles University and Université de Bourgogne 2010.
- <sup>8</sup> Bajmocy P., Hosszu S., Dudas R., Balizs D., New Migration Trends and Their Motivation in Hungary, "Geographica Timisiensis" 2011, vol. 20, nr. 2, s. 29–40.
- <sup>9</sup> Bálint L., Gödri I., Internal migration, [w:] Monostori J., Öri P., Spéder Z. (eds.), Demographic Portrait of Hungary 2015, Wyd. HDRI2015, s. 169–184.
- <sup>10</sup> Drboglav D., Rákoczyová M., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Czech Republic, Wyd. European Commission 2012, 84 s.
- <sup>11</sup> Bajmocy P., Hosszu S., Dudas R., Balizs D., New Migration Trends and Their Motivation in Hungary, "Geographica Timisiensis" 2011, vol. 20, nr. 2, s. 29–40.
- <sup>12</sup> Žudelová M., Urbancíková N., Labour Migration and Mobility in the Districts of the Slovak Republic, Presented at 5th Central European Conference in Regional Science, CERS 2014, s. 1198–1208.
- <sup>13</sup> Zębik G., Typology of Suburban Communities in Poland, "Bulletin of Geography: Socio-economic Series" 2011, vol. 16, s. 173–188.
- <sup>14</sup> Baláz V., Kusá Z., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Slovakia, Wyd. European Commission 2012, 61 s.
- <sup>15</sup> Meszjasz-Lech A., Szczepańska A., Development of Suburbanization in the Context of Socio-economic Changes in Urban Areas on the Example of Poland, [w:] Management, Enterprise and Benchmarking in the 21st Century, Budapest 2015, s. 385–395.
- <sup>16</sup> Mládek J., Čupelová K., Population Processes and Structures in the Urban and Rural Spaces of Slovakia, "European Countryside" 2010, vol. 3, s. 72–93.
- <sup>17</sup> Okolski M., Topińska I., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Poland, Wyd. European Commission 2012, 60 s.
- <sup>18</sup> Drboglav D., Rákoczyová M., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Czech Republic, Wyd. European Commission 2012, 84 s.
- <sup>19</sup> Okolski M., Topińska I., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Poland, Wyd. European Commission 2012, 60 s.
- <sup>20</sup> Žudelová M., Urbancíková N., Labour Migration and Mobility in the Districts of the Slovak Republic, Presented at 5th Central European Conference in Regional Science, CERS 2014, s. 1198–1208.
- <sup>21</sup> Ouřednick M., Differential Suburban Development in the Prague Urban Region, "Geografiska Annaler: Human Geography" 2007, vol. 89, nr. 2, s. 111–125.
- <sup>22</sup> Albert F., Hárs Á., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Hungary, Wyd. European Commission 2012, 61 s.
- <sup>23</sup> Mládek J., Čupelová K., Population Processes and Structures in the Urban and Rural Spaces of Slovakia, "European Countryside" 2010, vol. 3, s. 72–93.
- <sup>24</sup> Meszjasz-Lech A., Szczepańska A., Development of Suburbanization in the Context of Socio-economic Changes in Urban Areas on the Example of Poland, [w:] Management, Enterprise and Benchmarking in the 21st Century, Budapest 2015, s. 385–395.

sometimes not been completely systematized and comprehensive for all countries in the region, so we are trying to address this analytical gap in our research paper.

It is well known, and this is noted by many of the researchers listed above, that population migration is any territorial movement of the population associated with the crossing of both external and internal boundaries of certain administrative-territorial entities in order to change permanent residence or temporary stay on the territory for training or employment, etc., regardless of the factors under which such relocation occurs<sup>25</sup>. In view of this, S. Caslzza distinguishes domestic and international migration as a territorial feature. At the same time, this researcher considers internal migration to be a movement from one area (province, county, municipality or general administrative-territorial unit) to another within one country<sup>26</sup>. Thus, internal migrants are the category of people who for various reasons cross the internal administrative borders (cities, districts, regions, etc.) of their country and settle permanently or temporarily in new places. As a rule, this category of persons are legal migrants, although in some autocratic countries they were or are still considered illegal, as was the case, in particular, in the former USSR in the 1930s – first half of the 1950s, when residents rural areas did not have passports and were deprived of the right to change their place of residence. Today the situation is completely different, especially in democratic political regimes, but the status of internal migrants is certainly determined by the domestic law of a particular country, and therefore can be subject to comparison in regional or subregional terms, including the Visegrad Group.

It is important to note that we analyze internal migration in the Visegrad Group countries according to such parameters as: 1) migration “regions – capital”; 2) migration “region – region” and “village – city”; 3) migration “poor regions – rich regions”. In addition, the peculiarities of internal migration in the Visegrad countries – Hungary, Poland, Slovakia and the Czech Republic – are analyzed using official statistics on population change at the regional and local levels due to their inherent emigration and immigration processes. In supplement, we determine the factors and motives of internal migration in the countries of the region. We pass these tasks and stages of research gradually and their consideration in general is extremely important.

First of all, let's analyze migration on the parameter “regions – capital” in the Visegrad countries. In Budapest (the capital of Hungary), the population was decreasing during 1990–2005, and was increasing during 2005–2010. In general, during 1990–2020, it was established that in Budapest: 1) within the framework of permanent migration: the maximum population growth was recorded in 2014, and the minimum one – in 2000; 2) in the framework of temporary migration and re-emigration: the maximum population growth was recorded in 2010, and the minimum one – in 1997; in the framework of permanent migration, temporary

<sup>25</sup> Vorob'eva O., Migracionnye processy naselenija: voprosy teorii i gosudarstvennoj migracionnoj politiki, [w:] Problemy pravovogo regulirovanija migracionnyh processov na territorii Rossijskoj Federacii: Analiticheskij sbornik Soveta Federacii, Wyd. FS RF2003, vol. 9, nr. 202, s. 35.

<sup>26</sup> Kaslzs S., Global'nye tendencii i problemy. Mezhdunarodnaja migracija v nachale XXI veka: global'nye tendencii i problemy, “Mezhdunarodnyj zhurnal social'nyh nauk” 2001, vol. 32, s. 27–42.

migration and re-emigration (total): the maximum population growth was recorded in 2010, and the minimum one – in 2000. In Warsaw (the capital of Poland) as of 2020, the migration balance was positive (the number of immigrants was higher than the number of emigrants)<sup>27</sup>.

In Bratislava (the capital of Slovakia), the migration balance in 1997–2004 was negative (the number of emigrants was higher than the number of immigrants); in 1993, 1995–1996 and since 2005 it has been positive. The population during 1993–2020 was the highest in 1996 and the lowest in 2011. Finally, in Prague (Czech capital) the migration balances in 2002–2012 and since 2014 have been positive, and in 2013 – negative ones.

The next step is to analyze the migration by the parameter “region – region” and “village – city” in the Visegrad countries. In Hungary, during 1990–2005, the population in large and medium-sized cities was decreasing, and in the suburbs of Budapest and large cities, as well as in the tourist area, it was increasing. A part of the population of large and medium-sized cities moved to villages due to socio-economic difficulties. Suburban areas / suburbs have sprung up around these cities, containing several settlements. The most dynamic situation was around the capital, when the agglomeration of Székesfehérvár, Dunaujvaros, Tatabánya, Kecskemét and Szolnok<sup>28</sup> was formed. However, in many towns and villages in northern Hungary, the population has grown due to the positive balance of migration (immigration dominance over emigration). Most people moved to the region because of job changes, lower housing prices and cheaper livelihoods, or a desire to return to their former place of residence. During 2005–2010, the population in large cities, suburbs of Budapest and large cities, as well as in tourist areas increased, and in medium and small cities, as well as in rural areas – decreased (see Table 1). As noted by P. Baimochi, S. Goszu, R. Dudash and D. Baliz, the population of large cities again began to grow mainly due to re-urbanization.

**Table 1.** Population distribution (as a percentage) by types of settlements in Hungary (On the example of 1990–2010)

Year	Budapest	Large cities	Medium-sized cities	Towns	Suburbs of Budapest	Suburbs of large cities	Tourist area	Rural area	In total
1990	19,44	18,40	11,40	10,35	7,92	4,68	2,17	25,64	100,00
2001	17,27	18,30	11,27	10,53	9,31	5,26	2,25	25,82	100,00
2005	16,85	18,10	11,12	10,42	10,11	5,52	2,30	25,58	100,00
2010	17,19	18,36	10,91	10,06	11,07	5,65	2,34	24,42	100,00

Zródło: Bajmocy P., Hosszu S., Dudas R., Balizs D., New Migration Trends and Their Motivation in Hungary, “*Geographica Timisiensis*” 2011, vol. 20, nr. 2, s. 33.

In general, in Hungary during 1990–2020, it was established that in the framework of constant migration: 1) the maximum population growth of other cities was recorded in 2008,

<sup>27</sup> Regions of Poland 2017, Wyd. Central Statistical Office of Poland, źródło: <http://stat.gov.pl/en/topics/other-studies/cities-voivodship/regions-of-poland-2017,5,11.html>

<sup>28</sup> Bajmocy P., Hosszu S., Dudas R., Balizs D., New Migration Trends and Their Motivation in Hungary, “*Geographica Timisiensis*” 2011, vol. 20, nr. 2, s. 33.

and the minimum one – in 1995; 2) the maximum increase in the population of villages was recorded in 2000, and the minimum one – in 2013; within the framework of temporary migration and re-emigration: 1) the maximum population growth of other cities was recorded in 1994, and the minimum one – in 2012. 2) the maximum population growth of villages was recorded in 1997, and the minimum one – in 2008; in the framework of permanent migration, temporary migration and re-emigration (total): 1) the maximum population growth of other cities was recorded in 2008, and the minimum one – in 1997; 2) the maximum population growth of villages was in 2000, and minimum one – in 2010

On the back of the existing research (P. Baimochi, S. Goszu, R. Dudash, D. Baliz<sup>29</sup>, F. Albert, A. Hars<sup>30</sup>, L. Balint, I. Godry<sup>31</sup>) and the author's vision, we assert that the main processes that explain the decrease in the population of Budapest and other cities and the increase in the population of suburbs and villages in the above time periods (depending on the type of migration) were as follows:

1. Suburbanization is the process of growth and development of the suburban area of large cities, resulting in the formation of urban agglomerations. It is characterized by a higher rate of increase in the number of inhabitants of suburban settlements and satellite cities compared to the cities-centers of agglomerations. For example, according to a 2011 survey conducted by the University of Szeged, the most important motives for suburbanization were: environmental benefits, the need for own housing and better living conditions (larger apartment or house), and the least important - the deterioration of the financial situation ( see table 2) for details.

**Table 2.** Motives for suburbanization in Hungary (as a percentage): survey results as of 2011

Motive	Important	Not important
The need for own housing	70,6	20,6
The need for a larger apartment / house	63,9	26,1
Cheaper housing	38,7	51,6
Improving the financial situation	35,3	34,5
Deterioration of the financial situation	8,9	77,0
Gardening	52,2	32,9
Environmental advantages / disadvantages	73,9	17,3
Job change / retirement	14,9	79,1
Health change	14,9	81,1

Zródło: Bajmocy P., Hosszu S., Dudas R., Balizs D., New Migration Trends and Their Motivation in Hungary, "Geographica Timisiensis" 20111, vol. 20, nr. 2, s. 37.

<sup>29</sup> Bajmocy P., Hosszu S., Dudas R., Balizs D., New Migration Trends and Their Motivation in Hungary, "Geographica Timisiensis" 20111, vol. 20, nr. 2, s. 29–40

<sup>30</sup> Albert F., Hárs Á., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Hungary, Wyd. European Commission 2012, 61 s.

<sup>31</sup> Bálint L., Gödri I., Internal migration, [w:] Monostori J., Ori P., Spéder Z. (eds.), Demographic Portrait of Hungary 2015, Wyd. HDRI 2015, s. 169–184.



2. desurbanization / deurbanization – the process of reducing the population of large cities and their relative production potential. Desurbanization is a process in which the center of population growth shifts to rural areas, beyond urban agglomerations: the rural population increases while the urban population decreases<sup>32</sup>. Desurbanization is a complex process of deconcentration, which is caused by both structural and behavioral changes. There are such types of desurbanization as: periurbanization / exurbanization – when they move to the village for residential reasons, without losing contact with the city<sup>33</sup> (in fact, it is suburbanization); displaced urbanization refers to those migrations that are mainly due to economic reasons (for example, opportunities to earn higher incomes or reduce living costs); if conditions that allow migrants to return to the city arise, they will do so; counter urbanization is the process of deconcentration of the population, ie the transition from a state of greater concentration to a state of less concentration<sup>34</sup>. Counter-urbanization means not only a change of residence, but involves the transfer of jobs and a comprehensive change in the lifestyle of migrants. At the same time, according to the results of the same survey from 2011, the most important motives of urbanization were environmental benefits, the need for housing, gardening, the need for better living conditions (larger apartment or house), and the least important deterioration of the financial situation (Table 3).

**Table 3.** Motives for desurbanization in Hungary (as a percentage): survey results as of 2011

Motive	Important	Not important
The need for own housing	57,8	35,7
The need for a larger apartment / house	48,7	39,0
Cheaper housing	39,9	46,4
Improving the financial situation	22,9	56,2
Deterioration of the financial situation	3,4	85,8
Gardening	49,4	36,4
Environmental advantages / disadvantages	65,6	18,8
Job change / retirement	31,8	63,0
Health change	11,7	82,5

Zródło: Bajmocy P., Hosszu S., Dudas R., Balizs D., New Migration Trends and Their Motivation in Hungary, "Geographica Timisiensis" 2011, vol. 20, nr. 2, s. 3

As for Poland, according to M. Okolski and I. Topinska, internal migration here mainly reflects movements related to changes in marital status (permanent migration) or educational

<sup>32</sup> Enyedi G., A városnovekedés szakaszai, Wyd. Akademia Kiado 1988, s. 83

<sup>33</sup> Fielding A., Counterurbanisation, [w:] Pacione M. (ed.), Population geography: progress & prospect, Wyd. Croom Helm 1986, s. 224–256.

<sup>34</sup> Berry B., The counterurbanization process: urban America since 1970, [w:] Berry B. (ed.), Urbanization and counterurbanization, Wyd. Urban Affairs Annual Reviews 1976, vol. 11, s. 17.

mobility (temporary migration), while the share of migration movements for work (labor migration<sup>35</sup>) is quite low<sup>36</sup>. This is due to the low level of labor mobility in Poland and the fact that a significant part of employment-related mobility traditionally takes the form of relocation within regions or smaller administrative units. Internal mobility of the Polish population is quite low and decreases over time. This is typical of most units in the country.

In Poland, the main direction of migration is relocation from east to west (to a lesser extent to the north) of the country: from the so-called old lands – southern and eastern to the western and northern voivodships. Among other areas, migration to the largest cities in Poland – Warsaw, Lodz and Krakow – stood out<sup>37</sup>. Since 1988, there has been a steady decline in the inflow and outflow of the city's population, and in 2000 this tended to change the migration balance from a positive to negative one. Since then, the population of cities has been declining due to migration, and the number of villages has been increasing. Analyzing the regional differences in migration among the voivodships since 2000, it should be noted that only in four voivodships the influx of migrants was greater than the outflow, namely in Mazovec'komu, Malopol's'komu, Pomors'komu i Velykopol's'komu voivodships. After 2005, these voivodships were joined by four more voivodships – Opole, Lubus, Zahidnopomork ta Silez, which in the last decade of the 20<sup>th</sup>. century were leaders in migration, and after 2000–lost this level. The lowest levels of migration were observed in Sventokshysk, Ljublin, Pidljask, Varmins'ko-Mazursk, Podkarpatsk, Silez, i Lodz voivodeships. In some voivodships in eastern Poland, the decline in migration was due to the fact that industry there ceased to play an important role (partly see Table 4).

**Table 4.** Indicators of internal migration in the voivodships of Poland (on the example of the situation in 2016)

Capital, regions, voivodships	Immigrants	Emigrants	Migration balance
Warsaw (capital)	18080	11509	+6571
Central region	79719	70247	+9472
Lodz voivodship	20058	21753	–1695
Masovian voivodship	59661	48494	+11167
South region	68001	68053	–52
Malopolskie voivodship	29587	26211	+3376
Silesian voivodship	38414	41842	–3428
East region	57036	67071	–10035
Lublin voivodship	18589	23041	–4452
Podkarpatske voivodship	18010	20057	–2047
Podlaske voivodship	10906	12471	–1565

<sup>35</sup> Okólski M., Topińska I., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Poland, Wyd. European Commission 2012, s. 7.

<sup>36</sup> Okólski M., Topińska I., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Poland, Wyd. European Commission 2012, s. 7.

<sup>37</sup> Lamekina H., Heohrafichnyi analiz vnutrishnoi i zovnishnoi mihratsii naselennia Polshchi, "Naukovi zapysky" 2015, vol. 2, s. 59.

Svientokshynske voivodship	9531	11502	–1971
North-west region	69450	69831	–381
Lubus voivodship	10657	11397	–740
Velykopolskie voivodshp	39815	38832	+983
Westpomerania voivodship	18978	19602	–624
South-west region	40942	39009	+1933
Lower Silesian voivodship	31935	29276	+2659
Opole voivodship	9007	9733	–726
North region	63048	63985	–937
Kuyavsko-Pomorsk voivodship	20312	22031	–1719
Pomorsk voivodship	28338	24853	+3485
Verminsko-Mazursk voivodship	14398	17101	–2703

Zródło: *Area and Population in the Territorial Profile in 2017 – tables*, Wyd. Central Statistical Office of Poland, źródło: <http://stat.gov.pl/en/topics/population/population/area-and-population-in-the-territorial-profile-in-2017,4,11.html>

Currently, in particular as of 2016, the migration balance in Velykopolskie, Malopolskie, Mazovian, Lower Silesian and Pomeranian voivodeships has been positive. In turn, in Łódź, Silesia, Lublin, Podkarpackie, Podlaske, Svientokrzyske, Lubuskie, West Pomerania, Opole, Kuyavsko-Pomeranian, and Verminsko-Masurian voivodships, this level was negative, indicating the dominance of internal domination (see Table 4).

Mesyash-Lech and A. Szczepanska consider the current causes of suburbanization in Poland in the context of three aspects: 1) social is the improving living conditions (changing the apartment building) without the need to give up a career; 2) economic is the cheap plots for construction, available in suburban areas; 3) industrial is the movement of commercial and industrial enterprises in suburban areas<sup>38</sup>. Researchers in the context of suburbanization analyzed the dynamics of population change in urban, rural and urban-rural gminas within each voivodship. It is established that during the period after 2004. there is: 1) a decrease in the population of urban gminas in the Lower Silesian, Kuyavsko-Pomeranian, Lublin, Lubuskie, Łódź, Opole, Silesian, Svientokshysk, Warmian-Masurian, Wielkopolska and West Pomeranian voivodships; increase in the population of urban gminas in Malopolskie, Masovian, Podkarpackie and Pomeranian voivodships (population of urban gminas in Podlaskie voivodship has not changed); 2) reduction of the population of rural communes in Lublin, Opole, Podkarpackie, Podlaskie and Svientokrzysk voivodships; increase in the population of rural communes in Kuyavian-Pomeranian, Lower Silesian, Lubus, Malopolsk, Masovian, Pomeranian, Silesian, Warmiano-Masurian, Velykopolsk and West Pomeranian voivodships (population of rural communes in Łódź voivodship) has not changed;

<sup>38</sup> Mesjasz-Lech A., Szczepańska A., *Development of Suburbanization in the Context of Socio-economic Changes in Urban Areas on the Example of Poland*, [w:] *Management, Enterprise and Benchmarking in the 21st Century*, Budapest 2015, s. 387.

3. reduction of the population in urban and rural communes in Lublin, Łódź, Małopolsk, Opole, Podkarpack, Podlaskie, Świętokrzysk, West Pomeranian voivodships; population growth in urban-rural communes in the Lower Silesian, Kuyavian-Pomeranian, Lubus, Masovian, Pomeranian, Silesian, Warmiano-Masurian, and Wielkopolsk voivodships (for details, see Table 5).

**Table 5.** Dynamics of population change in the voivodships of Poland (on the example of the period 2004-2014)

Voivodships	Dynamics of population change in gminas (%)		
	Urban	Rural	Urban and rural
Lower Silesian,	-0,19	+0,58	+0,05
Kuyavo-Pomorsk	-0,17	+0,52	+0,08
Lublin	-0,17	-0,05	-0,40
Lubus	-0,05	+0,43	+0,03
Lodz	-0,43	0,00	-0,18
Małopolsk	+0,38	+0,42	-0,34
Masovian	+0,13	+0,26	+0,46
Opole	-0,40	-0,22	-0,35
Podkarpack	+0,10	-0,07	-0,23
Podlyask	0,00	-0,26	-0,42
Pomorsk	+0,31	+0,87	+0,11
Silesian	-0,31	+0,30	+0,11
Świętokrzysk	-0,32	-0,09	-0,10
Varmino-Masursk	-0,01	+0,28	+0,03
Velykopolsk	-0,17	+0,61	+0,27
Westpomeranien	-0,03	+0,51	-0,14

*Źródło:* Mesjasz-Lech A., Szczepańska A., *Development of Suburbanization in the Context of Socio-economic Changes in Urban Areas on the Example of Poland*, [w:] *Management, Enterprise and Benchmarking in the 21st Century*, Budapest 2015, s. 390.

Therefore, the researchers determined that in most voivodships in Poland: 1) the population of urban gminas has decreased; 2) the population of rural communes has increased; 3) the population of urban-rural communes has increased / decreased in half of the country's voivodships. Accordingly, suburbanization in Poland is not widespread.<sup>39</sup> The main centers of suburbanization are the suburbs and suburbs of Warsaw, Krakow, Wrocław, Poznań and Częstochowa<sup>40</sup>. At the same time, as A. Mesyash-Lech and A. Szczepańska point out, the city continues to be the main place of residence and work of people in Poland<sup>41</sup>.

<sup>39</sup> Mesjasz-Lech A., Szczepańska A., *Development of Suburbanization in the Context of Socio-economic Changes in Urban Areas on the Example of Poland*, [w:] *Management, Enterprise and Benchmarking in the 21st Century*, Budapest 2015, s.393

<sup>40</sup> Zębiak G., *Typology of Suburban Communities in Poland*, "Bulletin of Geography: Socio-economic Series" 2011, vol. 16, s. 177.

<sup>41</sup> Mesjasz-Lech A., Szczepańska A., *Development of Suburbanization in the Context of Socio-economic Changes in Urban Areas on the Example of Poland*, [w:] *Management, Enterprise and Benchmarking in the 21st Century*, Budapest 2015, s.394.

In turn, in Slovakia in the Bratislava region, the migration balance in 1998 was negative (the number of emigrants was higher than the number of immigrants), and in 1993, 1995–1997 and from 1999 – positive one (the number of immigrants was higher than the number of emigrants). Population since 1993 gradually increased, although it was the lowest in 2002. In the Banskobystrýtsk region, the migration balance in 2002–2016 was negative, and in 1993 and 1995–2001 it was positive one. Instead, the population since 1993 gradually decreased. In the Žilina region, the migration balance in 1993, 1996–2004 and since 2010 was negative, and in 1995 and 2005–2009 it was positive one. The population size during 1993–2020 was the highest in 2010 and the lowest in 1993. In the Košice region, the migration balances in 1993, 1998–1999 and 2001–2020 were negative, and in 1995–1997 and 2000 – positive ones. The population size gradually grew in 1993, and the lowest was in 1993. In the Košice region, the migration balance in 1993, 1998–1999 and 2001–2020 was negative, and in 1995–1997 and 2000 it was positive. The population size gradually grew in 1993, and was the lowest in 1993. In the Nitra region, the migration balance in 1995 and 2013–2020 was negative, and in 1993 and 1996–2012 it was positive one. Instead, the population size since 1993 gradually decreased. In the Prieštav region, the migration balance in 1993 and since 1996 was negative, and in 1995 – positive one. Therefore, the population size here since 1993 gradually increased. In the Trenčín region, the migration balance in 1993, 1995–2005 and 2009–2020 was negative, and in 2006–2008 it was positive. Accordingly, the population size in the region during the analyzed period was the highest in 1997, and the lowest – since 2016. Finally, in the Trnava region, the migration balances in 1993 and 1995 were negative, and since 1996 – positive ones. The population size here gradually, but with exceptions, increased since 1993.

**Table 6.** Balance of constant internal migration flows by type of settlement in Slovakia (on the example of the period 2001–2009)

Year	Population size increase or decrease	
	Urban settlements	Rural settlements
2001	–6 730	+7 742
2002	–8 570	+9 471
2003	–9 023	+10 432
2004	–9 510	+12 384
2005	–7 034	+10 437
2006	–7 910	+11 764
2007	–6 234	+13 027
2008	–8 047	+15 107
2009	–8 032	+12 399

Zdroľo: Baláž V., Kusá Z., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Slovakia, Wyd. European Commission 2012, s. 42.

Thus, at the present stage of development only in the Bratislava and Trnava regions the indicators of the migration balance were or are positive, which indicates the predominance of internal immigration over emigration. In contrast, in the Banskobystrytsk, Zhylyn, Kosice, Nitra, Presov and Trenčin regions, the migration balance is negative, as internal emigration predominates over immigration. In general, within the framework of constant internal migration flows in Slovakia during 2001–2009, the maximum rate of increase in the population of rural settlements was recorded in 2008, and the minimum one – in 2001. Regarding urban settlements, the maximum population size decline was recorded in 2004 and the minimum one in 2007, at least if we take into account the time period for several years before and after Slovakia's accession to the European Union, in particular the period 2001–2009 (see Table 6).

It is also interesting that the most important reasons for immigration to the Bratislava region in 2011 were identified: housing; the desire to be closer to the workplace; the factor “after one of the family members has already immigrated” and other reasons; to the Trnava region – the factor “after one of the family members has already immigrated”; housing and other reasons (see Table 7). The factor of “change of workplace” was mostly conducive to emigration from Presov, Banskobystrytsk and Kosice regions. Instead, the “housing” factor was the main reason for emigration from Banskobystrytsk, Zhylyn, Kosice, Nitra, Presov, and Trenčin regions. The “health” factor contributed the most to immigration to the Trnava region. In addition, the “health” factor was mostly conducive to emigration from the Bratislava region. After all, the “learning” factor was mostly conducive to immigration to the Bratislava region. This was complemented by the fact that labor migration was directed and is directed mainly to urban areas (almost two thirds of migrants work in cities with a population of over 20 thousand inhabitants).

**Table 7.** Reasons for migration and migration balance in the regions of Slovakia (as of 2011)

Reasons	Region							
	Bratislava	Trnava	Trenčin	Nitra	Zhylyn	Banskobystrytsk	Prešov	Košice
Change of workplace	+321	–4	–22	+9	–12	–79	–111	–77
Closer to the workplace	+870	–20	–96	–16	–76	–89	–180	–87
Study	+54	–11	+10	–7	+15	–4	–11	+2
Health	–36	+44	–3	–2	+6	+1	+6	–7
Marriage	+396	–1	–36	–91	+3	–67	–134	–65
Divorce	–7	+4	–8	–2	+17	+12	–2	+1
Housing	+1 419	+436	–339	–211	–177	–332	–577	–137
After one of the family members	+530	+505	–74	–33	–37	–87	–217	–213
Other reasons	+990	+480	+144	+513	+111	–31	–195	+90
Total number of migrants	+4 537	+1 433	–424	+160	–150	–676	–1 421	–493

Zródło: Vagac L., Internal Labour Mobility in Slovakia, Wyd. European Employment Observatory 2013, źródło: <http://ec.europa.eu/social/BlobServlet?docId=12068&langId=en>

It is also important that the data of the national labor force survey in Slovakia show that, for example, in 2012, 141.1 thousand people worked outside their region of residence, which was 6.1% of all employed (see Table 8). The largest share of the labor force (73.9 thousand people) immigrated to the Bratislava region, and the smallest one – to the Banskobystrýtsk region. The largest share of the labor force (37.5 thousand people) emigrated from the Trnava region, and the smallest one – from the Bratislava region (5.4 thousand people). The highest rates of mutual migration were recorded between Bratislava and Tarnava, as well as between Prešov and Košice regions.

**Table 8.** Labor migration in the regions of Slovakia (as of 2012)

Region of residence	Region (region) of the workplace								
	Bratislava	Trnava	Trenčin	Nitra	Zhýlin	Banskobystrýtsk	Prešov	Košice	Departure (from)
Bratislava	x	2,7	1,4	0,3	0,6	0,3	0,1	0,0	5,4
Trnava	32,5	x	1,3	3,4	0,3	0,0	0,0	0,0	37,5
Trenčin	4,8	1,4	x	2,1	2,7	0,4	0,0	0,0	11,4
Nitra	13,8	10,4	0,5	x	0,4	1,4	0,0	0,0	26,5
Zhýlin	6,3	0,6	1,0	0,0	x	0,3	0,1	0,1	8,4
Banskobystrýtsk	6,9	2,0	0,1	2,6	1,1	x	0,3	2,1	15,1
Prešov	6,7	0,6	0,4	0,7	2,1	0,2	x	14,9	25,6
Košice	2,9	0,5	0,0	0,0	0,9	0,8	6,1	x	11,2
Moving (to)	73,9	18,2	4,7	9,1	8,1	3,4	6,6	17,1	141,1

Zrődlo: Vagac L., *Internal Labour Mobility in Slovakia*, Wyd. European Employment Observatory 2013 zródlo: <http://ec.europa.eu/social/BlobServlet?docId=120688&langId=en>

Finally, in the Czech Republic in the Central Bohemian and South Bohemian regions, the migration balance has been positive since 2002. In the Plzen region, the migration balance in 2002–2009 and since 2011 was positive, and in 2010 it was negative. In the Karlovy Vary region, the indicators of the migration balance in 2002–2004 and 2006–2008 were positive, and in 2005 and since 2009 – negative one. In the Ustetski region, the migration balance in 2002–2005 and 2007–2008 was positive, and in 2006 and since 2009 – negative one. In the Liberec region, migration balance indicators in 2002–2003, 2005–2011 and since 2014 were positive, and in 2004 and 2012–2013 – negative ones. In the Kralovohradetsky region, the indicators of the migration balance in 2003–2008 and 2015 were positive, and in 2002, 2009–2014 and 2016 – negative ones. In the Pardubice region, the migration balance in 2004–2012, 2014 and 2016 was positive, and in 2002–2003, 2013 and 2015 it was negative. In Vysočina Region, the indicators

of the migration balance in 2003 and 2005–2008 were positive, and in 2002, 2004 and since 2009 they have been negative. In the South Moravian region indicators of the migration balance since 2003 were positive, and in 2002 – negative ones. In the Olomouc region, the indicators of the migration balance in 2003 and 2005–2007 were positive, and in 2002, 2004 and since 2008 – negative ones. In the Zlín region, the migration balance in 2005–2008 was positive, and in 2002–2004 and since 2009 – negative one. Finally, in the Moravian-Silesian region, migration balances since 2002 have been negative ones (at least as of early 2016). Thus, migration balances have traditionally been positive in Prague, Liberec, Pardubice, South Moravia, South Bohemia, Plzeň, and Central Bohemia, and negative in Vysočina and Zlín, Karlovy Vary, Kralovohrad, Moravian-Silesian, Olomouc and Ústec regions (see Table 8).

**Table 9.** Statistics of internal migration indicators in the regions of the Czech Republic (as of 2016)

Capital and regionws	Immigrants	Emigrants	Migration balance
Prague(capital)	36 901	26 630	+10 271
Centralczech region	26 274	16 202	+10 072
Southczech region	5 480	4 836	+644
Plzeň region	6 189	3 982	+2 207
Karlovary region	3 052	3 755	–703
Ústec region	7 324	8 002	–678
Liberecs region	4 834	4 412	+422
Kralovohradetsky region	4 432	4 984	–552
Pardubys region	4 969	4 330	+639
Region Vysochyna	3 456	4 289	–833
Southmoravian region	11 416	9 082	+2 334
Olomouc region	4 464	5 225	–761
Zlín region	3 627	4 274	–647
Morav-Silesian region	5 578	7 929	–2 351

Having analyzed internal migration in the Czech Republic by migration types, it was found that in 2008 (compared to 1990) the level of migration from municipalities to municipalities in the districts has not changed, from district to district in the regions – decreased, and from region to region – increased. As one can see in Table 10, in the Czech Republic, the negative balance of migration during 1995–2006 was characteristic of regional centers and large cities, during 1998–2006 – for medium-sized cities, and during 1995–1997 – for small villages. The positive balance of migration during 1995–2006 was characteristic of small towns, large villages and inland districts, in 1995–1997 –for medium-sized cities, and in 1998–2006 – for small villages. In addition, it was found that during 1995–2006, the highest rate of negative migration balance was recorded in large cities, and the highest rate of positive migration balance – in large villages.



**Table 10.** Balance of migration by types of municipalities in the Czech Republic (on the example of the period 1995–2006)

Type of municipality	1995–1997	1998–2000	2001–2003	2004–2006	1995–2006
Всего					
Regional centers	-5 519	-9 230	-8 262	-9 355	-8 091
Large cities	-5 985	-8 579	-11 363	-13 321	-9 812
Medium cities	390	-665	-350	-1 557	-545
Towns	2 381	2 457	2 294	1 432	2 141
Large villages	5 894	8 845	8 838	10 598	8 544
Small villages	-378	494	567	1 375	515
Large cities	-2,1	-3,1	-4,2	-5,0	-3,6
Medium cities	0,5	-0,8	-0,4	-1,8	-0,6
Towns	2,5	2,6	2,4	1,5	2,3
Large villages	2,9	4,2	4,2	5,0	4,1
Small villages					
Internal regions	3 217	6 678	8 277	10 828	7 250
Per 1000 inhabitants ( in %)					
Regional centers	-1,9	-3,3	-3,0	-3,4	-2,9
Large cities	-2,1	-3,1	-4,2	-5,0	-3,6
Medium cities	0,5	-0,8	-0,4	-1,8	-0,6
Towns	2,5	2,6	2,4	1,5	2,3
Large villages	2,9	4,2	4,2	5,0	4,1
Small villages	-2,0	2,7	3,0	7,3	2,8
Internal regions	5,3	10,8	12,9	16,0	11,8

Zdrolo: Drbohlav D., Rákozyová M., *Social Impact of Emigration and Rural–Urban Migration in Central and Eastern Europe. Final Country Report. Czech Republic*, Wyd. European Commission 2012, s. 60.; Novák J., Čermák Z., Ouředníček M., *Migrace mladých lidí*, [w:] Ouředníček M., Temelová J., Pospíšilová L. (eds.), *Atlas sociálně prostorové diference České republiky*, Wyd. Univerzita Karlova v Praze 2011, s. 95.

After 2000, suburbanization became an important factor influencing migration relations within the Czech Republic<sup>42</sup>. In this regard, J. Vobetska argues that since 1995, suburbanization has been clearly expressed around large cities, and since 2001 around medium and small cities<sup>43</sup>. In this case, it is worth talking about housing suburbanization, when people work in cities but live in suburban areas / suburbs. Mainly the improvement of the situation in the Czech housing market contributed to the acceleration of housing suburbanization. During this period became more important deconcentration processes (suburbanization and partial desurbanization). According to the same researcher, during 1995–2006 the highest level of growth and development of the suburban zone / suburbs of such large cities as Prague, Brno and Plzen was recorded. During this period, the highest rates of migration growth were recorded in the following districts / counties: 22 ‰ - Prague-West, 15 ‰ – Prague-East, 6 ‰ – Berouna Brno,

<sup>42</sup> Novák J., Čermák Z., Ouředníček M., *Migrace mladých lidí*, [w:] Ouředníček M., Temelová J., Pospíšilová L. (eds.), *Atlas sociálně prostorové diference České republiky*, Wyd. Univerzita Karlova v Praze 2011, s. 95.

<sup>43</sup> Voběcká J., *Spatial dynamics of the population in the Czech Republic, 1989–2007*: Ph.D. thesis, Wyd. Charles University and Université de Bourgogne 2010.

5 ‰ – Plzeň-North and Pilsen-South, i.e., in the districts / districts located near the largest cities<sup>44</sup>. This is due to factors such as proximity to large cities, quality infrastructure and better environmental conditions. The most typical suburban area originated in Central Czech Republic, the western part of which is closely connected with the Plzeň region. Due to the internal migration, the population of the Central Czech Region increased during 2000–2008 by 74,000 individuals. In addition, in 1997–2006, nine of the ten municipalities with the highest intensity of housing construction in the country were located in suburban areas and suburbs of Prague.

Most migrants migrated from Prague itself (61%) to the Prague suburbs from Prague, 9% from other cities in Central Czech Republic, and 15% from other parts of the Czech Republic<sup>45</sup>. Among the inhabitants of suburban districts / suburbs have previously dominated, and still dominate young people. These are young families (mainly aged 25 to 34 years old) with children (up to 9 years). Therefore, this significantly leads to the rejuvenation of municipalities in suburban zones<sup>46</sup>. Regarding the level of education, during 2015–2003 among migrants to Prague-East and Prague-West 14.6% had basic and 19.2% university education<sup>47</sup>.

In addition, it is appropriate to analyze migration according to the parameter “Poor regions – rich regions” in the countries of the Visegrad Group. In Hungary since 1990, due to the lack of jobs and housing, many people moved to the poorest regions (megye) (Sabolch-Satmar-Bereg, Borsod-Abaúj-Zemplén, etc.)<sup>48</sup>. In Western and Southern Hungary, the population decreased. This was due to the closure of a significant share of enterprises in the country. In their studies, S. Gatak, A. Mulcher and J. Watson also demonstrated very low (according to international standards) level of interregional migration in Poland. The main factor along with economic indicators (GDP per capita) was determined by a shortage of housing<sup>49</sup>. As a result of migration from southern and eastern voivodships to Western and Northern sharply, the level of material welfare of settlers increased sharply<sup>50</sup>. In general, in the countries of the Visegrad group, migration processes from the poorer to richer regions are traced: in Hungary – from South Transdanubia to Central Hungary; in Poland - from the Lublin and Podkarpatzkie to Mazovian, Lower Silesian and Wielkopolsk Voivodship; in Slovakia – from Prishovsky to Košice and Bratislava regions; In the Czech Republic – from the Carlsbad region and region

<sup>44</sup> Novák J., Čermák Z., Ouředníček M., Migrace mladých lidí, [w:] Ouředníček M., Temelová J., Pospíšilová L. (eds.), Atlas sociálně prostorové diferenciacie České republiky, Wyd. Univerzita Karlova v Praze 2011, s. 95.

<sup>45</sup> Ouředníček M., Differential Suburban Development in the Prague Urban Region, “Geografiska Annaler: Human Geography” 2007, vol. 89, nr. 2, s. 111–125; Drbohlav D., Rákoczyová M., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Czech Republic, Wyd. European Commission 2012, s. 10.

<sup>46</sup> Ouředníček M., Differential Suburban Development in the Prague Urban Region, “Geografiska Annaler: Human Geography” 2007, vol. 89, nr. 2, s. 111–125.

<sup>47</sup> Drbohlav D., Rákoczyová M., Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe. Final Country Report. Czech Republic, Wyd. European Commission 2012, s. 10.

<sup>48</sup> Bajmocy P., Hosszu S., Dudas R., Balizs D., New Migration Trends and Their Motivation in Hungary, “Geographica Timisiensis” 2011, vol. 20, nr. 2, s. 30.

<sup>49</sup> Gatak S., Mulhern A., Watson J., Inter-regional migration in transition economies, “Review of Development Economics” 2008, vol. 1, nr. 12, s. 209–222.

<sup>50</sup> Lamekina H., Heohrafichnyi analiz vnutrishnoi i zovnishnoi mihratsii naselennia Polshchi, “Naukovi zapysky” 2015, vol. 2, s. 59.

Vysochyna prior to the Central Czech and South Moravian regions. In addition, as certifying GDP indicators per capita and balance of migration in the regions of each of the countries of the Visegrad Group, high performance of GDP per capita (according to some exceptions, for example: in the Czech Republic – Moravo-Silesian Region, in Slovakia – Trenčín Region, etc.) are characteristic of the regions with a positive balance of migration, and low ones – for regions with a negative migration balance.

In general, having analyzed the peculiarities of internal migration in the countries of the Visegrad group, however, in rather different time periods, it is stated that the suburbanization is common to these countries and the development of a suburban zone of large cities, which forms urban agglomerations. In addition, in the countries of the Visegrad group, migration processes from the poorer to richer regions and settlements are traced. It is also established that according to GDP per capita and migration balance in the regions of each of the countries of the Visegrad Group, high GDP per capita are characteristic of the regions with a positive migration balance, and low – for regions with a negative balance of migration. On this basis it has been established that high levels of GDP indifferent population are the factor in internal migration at the regional level in each of the countries of the analyzed sample, as well as provisions that suburbanization is a consequence of internal migration flows in the region.

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## **FEATURES OF THE APPOINTMENT, RESPONSIBILITIES AND ROLES OF PRIME MINISTERS, MINISTERS AND CIVIL SERVANTS IN THE GOVERNMENTAL CABINETS OF PARLIAMENTARY DEMOCRACIES**

The research is dedicated to clarifying the parameters and features of the appointment, responsibilities and roles of prime ministers, ministers and civil servants in the governmental cabinets of parliamentary democracies, including on the example of European countries. This is actualized by the fact that governmental cabinets in parliamentary democracies, regardless of their type, i.e. majority or minority ones, are typically party cabinets, and thus inter-party and intra-party relations significantly determine the characteristics of appointment, responsibilities and roles of governmental cabinets' members and the fact of parties' interest or disinterest in forming and/or supporting governmental cabinets of one type or another. The study is conducted in a comparative manner, in particular by comparing the specifics of the appointment, responsibilities and roles of prime ministers, ministers and civil servants in majority governmental cabinets and minority government cabinets.

*Keywords: government, governmental cabinet, majority governmental cabinet, minority governmental cabinet, prime minister, minister, civil servant, parliamentary democracy.*

## **CHARAKTERYSTYKA POWOŁANIA, ODPOWIEDZIALNOŚCI ORAZ ROLA PREMIERÓW I URZĘDNIKÓW PAŃSTWOWYCH W URZĘDACH RZĄDOWYCH DEMOKRACJI PARLAMENTARNYCH**

W artykule omówiono parametry i cechy powoływania, obowiązki i role premierów, ministrów i urzędników państwowych w gabinetach demokracji parlamentarnych, na przykładzie krajów europejskich. Stwierdzono, że gabinety rządowe w demokracjach parlamentarnych, niezależnie od ich typu – większościowego czy mniejszościowego – są typowo partyjne, a zatem stosunki międzypartyjne i wewnątrzpartyjne w istotny sposób determinują warunki powoływania, odpowiedzialność i role gabinetów rządowych. Badanie przeprowadzono w sposób porównawczy, w szczególności porównując nominacje, obowiązki i role premierów, ministrów i urzędników państwowych w urzędach większościowych oraz w urzędach mniejszościowych.

*Słowa kluczowe: rząd, gabinet rządowy, rząd większościowy, rząd mniejszościowy, premier, minister, urzędnik państwowy, demokracja parlamentarna.*

## ОСОБЛИВОСТІ ПРИЗНАЧЕННЯ, ВІДПОВІДАЛЬНОСТІ ТА РОЛЕЙ ПРЕМ'ЄР-МІНІСТРІВ, МІНІСТРІВ І ДЕРЖАВНИХ СЛУЖБОВЦІВ В УРЯДОВИХ КАБІНЕТАХ ПАРЛАМЕНТСЬКИХ ДЕМОКРАТІЙ

Стаття присвячено з'ясуванню параметрів особливостей призначення, відповідальності та ролей прем'єр-міністрів, міністрів і державних службовців в урядових кабінетах парламентських демократій, в тому числі на прикладі країн Європи. Це актуалізовано тим фактом, що урядові кабінети в парламентських демократіях, причому незалежно від типу – більшості чи меншості – типово є партійними, а відтак міжпартійні та внутрішньопартійні взаємини суттєво визначають особливості призначення, відповідальності та ролей членів урядових кабінетів і сам факт зацікавленості чи незацікавленості партій формувати і/або підтримувати урядові кабінети того чи іншого типу. Дослідження здійснено у компаративістській манері, зокрема на підставі порівняння особливостей призначення, відповідальності та ролей прем'єр-міністрів, міністрів і державних службовців в урядових кабінетах більшості та в урядових кабінетах меншості.

**Ключові слова:** уряд, урядовий кабінет, уряд більшості, уряд меншості, прем'єр-міністр, міністр, державний службовець, парламентська демократія.

The governments in parliamentary, particularly European, democracies have traditionally been positioned as partisan. This means that they are formed, supported in parliament and delegated by their ministers mainly by parliamentary parties / factions, which are actually politically responsible for the functioning of such government cabinets, which are usually divided into one-party and coalition governments of the majority and one-party and coalition governments of the minority (of course, with separate subtypes within each type of party government cabinets). Accordingly, the appointment, responsibilities and roles of prime ministers, ministers and civil servants in the various types of government cabinets of European parliamentary democracies are important in this context, mainly in their division into majority government cabinets and minority government cabinets as two defining clusters of the higher executive bodies.

This issue is quite relevant, as its disclosure allows a better understanding of the parameters of political and inter-party relations regarding the formation, functioning and responsibility of government cabinets in European parliamentary democracies, and thus to look more closely at the internal attributes of political process and governance in Europe. It has been revealed in the studies of researchers such as O. Amorim Neto and K. Strøm<sup>1</sup>, H. Bäck, M. Debus and P.

<sup>1</sup> Amorim Neto O., Strøm K., Breaking the Parliamentary Chain of Delegation: Presidents and Non-partisan Cabinet Members in European Democracies, "British Journal of Political Science" 2006, vol. 36, s. 619–643; Amorim Neto O., Strøm K., Presidents, Voters, and Non-Partisan Cabinet Members in European Parliamentary Democracies, Prepared for presentation in the workshop on „Politiske Valg og Offentlig Opinion", The Joint Sessions of the Nordic Political Science Association, Aalborg (August 15–17, 2002), 33 s.; Strøm K., Parties at the Core of Government, [w:] Dalton R., Wattenberg M., Parties without Partisans: Political Change in Advanced Industrial Democracies, Wyd. Oxford University Press 2002.

Dumont<sup>2</sup>, J. Blondel and M. Cotta<sup>3</sup>, A. Costa Pinto<sup>4</sup>, W. Gamson<sup>5</sup>, I. Indridason and C. Kam<sup>6</sup>, K. Johansson and J. Tallberg<sup>7</sup>, L. Karvonen<sup>8</sup>, A. King<sup>9</sup>, M. Laver<sup>10</sup>, G. Marchildon<sup>11</sup>, E. O'Malley<sup>12</sup>, G. Peters, R. Rhodes and V. Wright<sup>13</sup>, P. Schleiter and E. Morgan-Jones<sup>14</sup>, K. Strøm, W. Müller and T. Bergman<sup>15</sup>.

In this case, we will try to systematize them, in particular in terms of comparing the specifics of the analyzed processes in different types of government offices, both in theory and on the example of parliamentary democracies.

This is quite important, because despite the prevalence in Europe of both majority and minority governments (the latter of course less), the latter are still relatively separate in the context of assessing the specifics of the appointment and responsibilities, powers and roles of prime ministers, ministers and public officials. employees, although they fall with them, as noted by J. Blondel, in a common general theoretical pattern of understanding these processes, as well as including political and legislative and patronage in general on the example of all party government cabinets. This commonality is manifested in the fact that the relationship between the outlined components can hypothetically manifest itself in various forms within virtually all types of party governments. The fact is that parties of virtually all types of governments nominate candidates for prime ministers and ministers in order to ensure that they carry out certain political processes. In turn, cabinet ministers can appoint or influence the appointment of senior party functionaries of their parties, thus reducing the likelihood and potential of opposition to their political forces. At the same time, political parties are in fact in the framework of various scenarios and types of governments (but most often in the case of minority governments) may not require ministerial and generally government portfolios in exchange for certain political

<sup>2</sup> Bäck H., Debus M., Dumont P., Who gets what in coalition governments? Predictors of portfolio allocation in parliamentary democracies, *"European Journal of Political Research"* 2011, vol. 50, nr. 4, s. 441–478.

<sup>3</sup> Blondel J., The Links between Appointments, Policy-making and Patronage in Government-supporting Parties Relationships, *"Working Paper"* 1995, vol. 101, 31 s.; Blondel J., Cotta M., *Party and Government: An inquiry into the relationship between governments and supporting parties in liberal democracies*, Wyd. Palgrave 1996.

<sup>4</sup> Costa Pinto A., *Expert and Non-partisan Ministers Contemporary Democracies: European and Latin American Perspectives*, Wyd. University of Lisbon.

<sup>5</sup> Gamson W., A Theory of Coalition Formation, *"American Sociological Review"* 1961, vol. 26, nr. 3, s. 373–382.

<sup>6</sup> Indridason I., Kam C., Cabinet Reshuffles and Ministerial Drift, *"British Journal of Political Science"* 2008, vol. 38, nr. 4, s. 621–656.

<sup>7</sup> Johansson K., Tallberg J., Explaining Chief Executive Empowerment: EU Summitry and Domestic Institutional Change, *"West European Politics"* 2010, vol. 33, nr. 2, s. 208–236.

<sup>8</sup> Karvonen L., *The Personalisation of Politics. A Study of Parliamentary Democracies*, Wyd. ECPR Press 2010.

<sup>9</sup> King A., *Chief Executives in Western Europe*, [w:] Budge I., McKay D. (eds.), *Developing Democracy: Comparative research in honour of J.F.P. Blondel*, Wyd. Sage 1994.

<sup>10</sup> Laver M., Divided Parties, Divided Government, *"Legislative Studies Quarterly"* 1999, vol. 24, nr. 1, s.

<sup>11</sup> Marchildon G., Coalition government and collective responsibility, *"Public Sector Magazine"* 2010, vol. 21, nr. 3, s. 14–18.

<sup>12</sup> O'Malley E., The Power of Prime Ministers: Results of an Expert Survey, *"International Political Science Review"* 2007, vol. 28, nr. 1, s. 7–27.

<sup>13</sup> Peters G., Rhodes R., Wright V., *Administering the Summit: Administration of the Core Executive in Developed Countries*, Basingstoke 2000.

<sup>14</sup> Schleiter P., Morgan-Jones E., Constitutional Power and Competing Risks: Monarchs, Presidents, Prime Ministers, and the Termination of East and West European Cabinets, *"American Political Science Review"* 2009, vol. 103, nr. 3, s. 496–512.; Schleiter P., Morgan-Jones E., Party Government in Europe? Parliamentary and Semi-presidential Democracies Compared, *"European Journal of Political Research"* 2009, vol. 48, nr. 5, s. 665–693.

<sup>15</sup> Strøm K., Müller W., Bergman T., *Delegation and Accountability in Parliamentary Democracies*, Wyd. Oxford University Press 2006.

compromises and taking into account their party-ideological advantages and preferences. In general, it is quite obvious that since all types of party (as well as non-party) governments require parliamentary support (in particular about their formation or functioning), then relations between their appointments and patronage of personal composition and programs of government cabinets are built by the proprietary compromise between the government, who wants his political course to perceive, and parties who want and can get affection.

Taking this into account, it is clear that relations between parties and all types of party governments can be determined and actually determined by various features and differences. The first of them concerns political actors that involve the government-forming process. Since some parties (primarily within the minority governments) are more interested in achieving its own political, not officials / power goals, in particular without being members of government offices, they agree to exchange of one type of benefits (in particular political preferences) to another type of benefits (in particular obtaining political or government power). In the opposite situation (most often in the case of majority governments), government parties and government cabinet as such are randomly related, because they combine their political and power benefits. In turn, the second feature / difference are outlined by those who are initiative in interruptions – parties or governments. In the event that government appointments are carried out by the party to achieve it certain political results or to facilitate the distribution of power benefits (most often in the case of majority governments), the initiative focuses precisely in the party. If the government's office affects the government's office or patronage is distributed in order to smooth out certain aspects of government policy (most often in the case of minority governments), then the initiative focuses on the Government Cabinet. Eventually, the third feature / difference are determined by the nature of the interconnections between the parties and governments, and in accordance with the appointments, political process and patronage. Thus, the interconnection between the process of political creation and patronage is based on exchanging<sup>16</sup>. After all, the parties that refrain from joining governments and obtaining ministerial / government portfolios (most often in the case of minority governments), often receive certain political preferences. In contrast, some inter-institutional relationships (most often in the case of majority governments) take the form of a "chain", as appointments by parties or governments lead to political decisions and, in the case of nominations by ministerial parties, to patronage<sup>17</sup>.

Against this background, the parameters of appointments, responsibilities and powers in the context of minority governments are extremely specific, as in this case the communication schemes that regulate them are also specific, in particular regarding the construction of government offices under the scheme of their political support, but without their participation.

<sup>16</sup> Cox G., *The Efficient Secret: The Cabinet and the Development of Political Parties in Victorian England*, Wyd. Cambridge University Press 2005.

<sup>17</sup> Amorim Neto O., Strøm K., Breaking the Parliamentary Chain of Delegation: Presidents and Non-partisan Cabinet Members in European Democracies, "British Journal of Political Science" 2006, vol. 36, s. 619–643.; Strøm K., Müller W., Bergman T., *Delegation and Accountability in Parliamentary Democracies*, Wyd. Oxford University Press 2006.



The fact is that at the stage of formation and functioning of minority governments, it is more about the relationship between the parties involved in the process of supporting governments, rather than the relationship between parties and governments. This is due to the fact that the decision to participate or not to participate in (rather than form) minority governments is made before minority governments are formed, and in fact these decisions act only as “safeguards” for the formation of such types of governments. Instead, only after minority governments have been formed can there be a separate inter-institutional relationship between them and the parties, as minority governments may periodically or situationally agree with parties that provide them with parliamentary support, certain prerogatives for such support to remain stable. Accordingly, support for governments (both minority and majority) without their participation occurs mainly in extreme cases, as parties usually expect and try to maximize their power (in office) and political (in programs). This means that parties of virtually any type of party government cabinet - majority and minority – face at least two rational prospects – to refrain from membership in the government cabinet and try to advance their own political goals or gain power and try to advance their political goals<sup>18</sup>. At the same time, unlike majority governments, according to K. Strom, minority governments are just cases of parties refraining from membership in power and manifestations of their “power shyness”<sup>19</sup>, and therefore they are less integrated into classical coalition theories and the distribution of ministerial / governmental portfolios, which work mainly on the example of majority governments (especially coalition majority governments). However, not all cases of minority government cabinets are real examples of compromises between government and political preferences. The point, for example, is that many minority government cabinets are “the borderline” to majority government cabinets, as the government or government parties of such cabinets have 45% or more seats in parliament. In addition, in the case of all types of coalition party governments (i.e. majorities and minorities), small parties are able to blackmail government cabinets on issues related to their parliamentary support, especially if small parties are ideologically influential and may lead to the collapse of some governments and the formation of other ones, which in fact reveals the links between policy-making and patronage.

Accordingly, as J. Blondel points out<sup>20</sup>, that the only real options for minority governments with the relationship between party support for governments and the simultaneous non-participation of political parties are cases of government cabinets created by a large party, including close to an absolute majority in parliament.

Moreover, such constructions of governments in terms of distribution of positions are often positioned even as rational. After all, according to K. Strom<sup>21</sup>, electoral costs from

<sup>18</sup> Strøm K., Minority Governments in Parliamentary Democracies: The Rationality of Non-winning Cabinet Solutions, *“Comparative political Studies”* 1984, vol. 17, nr. 2, s. 199–226.

<sup>19</sup> Strøm K., Deferred Gratification and Minority Governments in Scandinavia, *“Legislative Studies Quarterly”* 1986, vol. 11, nr. 4, s. 588.

<sup>20</sup> Blondel J., The Links between Appointments, Policy-making and Patronage in Government-supporting Parties Relationships, *“Working Paper”* 1995, vol. 101, 31 s.

<sup>21</sup> Strøm K., Deferred Gratification and Minority Governments in Scandinavia, *“Legislative Studies Quarterly”* 1986, vol. 11, nr. 4, s. 591.

joining government cabinets are mostly not offset by large power and political benefits. As a result, in the case of such types of governments, we can see almost no distribution of patronage, and political behavior is largely too consensual that even opposition parties are involved in policy-making and decision-making. At the same time, the uniqueness of these cases of government cabinets is due to the fact that the difference between electoral costs and power-political benefits of parties is much differentiated. On the one hand, due to the small parliamentary hierarchy, members of the party elite do not aspire to be government cabinet ministers<sup>22</sup>.

On the other hand, members of the party-political elite often believe that, as ministers of government cabinets, they will be “persecuted” by parliaments, which will hamper the activities of the government cabinets themselves. In this case, it is a rational position that not members of government cabinets, but members of parliament have more power potential. All these things suggest that the more egalitarian the social and political elite, the less personal aspects of power influence parties’ decisions regarding the participation of their functionaries in government cabinets. In general, this means that situations of parliamentary support for different types of governments without the participation of parties arise in several cases, in particular when: a) support for such governments is provided by small parliamentary parties, especially if they are ideologically different from other non-governmental / opposition parties and therefore cannot form any other government cabinet composition with them; b) parties benefit little from hypothetical participation in government cabinets, as most political decisions are made by consensus, patronage is limited, and the political elite tends to egalitarianism; c) a party or parties that support government cabinets, but are not part of them, feel that they should first and foremost care about their own electoral future.

Instead, there is a distinctive relationship between government cabinets, which have significant autonomy, and parties whose support base is also independent. This is the case for some types of government, both for government cabinets themselves and for the relationship between them and small parties, even whether such parties are governmental or non-governmental, and between government cabinets and major parties. Thus, in this case, the relationship between governments and parties revolves more solely around political benefits rather than political benefits and positions of power. However, this scenario is not typical of parliamentary democracies, as government cabinets (executive) and parliaments (legislatures) do not have different sources of autonomy, but are interconnected. On the other hand, this means that in parliamentary democracies, particularly in those where patronage plays a significant role, parties have a greater initiative in structuring relations between government cabinets and parliaments. Therefore, in this case, there is no need to reach compromises on political issues between government cabinets and parliaments. Although, as noted by K. Strom, even in this case there is a specific type of relationship in the form of compromise between the

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<sup>22</sup> Strom K., *Deferred Gratification and Minority Governments in Scandinavia*, “*Legislative Studies Quarterly*” 1986, vol. 11, nr. 4, s. 592–596.

search for power and the search for influence<sup>23</sup>, or in other words, between the dependence of government offices on appointments and their dependence on policy-making<sup>24</sup>. After all, the appointments in government cabinets of all types are important not only for appointments as such, but also for the purposes pursued as a result, including the protection and promotion of party interests in the future. In addition, the difference between appointments and policy-making in theoretical and analytical contexts helps to explain the cases of different types of governments in parliamentary democracies, especially minority governments, if they occur in a country periodically. In general, this means that in some cases parties have more influence over the formation of government cabinets and government appointments, and in some cases over aspects of policy-making, and this may be cross-cutting for all types of party governments within parliamentary democracies.

As for the principles of government appointments and the allocation of ministerial portfolios, the situation in the case of different types of party governments within parliamentary democracies is typically fully or partially in line with the so-called "Hamson's law"<sup>25</sup>, i.e. the rule that coalition / government parties receive government posts in the number, which is close to the proportion of their parliamentary mandates. However, this is often the case for majority coalition governments. Instead, minority governments (both coalition and one-party ones), as H. Beck, M. Debas, and P. note Damont<sup>26</sup>, reflect scenarios where power / positional benefits / advantages are shared between government cabinet parties (coalition parties), and political benefits / advantages are shared between both government partners and opposition / non-governmental parties. Accordingly, some political forces have certain incentives to become governmental, while other political forces have opposition / non-governmental ones.

Moreover, government political forces in this case are usually able to control the legislative agenda due to the status of the executive branch. However, this instead reduces their political costs of negotiating with opposition / non-governmental parties in the context of supporting the government in promoting their legislative initiatives<sup>27</sup>. In turn, K. Strøm<sup>28</sup> argues that the control of the legislative agenda helps the parties that form minority governments to adopt situational strategies of the legislative majority, which are politically the cheapest way to construct a legislative majority (at least compared to formal legislative majority agreements between several parties, including within the coalition government cabinets of the majority) and the most common form of support for some governments, whose parties

<sup>23</sup> Strøm K., *Minority Governments in Parliamentary Democracies: The Rationality of Non-winning Cabinet Solutions*, "Comparative political Studies" 1984, vol. 17, nr. 2, s. 211.

<sup>24</sup> Blondel J., *The Links between Appointments, Policy-making and Patronage in Government-supporting Parties Relationships*, "Working Paper" 1995, vol. 101, 31 s.

<sup>25</sup> Gamson W., *A Theory of Coalition Formation*, "American Sociological Review" 1961, vol. 26, nr. 3, s. 373–382.

<sup>26</sup> Bäck H., Debus M., Dumont P., *Who gets what in coalition governments? Predictors of portfolio allocation in parliamentary democracies*, "European Journal of Political Research" 2011, vol. 50, nr. 4, s. 441–478.

<sup>27</sup> Strøm K., *Minority Government and Majority Rule*, Wyd. Cambridge University Press 1990; Tsebelis G., *Veto Players: How Political Institutions Work*, Wyd. Princeton University Press 2002.

<sup>28</sup> Strøm K., *Minority Government and Majority Rule*, Wyd. Cambridge University Press 1990, s. 110.

have the opportunity to appeal to any non-governmental political forces (even those that did not support them during the formation of governments). Another value of government control over the legislative agenda is often that its incorporation through different types of government cabinets mainly leads to the development of a political position that averages the preferences of governmental and non-governmental parties. As a result, political parties involved in forming governments have an interest in allocating government / ministerial portfolios according to their political preferences. All other things being equal, parties' abandonment of their most anticipated government portfolios in favor of partners should result in greater political costs, especially for majority coalition governments. Instead, political benefits / advantages are potentially achievable in the case of minority governments, especially when all parties have their expected government portfolios. Therefore, it is quite rational in the conditions of minority government cabinets that the government parties are trying to get the portfolios they want in order to increase the chances of realizing the political course they expect. The difference here is that in the case of majority governments, the satisfaction of government parties with ministerial portfolios is less influential in the context of policy-making than in the case of minority governments<sup>29</sup>.

This logic is in line with the traditional norm for parliamentary democracies, according to which the most important political appointments (regardless of the type of government – majority or minority) are the appointment of members or ministers of the government cabinets<sup>30</sup>.

The fact is that in the hierarchy of parliamentary democracies (regardless of the forms and systems of government) members of government cabinets play a critical role both individually (in the format of heads of ministries, institutions and departments<sup>31</sup>) and collectively / on a collegiate basis. Moreover, monopoly control of the appointment of members or ministers of various types of government cabinets mainly has political parties and / or the Government offices themselves, which are significantly (because in parliamentary democracies formed mostly party governments) are affected by the party functionaries<sup>32</sup>. And this despite the fact that compared to the 60-70's of the twentieth century in the early twentieth century the influence of cohesion and mass support of the parties was excessively reduced. This regulates that in parliamentary democracies, non-partisan or non-party appointments to government cabinets are limited. They can, for example, be carried out by heads of state,

<sup>29</sup> Bäck H., Debus M., Dumont P., Who gets what in coalition governments? Predictors of portfolio allocation in parliamentary democracies, *European Journal of Political Research* 2011, vol. 50, nr. 4, s. 441–478.

<sup>30</sup> Amorim Neto O., Strøm K., Breaking the Parliamentary Chain of Delegation: Presidents and Non-partisan Cabinet Members in European Democracies, *British Journal of Political Science* 2006, vol. 36, s. 619–643.; Amorim Neto O., Strøm K., *Presidents, Voters, and Non-Partisan Cabinet Members in European Parliamentary Democracies*, Prepared for presentation in the workshop on „Politiske Valg og Offentlig Opinion“, The Joint Sessions of the Nordic Political Science Association, Aalborg (August 15–17, 2002), 33 s.; Blondel J., Corta M., *Party and Government: An inquiry into the relationship between governments and supporting parties in liberal democracies*, Wyd. Palgrave 1996.

<sup>31</sup> Laver M., Shepsle K., *Making and breaking governments: Cabinets and legislatures in parliamentary democracies*, Wyd. Cambridge University Press 1996.

<sup>32</sup> Strøm K., *Parties at the Core of Government*, [w:] Dalton R., Wattenberg M., *Parties without Partisans: Political Change in Advanced Industrial Democracies*, Wyd. Oxford University Press 2002.

as many as by presidents in individual republics of the semi-presidential type. Basing on this, K. Strom<sup>33</sup> notes that as of the 50-90's of the twentieth century the average share of non-party ministers in such countries, especially in Europe, was less than 4 percent. Therefore, compared to the same 60s and 70s of the twentieth century, today in parliamentary democracies party cabinets still predominate, but with a smaller number of party functionaries. This means that the practice of appointing non-party ministers to party government cabinets has become more widespread and applied. In this regard, some contemporary scholars, including O. Amorim Neto, K. Strom<sup>34</sup>, and A. Costa Pinto<sup>35</sup>, argue that the increase in the share of nonpartisan appointments to ministers and members of all types of government cabinets has been theoretically and empirically observed when: the head of state and the head of government are in a situation of minority (in the case of a parliamentary system of government) or a divided majority (cohabitation) and a divided minority (in the case of a semi-presidential system of government); it is a semi-presidential, not a parliamentary system of government; the legislative prerogatives of the head of state are more extensive; there is an increase in electoral variability and the number of government parties or an increase in party factionalization of legislatures<sup>36</sup>.

The share of non-party ministers (technocrats) in some government cabinets is also growing for objective reasons, including the growing complexity of governance and the reaction of the political elite and political class in trying to get closer to civil society to economic crises and voter distrust / dissatisfaction. However, even so, in the context of different types of party governments in parliamentary democracies, non-party ministers, due to non-party affiliation and lack of effective legislative experience, are positioned as a minority and play an ephemeral role in the governing process. However, in this context, the fact that the share of non-party ministers and members of government cabinets is higher in the conditions of formation and functioning not of government cabinets of the majority, but of government cabinets of the minority is important. This is due to the fact that when the head of government and the government parties do not control the parliamentary majority, their electoral forecast is theoretically and systematically worse than when the government cabinet (majority) controls the parliamentary majority. As a result, it is clear that in such a situation, the negotiating influence of heads of government should deteriorate, especially in systems where, according to the rules of government formation, heads of state have

<sup>33</sup> Strom K., *Parties at the Core of Government*, [w:] Dalton R., Wattenberg M., *Parties without Partisans: Political Change in Advanced Industrial Democracies*, Wyd. Oxford University Press 2002, s. 207.

<sup>34</sup> Amorim Neto O., Strom K., Breaking the Parliamentary Chain of Delegation: Presidents and Non-partisan Cabinet Members in European Democracies, "British Journal of Political Science" 2006, vol. 36, s. 619–643.; Amorim Neto O., Strom K., *Presidents, Voters, and Non-Partisan Cabinet Members in European Parliamentary Democracies*, Prepared for presentation in the workshop on „Politiske Valg og Offentlig Opinion“, The Joint Sessions of the Nordic Political Science Association, Aalborg (August 15–17, 2002), 33 s.

<sup>35</sup> Costa Pinto A., *Expert and Non-partisan Ministers Contemporary Democracies: European and Latin American Perspectives*, Wyd. University of Lisbon.

<sup>36</sup> Amorim Neto O., Samuels D., Democratic Regimes and Cabinet Politics: a Global Perspective, "Ibero-American Journal of Legislative Studies" 2010, vol. 1, nr. 1, s. 10–23.

a significant influence<sup>37</sup>. Empirically, this means that the share of non-partisan ministers in the formation of different types of governments is greater in semi-presidential rather than parliamentary systems, which is the case for all regions of Europe<sup>38</sup>. After all, when in the semi-presidential republics the negotiating potential of parliaments is hampered by their significant fragmentation, the influence of presidents increases and instead the influence of parties in relation to the control of government appointments decreases<sup>39</sup>. Empirical evidence of this is the fact that most non-partisan governments (both permanent and temporary) and non-partisan ministers are formed and appointed in semi-presidential and even parliamentary systems of government with influential heads of state<sup>40</sup>.

In the context of the distribution of ministerial / government portfolios in minority government cabinets, the phenomenon of concentration of power, which is usually incorporated through processes of weakening the collectiveness of government cabinets and strengthening the roles of prime ministers, also plays a key role. The key reasons for such processes are typically appeals to the figures of state leaders<sup>41</sup>, as well as to the tendencies of excessive fragmentation of party systems and the public sector<sup>42</sup>, mediatization and internationalization of politics<sup>43</sup>. This fits into the already traditional tendency for parliamentary democracies to limit the collegial nature of government decisions, and instead – in the centralization of influence around the head of the executive branch<sup>44</sup>. Nevertheless, in this context, we can still see a significant difference between the government cabinets of the majority and the government cabinets of the minority. The fact is that majority governments are determined by more influential prime ministers than minority governments, so the cabinets they lead have more institutional capacity to dominate domestic politics than minority cabinets<sup>45</sup>. The latter, in turn, are forced to seek the support of other / non-governmental parties in order to implement the measures proposed and planned by their prime ministers or cabinets in general. In contrast, majority governments may lose parliamentary votes if party discipline is violated, and the executive

<sup>37</sup> Shugart M., Carey J., *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*, Wyd. Cambridge University Press 1992.; Siaroff A., Comparative Presidencies: The Inadequacy of the Presidential, Semi-presidential and Parliamentary Distinction, *“European Journal of Political Research”* 2003, vol. 43, nr. 3, s. 287–312.

<sup>38</sup> Costa Pinto A., *Expert and Non-partisan Ministers Contemporary Democracies: European and Latin American Perspectives*, Wyd. University of Lisbon.; Protsyk O., Intra-Executive Competition between President and Prime Minister: Patterns of Institutional Conflict and Cooperation under Semi-presidentialism, *“Political Studies”* 2006, vol. 54, nr. 2, s. 219–244.

<sup>39</sup> Schleiter P., Morgan-Jones E., Constitutional Power and Competing Risks: Monarchs, Presidents, Prime Ministers, and the Termination of East and West European Cabinets, *“American Political Science Review”* 2009, vol. 103, nr. 3, s. 496–512.; Schleiter P., Morgan-Jones E., Party Government in Europe? Parliamentary and Semi-presidential Democracies Compared, *“European Journal of Political Research”* 2009, vol. 48, nr. 5, s. 665–693.

<sup>40</sup> Amorim Neto O., Ström K., Breaking the Parliamentary Chain of Delegation: Presidents and Non-partisan Cabinet Members in European Democracies, *“British Journal of Political Science”* 2006, vol. 36, s. 619–643.

<sup>41</sup> Karvonen L., *The Personalisation of Politics. A Study of Parliamentary Democracies*, Wyd. ECPR Press 2010.; Helms L., The Presidentialisation of Political Leadership: British Notions and German Observations, *“The Political Quarterly”* 2005, vol. 75, nr. 3, s. 430–438.

<sup>42</sup> Peters G., Rhodes R., Wright V., *Administering the Summit: Administration of the Core Executive in Developed Countries*, Basingstoke 2000.

<sup>43</sup> Johansson K., Tallberg J., Explaining Chief Executive Empowerment: EU Summitry and Domestic Institutional Change, *“West European Politics”* 2010, vol. 33, nr. 2, s. 208–236.

<sup>44</sup> Peters G., Rhodes R., Wright V., *Administering the Summit: Administration of the Core Executive in Developed Countries*, Basingstoke 2000.

<sup>45</sup> Johansson K., Tallberg J., Explaining Chief Executive Empowerment: EU Summitry and Domestic Institutional Change, *“West European Politics”* 2010, vol. 33, nr. 2, s. 211.

and legislative vectors of party activities focus on different preferences / preferments<sup>46</sup>. But this is against the background of the remark that political differences should traditionally be smaller within parties rather than between parties, making it easier for majority government cabinets than for minority government cabinets to make proposals through parliaments. This strengthens the potential of parties and individual party functionaries precisely in the context of majority governments in the context of their ability to dominate domestic politics and leads to the elevation of individual officials, primarily prime ministers, from among other members of government cabinets. Accordingly, the decisions of majority governments are more meaningful and more specific than the decisions of minority governments, but the decision-making process is potentially more conflicting in the context of majority governments as well.

At the same time, the specificity of the concentration of power in minority governments is determined by the countries in which and how often these structures are formed. If minority governments are formed as deviant and exceptional scenarios, then the concentration of power in them may resemble the identical case of majority governments. However, if minority government cabinets are formed permanently, then their inter-institutional conditionality is different, which often leads to a strengthening of the patterns of collegiality and consensus and a weakening of the positions of prime ministers<sup>47</sup>. By this logic, it is clear that in the case of minority governments, the role of the cabinet phenomenon (the set of chief government ministers) decreases, while the role of the government cabinet phenomenon (the set of all ministers and key government officials) increases. In general, this confirms the scientific position that the peculiarities of the composition and structuring of government cabinets of all types affect the parameters and specifics of the concentration and collegiality of power in them. Although, by a reversal of, the nature of the collegiality of government cabinets is dynamic and different in different countries, but in general the rule works that the more people who influence decision-making in governments, the less concentration of government power in prime ministers and more the collegial nature of the decisions of such government cabinets. In contrast, the in formalization of key government decision-making procedures in all types of government – both majority and minority – has led to an increase in the concentration of government power among prime ministers in government cabinets. This is especially true for consensus models of government, because they have a noticeable shift in the direction from the previously traditional consensus-collegial culture of governmental and managerial decisions to the phenomenon of “structural presidentialization” of government and political process.

By a reversal of, it is absolutely obvious that the level of concentration of government power by prime ministers can affect the frequency of different types of government. For example, if the prime minister and his political party have exclusive powers that significantly strengthen

<sup>46</sup> Laver M., Divided Parties, Divided Government, *“Legislative Studies Quarterly”* 1999, vol. 24, nr. 1, s. 7.

<sup>47</sup> King A., *Chief Executives in Western Europe*, [w:] Budge I., McKay D.(eds.), *Developing Democracy: Comparative research in honour of J.F.P. Blondel*, Wyd. Sage 1994.; O'Malley E., The Power of Prime Ministers: Results of an Expert Survey, *“International Political Science Review”* 2007, vol. 28, nr. 1, s. 7–27.

their power-administrative capacity compared to other governmental and non-governmental parties, participation in the government cabinet becomes less attractive – both institutionally (at the party level) and individually (at the level of individual ministers), as a result of which the probability of forming not majority governments but minority governments increases.

This is in line with the theoretical and methodological remarks of P. Mitchell and B. Newbled, according to which: the more the rules of institutional design favor the Prime Minister's party over other hypothetical coalition partners, the less attractive it becomes to become a junior coalition partner. At the same time, J. Blondel argues that the connection between the power of the prime ministers and the types of government cabinets is not significant, but only additional<sup>48</sup>.

After all, in addition to the concentration of power in the head of government and the nature of the power-management process, the political structuring of the government is also influenced by other factors. Among them, the factors of positioning the powers, roles and responsibilities of ministers, deputy ministers and civil servants in parliamentary democracies are quite important. In this regard, J. Bourgeois<sup>49</sup> notes that the relationship between ministers and their deputies, as well as civil servants of minority governments, for example, is much more complex in matters of mutual trust than identical relations in the case of instead of majority governments. The fact is that in the case of minority governments, there is an almost permanent trend of developing public policy more urgently and in order to address more short-term issues, resulting in greater importance in terms of accountability of members of government to public opinion and more centralized control over governments. This, according to G. Marchildon<sup>50</sup>, is due to the fact that internally, the cabinets of the minority are defined by a lower level of compromises than the cabinets of the majority, so they may be less stable than the governments of the majority. However, because minority government cabinets are very sensitive to public opinion and unsure of the duration of their operations, their ministers try to avoid risky public policy decisions and focus on making the most progressive / effective decisions within available resources. As a result, the rule is that policy and program planning for minority governments is less defined than for majority governments. The main reason is that minority governments are not able to be sure what changes and amendments will be made to their proposed bills and whether their bills will eventually become laws. In addition, it should be noted that majority governments are characterized by greater party discipline than minority governments, which makes it relatively easier to bid on the bills initiated by them. As a result, minority government cabinet ministers are subject to political pressure and are constantly monitored, at least to a greater extent than in the case of majority governments<sup>51</sup>.

<sup>48</sup> Blondel J., Müller-Rommel F., Malova D., *Governing New European Democracies*, Wyd. Palgrave 2006, s. 186.

<sup>49</sup> Bourgault J., Minority government and senior government officials: the case of the Canadian federal government, *Commonwealth & Comparative Politics* 2011, vol. 49, nr. 4, s. 510–527.

<sup>50</sup> Marchildon G., Coalition government and collective responsibility, *Public Sector Magazine* 2010, vol. 21, nr. 3, s. 14.

<sup>51</sup> Indridason I., Kam C., Cabinet Reshuffles and Ministerial Drift, *British Journal of Political Science* 2008, vol. 38, nr. 4, s. 621–656.



This means, in other words, that control over minority government ministers is more centralized than in the case of majority governments. Accordingly, ministers are less flexible in the case of minority governments than majority governments. However, according to J. Hodgson, in the case of a minority government capable of working in a “rational security”<sup>52</sup> environment, the officials of such a government can be as influential as the officials in the majority government.

However, in this context, it is noteworthy that in the case of minority governments, the primary or general purpose of the civil service does not change from that of the majority government, as it is engaged in implementing government programs, its own direct responsibilities, and influencing government agendas. The outlined areas of employment of civil servants cover two parts: first – the provision of professional and non-party-oriented advice and counseling to cabinet ministers; second, the loyal and effective implementation of government cabinet policies and programs as soon as they have been agreed by the prime minister, ministers, ministries, and departments. So, in the case of majority governments, in the case of minority governments, the civil service must be politically sensitive, albeit apolitical (non-partisan). At the same time, the logic of the civil service from the perspective of minority government offices is modified by the fact that it is on average less predictable than in the case of majority governments, and therefore officials must be constantly interested in voter sentiment and public opinion.

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## **The evolution of the idea of Euro-Atlantic integration in the discourse of Ukraine's centre-right political forces in the 1990s and 2000s**

The present article examines the idea of Ukraine's European integration and pro-Western trajectory in the discourse of the Ukrainian centre-right political forces in the first two decades of the country's independence. The study utilises a qualitative discourse analysis focusing on speeches, publications and official political programmes of the leaders and activists of the most influential factions of this political camp. It is argued that, while the National Democrats and their ideological and political successors were most pro-Western among the major political forces in Ukraine during this period, their discourse of Euro-Atlantic integration has been not devoid of contradictions and indecision. Also, the study has revealed a tangible evolution of this discourse starting from the late 1990s, which consisted in strengthening of the idea of European Ukraine and the country's prompt integration into the key Euro-Atlantic structures endorsed by the new leaders of the centre-right camp.

*Keywords:* centre-right political discourse; National Democrats; idea of Euro-Atlantic integration; Ukraine.

## **EWOLUCJA IDEA INTEGRACJI EUROATLANTYCKIEJ W DYSKURŚIE PRAWICOWSKICH SIŁ POLITYCZNYCH UKRAINY W LATACH 1990 I 2000**

Niniejszy artykuł analizuje ideę integracji europejskiej Ukrainy i prozachodnią trajektorię w dyskursie ukraińskich centroprawicowych sił politycznych w pierwszych dwóch dekadach niepodległości tego kraju. W opracowaniu wykorzystano jakościową analizę dyskursu, skupiając się na przemówieniach, publikacjach i oficjalnych programach politycznych przywódców i działaczy najbardziej wpływowych frakcji tego obozu politycznego. Argumentuje się, że podczas gdy endecja i ich ideologiczni i polityczni następcy byli najbardziej prozachodnią spośród głównych sił politycznych na Ukrainie w tym okresie, ich dyskurs integracji euroatlantyckiej nie był pozbawiony sprzeczności i niezdecydowania. Badanie ujawniło też namacalną ewolucję tego dyskursu od końca lat 90., polegającą na umocnieniu idei europejskiej Ukrainy i szybkiej integracji kraju z kluczowymi strukturami euroatlantyckimi popieranymi przez nowych przywódców obozu centroprawicowego.

*Słowa kluczowe: centroprawicowy dyskurs polityczny; Narodowi Demokraci; idea integracji euroatlantyckiej; Ukraina.*

## **Еволюція ідеї євроатлантичної інтеграції у дискурсі правоцентристських політичних сил України у 1990-х – 2000-х роках**

У статті розглядається ідея європейської інтеграції та прозахідного курсу України в дискурсі українських правоцентристських політичних сил упродовж перших двох десятиліть незалежності. У дослідженні використано метод якісного дискурс-аналізу, за допомогою якого проаналізовано офіційні політичні програми та широкий спектр виступів і публікацій лідерів та інших авторитетних членів націонал-демократичного табору. У статті аргументується теза, що, хоча націонал-демократи та їхні ідеологічні та політичні спадкоємці були найбільш прозахідними серед впливових українських політичних сил того часу, їхній дискурс євроатлантичної інтеграції не був позбавлений суперечностей та вагань. Проведений аналіз також дозволив виявити суттєву еволюцію цього дискурсу починаючи з 1990-х рр., яка, зокрема, проявилась у посиленні ідей європейської України та швидкої інтеграції країни до ключових євроатлантичних інституцій, що просуvalись новими лідерами правоцентристських сил.

*Ключові слова: правоцентристський політичний дискурс; націонал-демократи; ідея євроатлантичної інтеграції; Україна.*

The centre-right political forces, and particularly the so-called National Democrats, have been traditionally regarded as the most favourably predisposed Ukrainian political camp towards European and Euro-Atlantic integration of Ukraine in the early period of its independence. The positions of the political forces associated with the pro-democratic and pro-independent *Rukh* movement and its political and ideological successors in the area of foreign policy and geopolitical strategy are widely considered as unequivocally pro-Western. This conventional view has developed not least because the National-Democratic standpoints on this question contrasted starkly with either indeterminate 'multi-vector' or ultimately anti-Western orientations of their political opponents in the centre and left of the political spectrum.

However, the present article will problematize such a simple view of the idea of Euro-Atlantic integration and pro-Western trajectory in the discourse of the centre-right National Democrats and their allies. It will argue that a more sophisticated perspective needs to be taken on this issue. To this end, the analysis in this paper will focus on the important nuances relating to this camp's specific understanding of Ukraine's international position and a desired

foreign-policy strategy during the first two decades of the country's independence. Particular attention will be paid to the development of the discourse of the National Democrats in the 1990s as well as that of their allies and successors in the 2000s.

The main methodology utilized in this article is qualitative discourse analysis focusing on the key political documents, texts and speeches of the political forces and their leaders in question. More specifically, this approach will consist in analysing the respective interpretations of the idea of Euro-Atlantic integration and Western-bound course in the discourse of the influential factions of the centre-right forces between roughly 1991 and 2010. As follows, this approach is applied with the aim of accurately grasping the meaning of the allegedly pro-European rhetoric on the issues of foreign-policy and geopolitical vector of the newly created sovereign state. At the same time, the analysis will look into the rhetoric's place vis-à-vis other major elements of the centre-right political discourse as well as assess its dynamics. The main objective of the study in the latter case will be attempting to establish a possible evolution of the idea of Euro-Atlantic integration in this discourse in the context of the ongoing post-communist transformation of the country.

The early discourse of the National Democrats was quite favourably predisposed towards the West and contained a nascent idea of Ukraine's pro-European aspirations. This part of the National-Democratic discourse, however, was vague and did not occupy a prominent place compared with other intrinsic elements of the discourse. The support for the Western course of Ukraine was not sufficiently spelled out there; in addition, it lacked determination and, at times, consistency. The National Democrats' calls for Ukraine to follow the Western vector of development mainly consisted of voicing of simple slogans and insufficiently communicated general principles. One example just at the beginning of Ukrainian independence was the political programme of Viacheslav Chornovil, an authoritative *Rukh* leader and influential centre-right candidate during the first presidential election in December 1991. The chapter of the programme dedicated to foreign policy platform of the candidate, in fact, represented a compilation of truisms and clichés, which concluded with an ambiguous slogan: "From the empire towards common Europe!"<sup>1</sup>

Before long, however, the National-Democratic camp became a prominent voice of an idea of 'return to Europe.' This idea was significantly reminiscent of the one vigorously asserted in the post-communist CEE countries. Much of the reasoning concerning the European aspirations in the National-Democratic discourse came to an appeal of restoring Ukraine in some vaguely defined common European family. Their preoccupation with this idea, nevertheless, mainly relied on a "civilizational" argumentation regarding the development of close relations with the Euro-Atlantic structures. Hence, when arguing about Ukraine's "natural" and "inevitable" integration into the European Community and the Western world, the National Democrats referred to an argument about Ukraine's shared values and historic, geopolitical and cultural roots with the rest of Europe.

<sup>1</sup> V. Chornovil, Ukraine: shliakh do svobody. Osnovni pryntsypy prohramy, "Holos Ukrainy" 1991, 23 October, p. 4.

A good illustration of such reasoning was the following passage from the electoral platform of Ihor Yukhnovskiy, another centre-right candidate in the 1991 presidential contest. "As a result of [its] independence Ukraine has to return to Europe after several hundred years of isolation from its civilisation [because] the people of Ukraine ... has been always notable for the priority of freedom of an individual, private property, industriousness and a unique culture".<sup>2</sup>

Another feature of the early National-Democratic discourse in this area was coupling the objective of moving closer to Europe with the goals of its powerful nation-building platform. Prompted by the (moderate) nationalistic component of the double-facet National-Democratic ideology, the National Democrats were determined to model Ukraine's nation-building project on what they saw as "traditional" European nation-state and use Ukrainian culture as a bedrock for this project. This reflected the National Democrats' conviction that consolidation of a viable national community in Ukraine was the condition *sine qua non* for the future of the independent state.<sup>3</sup> "We are a European state, based on an indigenous nation"<sup>4</sup> argued Chornovil. At the same time, the nation-building programme of the National Democrats was never of an exclusive nationalist type. Their leaders excluded any forceful Ukrainisation<sup>5</sup> and emphasised the need for accommodation of the rights of national minorities.<sup>6</sup> Thus, in the words of another prominent Rukh party member Ivan Zaiets, "Ukraine must become a European state of a national type, where traditions and customs of the Ukrainian nation are at its core, with [simultaneous] guarantee of free development of the cultural, linguistic [and] ethnic distinctiveness of the representatives of national minorities".<sup>7</sup>

At some points in the 1990s the National Democrats' backing of the Western-bound orientation of the country hit its lows. One reason for such, albeit short-lived, disillusionment with the pro-European course was the deeply-felt repercussions of a severe economic crisis. The crisis was most deeply felt in Ukraine in the mid-1990s and was at least partly associated with the (very indecisive and mismanaged) pro-Western market reforms. In this, the National Democrats and their supporters rather the dominant trend. As one Ukrainian commentator noted then, unfortunately many Ukrainians "are convinced that 'democracy', 'independence' and 'market economy' are only synonyms for their ever-growing misery, subjugation, and helplessness in the face of chaos."<sup>8</sup>

<sup>2</sup> I. Yukhnovskiy, Shcho dumaie kandydat z pryvodu, "Demokratychna Ukraina" 1991, 14 November, p. 2.

<sup>3</sup> M. Kosiv, Bez movy nemaie narodu, bez narodu nemaie derzhavy, "Holos Ukrainy" 1994, 16 September, p. 4.

<sup>4</sup> V. Chornovil, Iak braty obnimemosia, ale ne skoro, "Viche" 1997, no. 12, p. 106.

<sup>5</sup> V. Chornovil, Ia gord, chto menia vydvynuli gorniaki! "Donetskie Novosti" 1991, 14 October, p. 3; Bulo b bidou dlia derzhavy chynyty nasytstvo, "Holos Ukrainy" 1991, 23 October, p. 7.

<sup>6</sup> L. Lukianenko, Piat' rokiv dostatnio, shchob Ukraina stala rozvynenoiu ievropeiskoiu derzhavoiu. Ia znaiu iak tsioho dosiahty: Osnovni polozhennia prohramy, "Vechirni Kyiv" 1991, 25 November, p. 3; V. Chornovil, Nam treba podolaty khvorobu liderstva, "Viche" 1993, no. 7, p. 22.

<sup>7</sup> Vystup narodnoho deputata Ukrainy Ivana Zaietsa, "Holos Ukrainy" 1998, 6 June, p. 3.

<sup>8</sup> M. Riabchuk, *Between Civil Society and the New Etatism: Democracy in the Making and State Building in Ukraine*, [in:] in *Envisioning Eastern Europe: Postcommunist Cultural Studies*, ed. M.D. Kennedy, Ann Arbor 1994, p. 145-146.

The surfaced “Euro-scepticism” of the National Democrats in the mid 1990-s was also linked to flirting with the non-alignment status for Ukraine that was common for the right-leaning factions of the National Democrats. This view presented an alternative to Ukraine’s integration either to the West or the CIS and reflected their unwillingness to give up parts of the longed-for Ukrainian sovereignty by transferring them to a supranational body. This idea was quite popular with the public of the National Democrats’ regional stronghold – the Western Ukraine. In 1994 a quarter of the respondents (24,3 percent) there preferred the option of relying on the country’s own resources and strengthening its independence to European integration.<sup>9</sup>

A weighty presence of the security-related component on the National-Democratic agenda indirectly pointed in the same direction. The National Democrats increasingly considered European integration in connection with Ukraine’s desired participation in a wider Western-dominated political and security community. They saw the membership in such community as the best guarantee for Ukraine’s security in the region. Therefore, the promotion of the Western vector, once again, was tight to a more fundamental objective consisting in defending the sovereignty and integrity of the country. The Conception of State Building, a comprehensive programmatic document developed by the *Rukh* party in the early 1994, expressed this implication as follows: “The main problem of the foreign policy of Ukraine is that [the country] is not yet integrated into the European political structures, able to lend Ukraine assistance in eliminating its foreign threats.”<sup>10</sup>

The National Democrats were unambiguous as to what they regarded as the major source of foreign insecurity for Ukraine. For them the real threat came from the East, namely Russia. As the same *Rukh* Conception implied, “Russia is a real and constant source of instability as well as potential foreign threat [to Ukraine]”.<sup>11</sup> Surely, the explicit identification of the increasingly belligerent Russia with Ukraine’s main security threat was significantly influenced by Russia’s post-1991 hostility towards Ukrainian independence and its continuous efforts to keep Ukraine within its sphere of influence. Nonetheless, in this way the pro-Western orientation in the early National-Democratic discourse was largely subordinated to the security issues appearing on this force’s political agenda and did not enjoy a distinctive place in its own right it certainly deserved. Consequently, the early idea of European integration in this discourse could be interpreted as a pragmatic and also largely forced response to Ukraine’s disadvantaged international position.

The endorsement of the pro-Western course in the context of the National Democrat’s perception of Ukraine’s geopolitical environment also matched their mapping of the political and cultural boundaries of Europe. This centre-right political force drew the Eastern border of Europe along Ukraine’s north-eastern border, hence placing Russia beyond

<sup>9</sup> Cited in: R. Solchanyk, *Ukraine and Russia: The Post-Soviet Transition*, Lanham 2001, p. 140.

<sup>10</sup> *Kontseptsia derzhavotvorennia v Ukraini*, [in:] *Narodnyi Rukh Ukrainy: Dokumenty i materialy*, ed. M. Boichyshyn, Kyiv 1993, p. 18.

<sup>11</sup> *Ibid.*, p. 19.

the boundaries of the European civilisation. Consequently, in the National-Democratic picture of the outside world Russia was firmly positioned as Ukraine's (and indeed Europe's) "significant other": Ukraine's "Europeanness" was contrasted with Russia's 'Eurasianism'. As one commentator put it, the centre-right "political parties, such as *Rukh*, unequivocally see Ukraine as a European state and, like their nationalist colleagues, see Russia as largely lying outside Europe."<sup>12</sup>

Over time the pro-Western propensity of the centre-right political discourse was getting stronger. The demonstration effect of Ukraine's more successful post-communist Central-European neighbours and perhaps also the "civilizational othering" of Russia as opposed to European Ukraine played their role. may have helped the modelling of Ukrainian social system on European standards. This put an extra pressure on the National-Democratic leaders to boost Ukraine's Europeanisation not merely as a foreign strategy goal but also as an objective of its domestic transformation. Now, the problem of the trajectory of Ukraine's development was increasingly linked to the tasks of its democratisation and marketization-at home. As Mykola Riabchuk put it, the "Ukrainian activists not just praised the alleged Ukrainian 'Europeanness' as opposed to evil Russian 'Asianness'; they had to accept the whole set of European liberal-democratic values as 'natural' and 'organic' for Ukrainians (yet 'unnatural' for Russians)."<sup>13</sup>

The centre-right forces began voicing a more accentuated and sophisticated idea of European integration starting from the late 1990s. Then, in contrast to the earlier periods, both the more conservative and liberal-leaning wings of the National-Democratic camp put European integration high on their political agendas.<sup>14</sup> In addition, the meaning and context of their interpretations of the idea underwent some changes too. Besides the idea of return to Europe, which was traditionally linked to Ukraine's "civilizational" and "natural" identification with Europe, the National Democrats increasingly utilised the concept of "European choice". The latter was associated with a European way and standard of life, particularly European democracy and a well-ordered social and economic regime.

"European path, [or] European choice of Ukraine, is not just an involvement in all-European affairs and integration processes in Europe" argued Zaiets.<sup>15</sup> "When we speak about the European choice of Ukraine, we mean an aspiration to achieve the European standard of life ... [and] European standard of democracy, in the first place."<sup>16</sup> "Today, the historic choice of our people – independence, freedom and democracy, well-being [and] European

<sup>12</sup> T. Kuzio, Identity and nation-building in Ukraine: Defining the 'Other,' *Ethnicities* 2001, vol. 1-3, p. 353.

<sup>13</sup> M. Ryabchuk, *Ambivalence or ambiguity? Why Ukraine is trapped between East and West*, [in:] *Ukraine, the EU and Russia: History, Culture and International Relations*, ed. S. Velychko, New York, 2007, p. 71.

<sup>14</sup> Vyborcha platforma Narodnoho Rukhu Ukrainy, "Viche" 1998, no. 2, p. 89; and Dohovir mizh partiiciu Reformy i Poriadok ta hromadianamy Ukrainy, "Viche" 1998, no. 2, p. 126.

<sup>15</sup> Vystup narodnoho deputata Ukrainy Ivana Zaietsia, "Holos Ukrainy" 1998, 6 June, p. 3.

<sup>16</sup> Ibid.



orientation – [...] have been in jeopardy” argued another prominent centre-right politician, then leader of one of the *Rukhs* splinters, Yurii Kostenko.<sup>17</sup>

This time the idea of European and Euro-Atlantic integration on the National-Democratic discourse complemented their vision of the objectives of the domestic transformation. From now on the moderate nationalism, pro-reform thinking and support for European integration of the centre-right forces became the main pillars of their political platform, with each component in fact reinforcing the two other. It indeed comprised of the “pro-Ukrainian language and cultural policies, market-orientated reforms, abolition of the system of soviets, anti-Russian/CIS foreign policy orientation, and integration with European institutions.”<sup>18</sup>

Along these lines one should interpret the following passage in the 1999 electoral programme of Hennadii Udovenko, the then *Rukh* party leader. He avowed to “consecutively implement a course aimed at integration into the European and Transatlantic structures,” which would “guarantee an economic growth, democratic development and collective security of Ukraine.”<sup>19</sup> Such statements notably resembled the kind of rhetoric referred to by the politicians in the leading transition countries of the CEE region. Compare them with a famous 1997 statement by Gyula Horn, the Prime-minister of Hungary, for whom the European integration meant “hope for the strengthening of Hungarian democracy, the guarantee of national independence and our international security.”<sup>20</sup>

However, the shift in the National-Democratic discourse of European integration and pro-Western trajectory of Ukraine’s development more generally did not take a definite turn until this political camp’s unification under the leaderships of Viktor Yushchenko and Yulia Tymoshenko in the beginning of the 2000s. Their respective political projects – Yushchenko’s centre-right Our Ukraine (OU) alliance and a somewhat ideologically blurred and populist *Batkivshchyna* / Yulia Tymoshenko Bloc (BYuT) – adopted pro-European positions.

The leaders and rank and file of the OU party, which attracted the bulk of the National-Democratic factions, were the most pro-Western. Their rhetoric eventually completed the bridging of the goals of Ukraine’s Western trajectory and its transition to a democratic and market-orientated nation-state. In the first half of the 2000s the idea of European integration appeared in virtually every Yushchenko’s speech or the OU party’s programmatic document. Yushchenko placed a special emphasis on the promotion of “domestic” Europeanisation of Ukraine, namely the achieving of the European standards of democratic regime and economic well-being. The concepts of democratisation and Europeanisation made up an especially strong link, often standing in Yushchenko’s texts side by side. Political elites, argued Yushchenko on one occasion, “should unite around two main ideas – [those of] Ukraine’s democratisation and

<sup>17</sup> Z novym liderom – do novoi epokhy! Kandydat na posadu Prezydenta Ukrainy Yurii Kostenko, “*Holos Ukrainy*” 1999, 1 September, p. 3.

<sup>18</sup> K. Wolczuk, *The Moulding of Ukraine: The Constitutional Politics of State Formation*, Budapest 2001, p. 106.

<sup>19</sup> H. Udovenko, Vil’na liudyna, zamozhna rodyna, velyka i syl’na kraina! “*Holos Ukrainy*” 1999, 23 September 1999, p. 4.

<sup>20</sup> Cited in: G. Pridham, *Designing Democracy: EU Enlargement and Regime Change in Post-Communist Europe*, New York 2005, p. 1.

European integration.”<sup>21</sup> In another text he equated a looming “wasted chance for becoming a part of democratic Europe” with the “betrayal of democracy, the republic, [and] Ukrainian sovereignty.”<sup>22</sup>

The idea of European Ukraine featured prominently on the agenda of Yushchenko’s 2004 dramatic election campaign. It was regarded to represent a key characteristic of the future and better Ukraine. “The idea that we uphold is an idea of powerful Ukraine – a just and wealthy European state.”<sup>23</sup> During the presidential race Yushchenko and his political allies clearly positioned themselves as a democratic and pro-Western alternative to an ambiguous “multi-vectorism” of the corrupt and authoritative regime. At the start of the presidential race a joint declaration of Yushchenko and Tymoshenko, the leaders of the emerging “Orange” camp, concluded with the following pledge: “[together] we will not allow for the restoration of totalitarianism in the European state of Ukraine!”<sup>24</sup>

Following Yushchenko’s election to the post of the President of Ukraine, his administration was a devoted promoter of Ukraine’s European and Euro-Atlantic integration. During his time in office Yushchenko rebuffed the infamous multi-vector strategy of his predecessors for the first time since 1991, making the goals of joining the EU and NATO the top foreign policy priorities. His administration intensified a dialogue with the EU, while the relations with NATO progressed in particular. In 2008 Ukraine was very close from receiving the Membership Action Plan, which could have opened the door for a full membership in the organisation. Even though this advanced status was not granted to Ukraine, the organization officially declared that Ukraine (together with Georgia) would eventually join NATO in the future.<sup>25</sup>

At the same time, similarly to the former National-Democratic discourse, Yushchenko’s preoccupation with national security made up an important context for his promotion of the Western vector. These objectives mainly centred on the goals of safeguarding the country’s sovereignty and fencing Ukraine off Moscow’s foreign pressure. Otherwise, Yushchenko’s administration perhaps would not insist on Ukraine’s full membership in NATO so vigorously in view of an unfavourable public opinion on this matter following the NATO Kosovo campaign in 1999.<sup>26</sup>

Besides the foreign security considerations Yushchenko and other leaders of the OU brought the language of values to the centre of debates on Ukraine’s foreign trajectory. They underscored that Ukraine’s European aspirations were driven not so much by some pragmatic

<sup>21</sup> V. Yushchenko, *Demokratyzatsiia i ievropeiska intehratsiia Ukrainy vymahaiut’ zminy politychnoi elity*, *Natsional’na bezpeka i oborona* 2003, no. 9, p. 28.

<sup>22</sup> V. Yushchenko, *U reformy ne hraiut’sia. Tym pache z politychnymy shuleramy*, *Dzerkalo Tyzhnia* 2003, 23 August, p. 1.

<sup>23</sup> V. Yushchenko, *Ukraina – spravedylyva, zamozhna ievropeiska derzhava*, *Natsional’na bezpeka i oborona* 2004, no. 6, p. 36.

<sup>24</sup> *Spil’na zaiava Bloku Viktora Yushchenka ‘Nasha Ukraina’ ta Bloku Yulii Tymoshenko*, *Sait Yulii Tymoshenko* 2004, 27 May, <http://www.tymoshenko.com.ua/ukr/news/first/1398/> [2 October 2009]

<sup>25</sup> Bucharest Summit Declaration, *North Atlantic Treaty Organization*, 3 April 2008, [https://www.nato.int/cps/en/natolive/official\\_texts\\_8443.htm](https://www.nato.int/cps/en/natolive/official_texts_8443.htm) [15 June 2021].

<sup>26</sup> See R. Solchanyk, *Ukraine and Russia: The Post-Soviet Transition*, Lanham 2001, p. 97–99; and R. Bychenko, *Hromads’ka dumka pro NATO i pryednannia do nioho Ukrainy*, *Natsional’na bezpeka i oborona* 2006, no. 9, p. 20–38.

calculations as by its cultural and political commonality with Europe. As a prominent Ukrainian diplomat and centre-right politician Borys Tarasyuk maintained, “[t]he European choice of Ukraine has been determined not just by its economic attractiveness, but also that the European Union is founded on the same system of values as shared by Ukrainians.”<sup>27</sup>

On the other hand, the promotion of European integration also continued to be linked to the ongoing Ukrainian nation-building project. However, this time it was to encourage the development of the Ukrainian nation mainly in the form of a civic community. At least in the first half of his term, in an attempt to reach to all parts of the Ukrainian society Yushchenko used the ethnically neutral European idea as a key instrument for crafting of an overarching Ukrainian identity. “Our national idea is a European Ukraine with liberal values and civic freedoms and rights.”<sup>28</sup> Yushchenko and some other members in his team were not the first to try to utilise the European idea in this capacity,<sup>29</sup> yet in the 2000s they became its most consistent proponents.

Tymoshenko's position on European and Euro-Atlantic integration was more complex and equivocal. Although she and her Batkivshchyna / BYuT political force overall supported the Western trajectory of Ukraine's development, a strong “nativist” position was evident in their rhetoric as well. Such rhetoric was partly influenced by the BYuT's prominent right-leaning members of the former National-Democratic circles, such as Levko Lukianenko and Mykhailo Pavlovskiy, an ardent critic of the Western-bound market transition of Ukraine. Additionally, the official documents of the bloc (particularly its electoral programmes) were fairly ambiguous as regards the foreign vector priority, and instead argued for the need of meeting the national interests of Ukraine in this area.<sup>30</sup> In the late 2000s, when serving as Ukraine's Prime-Minister, Tymoshenko followed a dubious policy toward Russia and its political leadership. At some point, quite in the manner of the old “multi-vector” thinking, she even argued that it was in “our interests to seek harmonious [relations] in the Europe-Ukraine-Russia triangle.”<sup>31</sup> Such occasional but telling allusions to the former multi-vector policy contrasted with Yushchenko's uncompromising Westernism.

Tymoshenko's ambiguous position in this regard also manifested in the case of the controversy over Ukraine's potential membership in NATO. On the one hand, in the early 2008 she added her signature to a much-talked-of appeal to NATO decision-makers, asking for the Membership Action Plan for Ukraine.<sup>32</sup> Yet, apart from this move, Tymoshenko never positioned herself as a firm

<sup>27</sup> B. Tarasiuk, *Ievropeiska i ievroatlantychna intehtatsiia, ii ievropeiskyi vybir vtsilomu – tse imperatyv chasu*, *Novosti politicheskikh partii*, 9 June 2008, [http://www.qwas.ru/ukraine/nru/id\\_106799/](http://www.qwas.ru/ukraine/nru/id_106799/) [17 March 2009].

<sup>28</sup> V. Yushchenko, *Nasha natsionalna ideia – Ukraina ievropeiska*, *Sait Prezidenta Ukrainy*, 9 March 2007, <http://www.president.gov.ua/news/5565.html> [28 March 2009].

<sup>29</sup> See K. Wolczuk, *History, Europe and the 'National Idea': The 'Official' Narrative of National Identity in Ukraine*, *Nationalities Papers* 2000, no. 4, p. 671-694.

<sup>30</sup> See V. Chalyi, *Zovnishnopolitychna sfera vperedvyborykh prohramakh partii i blokiv*, *Natsionalna bezpeka i oborona* 2002, no. 2, p. 24.

<sup>31</sup> Tymoshenko khoche v NATO, ale ie aspekty, *Ukrains'ka Pravda*, 6 March 2009 <http://www.pravda.com.ua/news/2009/3/6/90908.htm> [6 March 2009].

<sup>32</sup> Yushchenko, Tymoshenko i Yatsenyuk pidpysaly zaiavu shchodo NATO, *Novynar*, 15 January 2008, <http://novynar.com.ua/politics/17825> [1 August 2011].

protagonist of Ukraine's membership in this organisation. Despite such ambiguity of Tymoshenko on this issue, the electorate of the BYuT included the biggest share of supporters of membership of Ukraine in NATO among the adherents of Ukrainian political forces.<sup>33</sup>

Nevertheless, Tymoshenko and her political force accepted the European integration as Ukraine's general trajectory of post-communist development. She and her allies denounced Ukraine's course of joining Russia-led Eurasian Economic Space, which was described as threatening the country's fundamental objective of European integration.<sup>34</sup> During and after the Orange Revolution Tymoshenko repeatedly declared her firm support for Ukraine's European aspirations: "our path consists in [the advancement] toward Europe, and so we must ... establish a necessary [institutional] framework for Ukraine to acquire the full membership in the European Union".<sup>35</sup> "Today, the country is choosing ... [between the path] toward Europe and a civilised world, toward democracy and a decent and honest life, or [a way] back to the empire ... to the darkness and hopelessness [associated with the latter]" argued Tymoshenko.<sup>36</sup>

## Conclusion

It wouldn't be an exaggeration to state that during the first two decades of Ukraine's independence the National Democrats and their political successors were the key proponents of the country's affiliation with the European and Euro-Atlantic structures. In the 1990s and 2000s the centre-right political camp was firmly associated with the idea of pro-Western trajectory of Ukraine. This is not to say, however, that this part of the Ukrainian political elite was a sole supporter of the Western vector for Ukraine's development, nor that the degree of its support was truly overwhelming. Still, the pro-European stance of the centre-right political forces evidently stood out especially when a dubious multi-vector or utterly anti-Western positions of their major political opponents were taken into account.

On the other hand, the idea of Euro-Atlantic integration in the centre-right discourse was not always clearly spelled out or unequivocal. In the early 1990s the discourse of the National Democrats in this area was quite vague and overall did not enjoy a prominent status. Another manifest characteristic of this discourse during the 1990s was that the support for the pro-Western trajectory of Ukraine more generally acquired a rather subordinate position. It was often tied to some other issues and intrinsic components of the discourse. This concerned the more dominant nation-building and security rhetoric of the National Democrats in the first place.

<sup>33</sup> A. Lavreniuk, 'Za kordonom rakhuiut', skil'ki raziv Tymoshenko vymovliaie slovo 'NATO', *UNIAN*, 24 February 2009, <http://www.unian.net/ukr/news/news-302542.html> [26 February 2009].

<sup>34</sup> Zaiava VO 'Bar'kivshchyna' z pryvodu pidpysannia uhody po IeEP, *Sait Yulii Tymoshenko*, 22 September 2003, <http://www.tymoshenko.com.ua/ukr/news/first/1251/> [2 October 2009]; and Komentar narodnoho deputata Oleksandra Turchynova z pryvodu Ukazu Prezidenta pro vidmovu Ukrainy vid vstupu do NATO ta levropeiskoho Soiuzu, *Sait Yulii Tymoshenko*, 28 July 2004, <http://www.tymoshenko.com.ua/ukr/news/first/1429/> [2 October 2009].

<sup>35</sup> Vystup kandydata na posadu Premier-Ministra Ukrainy Yulii Volodymyrivny Tymoshenko, *Sait Yulii Tymoshenko*, 4 February 2005, <http://www.tymoshenko.com.ua/ukr/news/first/1607/> [2 October 2009].

<sup>36</sup> Yulia Tymoshenko zvernulasia do Viktora Yushchenka, *Sait Yulii Tymoshenko*, 21 July 2006, <http://www.tymoshenko.com.ua/ukr/exclusive/speeches-appeals/3409/> [3 October 2009].

Starting from the late 1990s the centre-right discourse of Euro-Atlantic integration went through a tangible evolution. These changes were mainly associated with the new leaders of the political camp: Viktor Yushchenko and, to a lesser degree, Yuliia Tymoshenko. During the 2000s the idea of the Western-bound development of Ukraine became more pronounced and featured high on the agenda of Yushchenko's Our Ukraine party, while still lacking the prominence and determination of the former in the case of the discourse of *Batkivshchyna*/Bloc of Yuliia Tymoshenko and her leader. Nevertheless, thanks to the discourse and political position of these political forces the infamous multi-vector strategy of the country was rebuffed for the first time since 1991 leading to some important advances on the path toward the EU and NATO membership. At the same time, during this period the centre-right discourse bridged the objectives of Ukraine's Western trajectory and its transition to a democratic and market-oriented nation-state.

## **ETHNICITY, IDENTITY, STATEHOOD AND CULTURE AS FACTORS OF LANGUAGE DEVELOPMENT AND LANGUAGE POLICY: THEORETICAL CONTEXT**

The article is devoted to analyzing the relationship between language and language policy, on one hand, and ethnicity, identity, statehood and culture, on the other hand. On this basis, the author expanded theoretical understanding of the issues of language and politics, language in politics and politics in language, and thus the problem of relationship between language and politics. It was argued that the relationship studied is always multifaceted and almost never is subjected to one-vector systematization, since language is politicized very often. In general, it was stated that the official means of communication, which have historically been and still remain national or ethnic languages, are characterized by both advantages and disadvantages. However, language is inextricably linked to culture, ethnicity and identity, and the latter ones are linked to the economy. Therefore, language is not only a means of communication and an element of culture, but also a socio-political tool.

*Keywords: language, language policy, nation, ethnicity, identity, statehood, culture.*

## **ETNICZNOŚĆ, TOŻSAMOŚĆ, PAŃSTWO I KULTURA JAKO CZYNNIKI ROZWOJU JĘZYKA I POLITYKI JĘZYKOWEJ: KONTEKST TEORETYCZNY**

Artykuł poświęcony jest analizie relacji między językiem i polityką językową z jednej strony a etnicznością, tożsamością, państwowością i kulturą z drugiej. Na tej podstawie autor poszerzył teoretyczne rozumienie problematyki języka i polityki, języka w polityce i polityki w języku, a tym samym problemu relacji między językiem a polityką. Argumentowano, że badana relacja jest zawsze wieloaspektowa i prawie nigdy nie jest poddawana jednowektowej systematyzacji, ponieważ język jest bardzo często upolityczniany. Ogólnie stwierdzono, że oficjalne środki komunikacji, które historycznie były i nadal pozostają językami narodowymi lub etnicznymi, charakteryzują się zarówno zaletami, jak i wadami. Język jest jednak nierozzerwalnie związany z kulturą, pochodzeniem etnicznym i tożsamością, a te ostatnie z gospodarką. Dlatego język jest nie tylko środkiem komunikacji i elementem kultury, ale także narzędziem społeczno-politycznym.

*Słowa kluczowe: język, polityka językowa, naród, etniczność, tożsamość, państwowość, kultura.*

## ЕТНІЧНІСТЬ, ІДЕНТИЧНІСТЬ, ДЕРЖАВНІСТЬ ТА КУЛЬТУРА ЯК ЧИННИКИ РОЗВИТКУ МОВИ І МОВНОЇ ПОЛІТИКИ: ТЕОРЕТИЧНИЙ КОНТЕКСТ

У статті проаналізовано взаємозв'язок між мовою і мовною політикою, з однієї сторони, та етнічністю, ідентичністю, державністю і культурою, з іншої сторони. На цій підставі було розширено теоретичне розуміння з приводу проблематики мови і політики, мови у політиці і політики в мові, а відтак й проблематики взаємозв'язку мови та політики. Аргументовано, що досліджуваний взаємозв'язок завжди є різностороннім та майже ніколи не піддається одновекторній систематизації, оскільки мову дуже часто політизують. Загалом на цій підставі констатовано, що офіційні засоби комунікації, якими історично були і поки що залишаються національні чи етнічні мови, характеризуються як перевагами, так і недоліками. Однак мова нерозривно пов'язана з культурою, етнічністю й ідентичністю, а останні – з економікою. А тому мова – це не тільки засіб спілкування і елемент культури, а й соціально-політичне знаряддя.

*Ключові слова:* мова, мовна політика, нація, етнічність, ідентичність, держава, культура.

It is well known that language is or at least can be an instrument and element of nation- and state-building, as it relates to the ethno-political phenomena of nationalism, national minorities and national identity<sup>1</sup>. Language not only plays an instrumental role as a means of communication, but also has an extremely important symbolic role as an expression of the identity of such social groups and communities as ethnic groups, tribes, regions, nations and states. Their design and development is often (if not most often) the result or object of nationalism. So it is hardly surprising that the connection between language, on the one hand, and nationalism and identity, on the other, is so important. Especially given that many researchers believe that modern states and the nationalist movements that shape them are the result of modernization and industrialization.

E. Gellner notes in this regard that nationalism is primarily a political principle, according to which any «political and national units must be appropriate.»<sup>2</sup> This means that a certain group of people becomes a nation only when the members of that group firmly recognize certain mutual rights and responsibilities of each other as a result of their joint membership in such a group. In addition, P. Alter<sup>3</sup> argues that the political nation is formed exclusively in the course of internal political transformation, in particular through the acquisition of a common language, judicial and administrative system, government and political ideals.

<sup>1</sup> May S., *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language*, Wyd. Routledge 2012.; Nelson D., Language, identity and war, *Journal of Language and Politics* 2002, vol. 1, s. 3–22.

<sup>2</sup> Alter P., *Nationalism*, Wyd. Edward Arnold 1991, s. 15.

<sup>3</sup> Alter P., *Nationalism*, Wyd. Edward Arnold 1991, s. 15.

As a result, the defining characteristics that are promoted as part of national identity are consciously and subjectively, and sometimes politically, chosen and nurtured at both the state and personal levels. A clear example of this is the situation regarding the choice of French as the national / state language in France, even though historically it has been spoken as a mother tongue by less than half of the population.

Similarly, J. Herder substantiated the central role of language in nationalism, the construction of national identity and diversity. He approached the issue of language in terms of three dominant categories - the principle of interaction, the concept of self-awareness and the doctrine of diversity<sup>4</sup>.

The scholar argued that language is concerned with interaction, besides it represents self-awareness and self-identification, hence supports diversity. Therefore, language is directly related to nationalism, a self-conscious movement that seeks to protect its differences. As a matter of fact, it is thanks to the language that people "grow up" to understand themselves and then share this knowledge with those who speak the same language. Thus, such a common language of a certain community often unites its members and at the same time allows them to distinguish themselves from other language communities. Furthermore, language is a means of communication with the past and securing the future for any group. As a result, language embodies a living manifestation of historical "growth" and a psychological matrix in which a person's awareness of his original social heritage is formed. Accordingly, all those who share a certain historical tradition based on language form a cultural or political nation<sup>5</sup>.

J. Fishman, has made a similar conclusion and points out that language not only connects with the past, but also forms the legitimacy and authenticity of the nation's sense<sup>6</sup>. Accordingly, to deprive a people or nation of its language and speech means to deprive them of almost the only «eternal public good<sup>7</sup>. « Therefore, the connection between language and nationality is indisputable, as they are «inextricably and naturally connected<sup>8</sup>.» E. Keduri goes even further and notes that linguistic nationalism is significantly identified with racial nationalism, because language is associated not only with nationality but also with race. On the one hand, language is an outward sign of the unique identity of national groups and a means of ensuring their continuity, and on the other hand, the language of nations is peculiar to them only because nations are derived from racial roots<sup>9</sup>. Therefore, nations are those social groups that speak original languages<sup>10</sup>.

<sup>4</sup> Barnard F., *Herder on Social and Political Culture*, Wyd. Cambridge University Press 1969, s. 57.

<sup>5</sup> Barnard F., *Herder on Social and Political Culture*, Wyd. Cambridge University Press 1969, s. 57.

<sup>6</sup> Fishman J., *Language and Nationalism*, Wyd. Newbury House 1973.

<sup>7</sup> Fishman J., *Language and Ethnicity in Minority Sociolinguistic Perspective*, Wyd. Multilingual Matters 1989, s. 105.

<sup>8</sup> Fishman J., *Language and Ethnicity in Minority Sociolinguistic Perspective*, Wyd. Multilingual Matters 1989, s. 278.

<sup>9</sup> Kedourie E., *Nationalism*, Wyd. Blackwell 1993, s. 66.

<sup>10</sup> Kedourie E., *Nationalism*, Wyd. Blackwell 1993, s. 61.



All this means that language is not only a cultural identification marker, but also a potentially political or politicization tool. This is especially evident in the light of the fact that interference with language can pursue at least two political goals: the preservation of the «pure» or original language of a particular social group; planning with regard to the influence of the language as a factor of political manipulation. In view of this, E. Hobsbawm notes that linguistic nationalism requires state control or at least official recognition of a language, and therefore focuses mainly on issues of power, status, politics and ideology, rather than communication or culture<sup>11</sup>. In other words, in contrast to the nationalist myth, the language of a certain nation is not the basis of national consciousness, but a kind of «cultural artifact»<sup>12</sup>. This is obvious considering the competition between hegemonic and minority languages, since even differences between them can engender «hot» political issues<sup>13</sup>. After all, the engineers of nation-states can choose minority languages as «dialects» in order to worsen their status and meaning, while minority language communities can try to promote their dialects as separate languages in order to strengthen their sense of identity<sup>14</sup>.

To illustrate this, B. Anderson notes that the reason for the emergence of certain national communities in Europe was the increased use in public life of a common language other than Latin, and later its standardization through the printing<sup>15</sup>. Later, with modernization, urbanization and industrialization, the use of the common language as the language of power in a secularized society spread. Moreover, this was typical even for the societies characterized by a limited level of literacy<sup>16</sup>. Accordingly, this means that the printed word in the language has been a prerequisite for the formation of national communities<sup>17</sup>, as a result of which language is a marker of national borders and a convenient way to construct national communities, which promotes both ethnolinguistic segregation and assimilation<sup>18</sup>.

It is therefore obvious, that the relationship between language, nationality, identity and politics is influenced by the categories of linguistic, sociological, psychological and political order. For example, from a sociological and linguistic point of view, language is the key to how ethnicity is «recognized, interpreted and lived»<sup>19</sup>. Instead, from a psychological and political perspective, language is a means of communication between ethnic groups, which owing to the language and by means of it develop a sense of solidarity and preserve their

<sup>11</sup> Hobsbawm E., *Nations and Nationalism since 1980*, Wyd. Cambridge University Press 1990, s. 110.

<sup>12</sup> Hobsbawm E., *Nations and Nationalism since 1980*, Wyd. Cambridge University Press 1990, s. 111.

<sup>13</sup> Billig M., *Banal Sage* 1995, s. 32. *Nationalism*, Wyd. Sage 1995, s. 32.

<sup>14</sup> Makoni S., Pennycook A., *Disinventing and reconstituting languages*, [w:] Makoni S., Pennycook A. (eds.), *Disinventing and reconstituting Languages*, Wyd. Multilingual Matters 2007, s. 1–47; Reagan T., Objectification, positivism and language studies: A reconsideration, "Critical Inquiry in Language Studies: An International Journal" 2004, vol. 1, nr. 1, s. 41–60.

<sup>15</sup> Anderson B., *Imagined Communities: Reflections on the Origins and Spread of Nationalism*, Wyd. Verso 1983.

<sup>16</sup> Hutchinson J., Smith A., *Nationalism*, Wyd. Oxford University Press 1994, s. 55.

<sup>17</sup> Hutchinson J., Smith A., *Nationalism*, Wyd. Oxford University Press 1994, s. 60.

<sup>18</sup> Bedolla L., The identity paradox: Latino language, politics and selective dissociation, "Latino Studies" 2003, vol. 1, s. 264–283.

<sup>19</sup> Sankoff G., *The Social Life of Languages*, Wyd. University of Pennsylvania Press 1980; Fishman J., *Language and Ethnicity in Minority Sociolinguistic Perspective*, Wyd. Multilingual Matters 1989, s. 6.

group history, while getting stratified<sup>20</sup>. Accordingly, the relationship between language and group identity may become paradoxical: on the one hand, language remains a source of pride and group solidarity, but on the other hand, language is also a source of branding. As a result, people who speak about socially disadvantaged varieties of language are alienated from the diversity of their own language and «assess it as inferior, untidy, ugly, illogical or incomprehensible<sup>21</sup>.» Although, by contrast, people by their nature classify themselves as well as other people in the format of groups, they definitely want their own groups to be positively identified<sup>22</sup>. That is why if other people belong to the groups with a negative social identity, the impulse to dissociate from such groups is triggered. If this is not achieved, then people choose an ethnic identity and work together and collectively to improve the status of their group<sup>23</sup>.

This allows us to claim that ethno-political process and, in general, a significant part of politics take place around unequal dichotomy «the language of the majority - the language of the minority (minorities)<sup>24</sup>». Especially against the background of the fact that at the beginning of the XXI century there were about seven thousand languages in the world<sup>25</sup>, of which 90 percent are commonly predicted to disappear in another hundred years or so<sup>26</sup>. This is important because, when it comes to languages, one can't but appeal to the delineation of their speakers, since languages are not just abstractly «dying out». On the one hand, a linguistic «death» occurs when the last speaker of such a language dies. But, on the other hand, the language actually disappears when a certain language community ceases to use it. This is increasingly the case today, with more and more minority languages disappearing from the agenda, as their former speakers find it more prestigious and convenient to speak the language of the majority as a more powerful language providing greater opportunities<sup>27</sup>. Thus, the decline and extinction of a language always occurs in a bilingual or multilingual context, when the languages of the majority replace the functions of minority languages.

The variants of language deterioration and extinction are many and such processes are constantly occurring. Various languages have seen the decline, prosperity and death as well as adaptation to new realities and changing circumstances. However, what qualitatively and quantitatively distinguishes the situation today is the unprecedented scale of the process

<sup>20</sup> Milroy L., Language and Group Identity, *Journal of Multilingual and Multicultural Development* 1982, vol. 3, s. 209–210.

<sup>21</sup> Milroy L., Language and Group Identity, *Journal of Multilingual and Multicultural Development* 1982, vol. 3, s. 209.

<sup>22</sup> Tajfel H., Turner J., *The Social Identity Theory of Intergroup Behavior*, [w:] Austin W., Worchel S. (eds.), *Psychology of Intergroup Relations*, Wyd. Nelson Hall 1986, s. 7–24.

<sup>23</sup> Padilla A., Perez W., Acculturation, Social Identity, and Social Cognition: A New Perspective, *Hispanic Journal of Behavioral Sciences* 2003, vol. 25, s. 35–55.

<sup>24</sup> May S., *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language*, Wyd. Routledge 2012.

<sup>25</sup> Lewis M., *Ethnologue: Languages of the World: 16th edn.*, Wyd. SIL International 2009.

<sup>26</sup> Krauss M., The world's languages in crisis, *Language* 1992, vol. 68, s. 4–10.; Crystal D., *Language Death*, Wyd. Cambridge University Press 2000.; Nettle D., Romaine S., *Vanishing Voices: The Extinction of the World's Languages*, Wyd. Oxford University Press 2000.; Harrison K., *When Languages Die: The Extinction of the World's Languages and the Erosion of Human Knowledge*, Wyd. Oxford University Press 2007.

<sup>27</sup> May S., *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language*, Wyd. Routledge 2012.

of decline and loss of languages, which some scholars even call «language genocide»<sup>28</sup>.» Moreover, such a process threatens not only the languages of the minority, but also the languages of the majority, because in recent decades, languages that aspire to the status of global (especially English, Spanish and Chinese)<sup>29</sup> have gained special prestige. Therefore, according to forecasts, in the long run there will be only 600 languages or less in the world<sup>30</sup>, despite the fact that the paradigm of language rights and linguistic ecology has developed in the last half century. Moreover, the latter do not cope with the challenges of a globalized world, when speakers of minority languages choose to abandon their native language voluntarily (without coercion). The situation is much worse when the «language genocide» is not opposed by the authorities<sup>31</sup>, because the decline and disappearance of a language is not only a linguistic but also a political issue related to power, prejudice, competition, subordination and discrimination<sup>32</sup>. Complementing the situation is the fact that native speakers of endangered languages are typically not successful, but marginal or subordinate sections of the population. In contrast, the extinction of a language is virtually impossible when its speakers are rich and privileged communities<sup>33</sup>. This means that the dislocation of a certain community of native speakers may rarely be separated from socio-cultural and socio-economic dislocation of such a community. Therefore, the decline and extinction of language, even theoretically, is always part of a broader process of social, cultural and political nature<sup>34</sup>.

Although, by contrast, there is really nothing “natural” in the status and prestige attributed to individual majority languages, and nothing “shameful” in the status of minority languages or dialects. From an applied point of view, this, according to M. Billig<sup>35</sup>, is perhaps easiest to explain by the fact that languages are “created” outside the policy of state formation, and not vice versa. Thus, on the one hand, the independence of Norway and the disintegration of Yugoslavia led to linguistic changes and even formed some new “languages” in the environment where such languages did not previously exist. Such examples emphasize the centrality of the nation-state in the formation and use of language. At the same time, the main role of the nation-state is to determine what the role of language performs and what –does not, as well as to highlight what can be the scale of the consequences of the decline of language<sup>36</sup>. On the other hand, there are more than 100 nation-states that have actually

<sup>28</sup> Skutnabb-Kangas T., *Linguistic Genocide in Education – or Worldwide Diversity and Human Rights?*, Wyd. Lawrence Erlbaum 2000.

<sup>29</sup> Crystal D., *English as a Global Language*, Wyd. Cambridge University Press 2003.; Graddol D., *English Next: Why Global English may Mean the End of “English as a Foreign Language”*, Wyd. British Council 2006.

<sup>30</sup> Krauss M., The world's languages in crisis, “*Language*” 1992, vol. 68, s. 4–10.

<sup>31</sup> Skutnabb-Kangas T., *Linguistic Genocide in Education – or Worldwide Diversity and Human Rights?*, Wyd. Lawrence Erlbaum 2000.

<sup>32</sup> Chomsky N., *Language and Responsibility: Based on Conversations with Mitsou Ronat*, Wyd. Harvester 1979, s. 191.

<sup>33</sup> Crawford J., Endangered Native American languages: what is to be done and why?, “*Journal of Navajo Education*” 1994, vol. 11, nr. 3, s. 3–11.

<sup>34</sup> Pennycook A., Language policy and the ecological turn, “*Language Policy*” 2004, vol. 3, nr. 3, s. 213–239.

<sup>35</sup> Billig M., *Banal Nationalism*, Wyd. Sage 1995.

<sup>36</sup> Gellner E., *Nations and Nationalism: New Perspectives on the Past*, Wyd. Basil Blackwell 1983, s. 43–50.

adopted English, French, Spanish, or Arabic as their official languages, and another fifty states that have adopted their local languages as their state languages. In addition, there are fifty or more languages that have been granted regional status<sup>37</sup>. All this means that today nation states officially recognize less than one and a half percent of the world's existing languages<sup>38</sup>.

And this raises the question of why nation-states and the ideology of nationalism are so central to advancing or resisting the decline of minority languages<sup>39</sup>. The first and most obvious answer to this question is that we still live in the age of the nation-state. The nation-state remains the basis of the political world order, exercising internal political and legal jurisdiction over its citizens and demanding external rights to sovereignty in the modern interstate system. On this basis, the nation-state is still seen as the apogee of modernity and progress, because in the political context it reflects the triumph of universalism over particularism. However, in the linguistic context, this triumph is evidenced by the replacement of a wide range of language options used within the nation state by one common or several national languages. This process involves the legitimization and institutionalization of the chosen national language. Both processes in combination reach the central requirement of nation-states - cultural and linguistic homogeneity in civil life and the public sector. Interestingly, in this process, the chosen national language is associated with modernity and progress, and all other languages are perceived as related to traditions and obsolete. Thus, the requirement to speak a common language is a historically recent and unique phenomenon for nation-states, as previous forms of political organization required almost no such degree of linguistic homogeneity<sup>40</sup>. This is due to the fact that nation-states are a consequence of nationalism, as a result of which the emphasis on cultural and linguistic homogeneity is based on the notion of the conformity of the nation-state, according to which political and national identities must coincide. Accordingly, the inevitable consequence of such a political imperative is the establishment of an ethnically exclusive and culturally and linguistically homogeneous nation-state as a realm from which minority languages and cultures are effectively displaced. This means that the very concept of the nation-state, combined with its official and standard language in the modern period of political development, is perhaps the greatest threat to both identities and minority languages<sup>41</sup>.

In turn, the second answer to this question can be reduced to emphasizing cultural and linguistic homogeneity of nation-states and the inevitable hierarchy of languages. Especially given the historical commitment of such states, and the related, albeit often arbitrary and

<sup>37</sup> Williams C., *Ethnic identity and language issues in development*, [w:] Dwyer D., Drakakis-Smith D. (eds.), *Ethnicity and Development: Geographical Perspectives*, Wyd. John Wiley & Sons 1996, s. 45–85.

<sup>38</sup> May S., *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language*, Wyd. Routledge 2012.

<sup>39</sup> May S., *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language*, Wyd. Routledge 2012.

<sup>40</sup> Dorian N., *Western language ideologies and small-language prospects*, [w:] Grenoble L., Whaley L. (eds.), *Endangered Languages: Language Loss and Community Response*, Wyd. Cambridge University Press 1998, s. 3–21.

<sup>41</sup> Dorian N., *Western language ideologies and small-language prospects*, [w:] Grenoble L., Whaley L. (eds.), *Endangered Languages: Language Loss and Community Response*, Wyd. Cambridge University Press 1998, s. 18.

far-fetched, processes which helped certain languages to acquire the status of national or minority ones. This means that the fundamental principles underlying the model of the nation-state development are now put into question both “from above” and “from below.” “Above” is reflected in the fact that the rise of globalization, together with the growing influence of multinational corporations and supranational political organizations, requires that nation states reassess the framework of their own political and economic sovereignty. This is especially true against the background of increasing role of English in the world, which affects the coverage of other languages. Instead, from below, this is reflected in the fact that minority groups are increasingly enjoying the right to form their own nation-states (through separatist and irredentist movements around the world) or to increasingly have political representation in existing nation-state structures.

In the course of such processes, national identity, its parameters and components are open for discussion, in particular on issues of public multilingualism and multiculturalism<sup>42</sup>. Although, in contrast, the differentiation of group rights over language is threatening and contradictory. Its mitigation is possible only when the complex processes of reconciling the status of language and the separation of identities take place on reciprocal terms and not on terms set by others. In a pragmatic sense, this means that the adaptation of minority language rights may become a political necessity, especially given the dissatisfaction with existing nation-state structures. Otherwise, they could lead to secessionist and irredentist pressure and potential fragmentation of nation-states (as has recently been the case in Rwanda and the former Yugoslavia). However, there is a positive dimension in this, because if nation-states are rethought pluralistically and comprehensively, then the potential for recognizing not only greater political but also ethnocultural and ethnolinguistic democracy will increase<sup>43</sup>.

Therefore, the issue of the relationship between the categories of language and national identity, on the one hand, is complemented or may be supplemented by the phenomenon of war<sup>44</sup>. The fact is that language is often perceived as the formation of a core of identity that can be drawn into conflict, and hence the formation of political discourse, which marks the path to war and peace and the path beyond them. Therefore, eliminating threats to identity through political discourse can be the best and lasting tool for achieving peace. Conversely, in any war, language and discourse are used ruthlessly and deliberately. The fact is that they are reduced to a humanized scale, in which the key aspects of the struggle consist of words. This is particularly noticeable and dangerous when the war begins and continues on the issue of the interconnection of languages, that is, it is linked to issues of identity. However, in contrast, it is language policy in this case (especially in multinational societies) that determines whether there will be a war and vice versa, whether the participants in the war will

<sup>42</sup> May S., *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language*, Wyd. Routledge 2012.

<sup>43</sup> Parekh B., *Rethinking Multiculturalism: Cultural Diversity and Political Theory*, Wyd. Macmillan 2000.; Kymlicka W., *Politics in the Vernacular: Nationalism, Multiculturalism, Citizenship*, Wyd. Oxford University Press 2001.; Kymlicka W., *Multicultural Odysseys: Navigating the New International Politics of Diversity*, Wyd. Oxford University Press 2007.

<sup>44</sup> Nelson D., Language, identity and war, *Journal of Language and Politics* 2002, vol. 1, s. 3–22.

find a common life and gradually distance themselves from the “boiling point”<sup>45</sup>. All this is due to the fact that the struggle for identity is the basis of any war and any peace. After all, individuals, groups or nations who are denied recognition or who are at risk of losing their language are the ones who have the greatest potential for violent behavior<sup>46</sup>. This is due to the fact that language is the main, though not the only criterion for dichotomizing people along the lines of “in a group - outside a group”, because if people who speak the same language are gathered together, and language is a pillar of identity, then language is the environment and cause of interethnic conflicts<sup>47</sup>. This means that generating or avoiding conflicts can be closely linked to language policy and socio-economic conditions, which improve the conditions and prospects for one language compared to other languages<sup>48</sup>. Therefore, the language and language policy, which best affirm the diversity of identities, are best at protecting peace and opposing war.

On the other hand, the issue of the relationship between language and identity, even in the face of globalization, which significantly undermines the role of language in the world<sup>49</sup>, is complemented by the need to analyze the place of culture in this context, including intercultural dialogue and multiculturalism<sup>50</sup>. This is particularly relevant considering the fact that the cosmopolitan perspectives inherent in science are unable to explain linguistic transformations in the context of globalization<sup>51</sup>. Therefore, they need a separate analysis within the paradigm of liberal multiculturalism (presented by V. Kimlichka, S. May and E. Hobsbawm) and group rights on the protection of languages and cultures. Perhaps the main reason for this is the fact that language is especially important in the debate on globalization, especially against the background of different options for the transformation of the nation state.

In this context, it is important that in the mid-90's of the twentieth century V. Kimlichka developed his liberal political theory of group rights, which became decisive for the development of linguistic diversity in the world. The researcher noted that most of the universal categories within the liberal tradition are imperfect and argued that “the right to freedom of speech does not define what the appropriate language policy should be”<sup>52</sup>. Instead, the scholar set the trend of explaining linguistic diversity on the basis of a liberal multicultural approach to the argumentation of group rights, which has become a powerful theoretical basis for the modern struggle for linguistic diversity and minority languages. V. Kimlichka's version of

<sup>45</sup> Nelson D., Language, identity and war, *Journal of Language and Politics* 2002, vol. 1, s. 3–22.

<sup>46</sup> Billig M., *Banal Nationalism*, Wyd. Sage 1995, s. 13–36.

<sup>47</sup> Edwards J., *Language, Society and Identity*, Wyd. Basil Blackwell 1985, s. 1–10.

<sup>48</sup> Nelson D., Language, identity and war, *Journal of Language and Politics* 2002, vol. 1, s. 3–22.

<sup>49</sup> Williams G., *The Knowledge Economy, Language and Culture*, Wyd. Multilingual Matters 2010, s. X.

<sup>50</sup> Ives P., *Global English and the limits of liberalism: Confronting global capitalism and challenges to the nation-state*, [w:] Ricento T. (ed.), *Language Policy and Political Economy: English in a Global Context*, Wyd. Oxford University Press 2015, s. 48–71.; Hobsbawm E., *Are All Tongues Equal? Language, culture, and national identity*, [w:] Barker P. (ed.), *Living as Equals*, Wyd. Oxford University Press 1997, s. 85–98.

<sup>51</sup> Ives P., Cosmopolitanism and Global English: Language Politics in Globalisation Debates, *Political Studies* 2010, vol. 58, s. 516–535.

<sup>52</sup> Kymlicka W., *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Wyd. Clarendon 1995, s. 5.

liberalism formed the basis of one of the most important problems of practical politics and political theory of the late twentieth - early twentieth century. - identity policies and issues of multiculturalism, which in parallel relate to the consequences of increasing migration processes and the role, efficiency and framework of the nation state in the era of globalization.

This is, probably most evident in the fact that the central element of the scholar's construct is the role of language - as "the best hope for the creation of just and comprehensive societies around the world"<sup>53</sup> - in designing multiculturalism. The scientist insists that group rights, including language rights, are fully compatible with liberalism. In other words, the researcher, recognizing that all liberal democracies, like other regimes, inevitably participate in nation-building, i.e. the promotion of certain types of identity, culture and language, argues that liberalism can remain liberal as long as human rights (including and language) are not violated by the state or other groups. At the same time, internal restrictions are fully compatible with external protection, which "provides for the claims of a particular group against society as a whole."<sup>54</sup> Accordingly, the majority or dominant language groups, even by means of the democratic mechanisms of the nation-state, should not hold a monopolized position in nation-building, as the minority or subordinate groups should also be able to work to build a political nation. This means that a liberal state focused on equality must promote not only diversity but also the role and rights of individual language groups, even though such a state may use collective rights to ensure protection<sup>55</sup>. Thus, V. Kimlichka rejects the idea of group rights if they allow a particular cultural, linguistic or ethnic group to require other people to "attend a certain church or adhere to traditional gender roles", but for the situations where this poses a threat<sup>56</sup>. This means that culture cannot be perceived as a religion, that is, as "something that people should freely aspire to in their private lives and that does not concern the state"<sup>57</sup>.

Accordingly, given the vagueness of the definition of culture, V. Kimlichka tries to make its definition clearer and more substantive. The scholar notes that culture, or rather "societal culture", is a "territorially concentrated culture that focuses on a common language, which is used in a wide range of social institutions in both public and private life" (including education, the media) information, law, economics, etc.), but "not on common religious beliefs, family customs or personal lifestyles."<sup>58</sup> Therefore, language is the main tool for the reconstruction of liberalism, because it is most consistent with the construct of group rights, i.e. a multicultural society or "societal culture"<sup>59</sup>. Given this, V. Kimlichka distinguishes several

<sup>53</sup> Kymlicka W., *Multicultural Odysseys: Navigating the New International Politics of Diversity*, Wyd. Oxford University Press 2007, s. 25.

<sup>54</sup> Kymlicka W., *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Wyd. Clarendon 1995, s. 35.

<sup>55</sup> Ives P., *Global English and the limits of liberalism: Confronting global capitalism and challenges to the nation-state*, [w:] Ricento T. (ed.), *Language Policy and Political Economy: English in a Global Context*, Wyd. Oxford University Press 2015, s. 48–71.

<sup>56</sup> Kymlicka W., *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Wyd. Clarendon 1995, s. 36.

<sup>57</sup> Kymlicka W., *Multicultural Odysseys: Navigating the New International Politics of Diversity*, Wyd. Oxford University Press 2007, s. 23.

<sup>58</sup> Kymlicka W., *Politics in the Vernacular: Nationalism, Multiculturalism, Citizenship*, Wyd. Oxford University Press 2001, s. 25.

<sup>59</sup> Kymlicka W., *Politics in the Vernacular: Nationalism, Multiculturalism, Citizenship*, Wyd. Oxford University Press 2001, s. 55–66.

types of minorities, in particular by demarcating the different types of rights assigned to them. The first type of right concerns self-government, which corresponds to “national groups” within multinational states. The second type concerns polyethnic rights of those groups who “voluntarily” immigrate and leave their “social culture.” Finally, the third variety is determined by the special representation rights of groups such as racial minorities, women and the poor. In this context, national groups mean persons who share a common language and social institutions, but group rights to self-government are appropriate only for those national groups that fully meet the criteria of “social culture” and have a common language and public institutions<sup>60</sup>.

On this basis, S. May argues that there should be a distinction between “social cultures” that are “potentially self-governing<sup>61</sup>” and ethnic groups and groups of immigrants (minorities) who “left their national community to enter another society.”<sup>62</sup> Thus, one can not only uphold the importance of citizenship rights, but also develop an understanding of the importance of cultural membership within such rights<sup>63</sup>. However, S. May notes that any notion of group cultural identity must be treated specifically, especially through the prism of its possible legitimization<sup>64</sup>. The fact is that the link between cultural identity and group language rights is ambiguous<sup>65</sup>, though important. This is mainly due to the fact that each culture expresses a special way of seeing and perceiving the world, along with a certain way of responding to its challenges, including language<sup>66</sup>. What is important in this case is the historically changing relationship between language, identity and culture, as well as how these issues interact with changes in the dynamics of capitalism, production processes and goods, as well as the various strategies and powers that states try to mobilize to adapt to such changes<sup>67</sup>. As a result, the theory of multiculturalism insists on the centrality of language and criticizes the ideal of state neutrality in matters of cultural differences<sup>68</sup>.

In this context, it is interesting to note the observation of E. Hobsbawm<sup>69</sup>, who argues that the question of the nation arises due to the fact that state decisions on the conditions of public use of languages are of great political importance, especially because states typically (though sometimes erroneously) are identified with nations. This is relevant considering the

<sup>60</sup> Kymlicka W., *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Wyd. Clarendon 1995, s. 31.

<sup>61</sup> May S., *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language*, Wyd. Routledge 2012, s. 120.

<sup>62</sup> Kymlicka W., *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Wyd. Clarendon 1995, s. 19.

<sup>63</sup> May S., *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language*, London: Routledge, 2012. P. 123–124.

<sup>64</sup> May S., *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language*, Wyd. Routledge 2012, s. 131.

<sup>65</sup> Kymlicka W., *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Wyd. Clarendon 1995, s. 90.

<sup>66</sup> Barnard F., *Herder on Nationality, Humanity, and History*, Wyd. McGill-Queen's University Press 2003, s. 6.

<sup>67</sup> Ives P., *Global English and the limits of liberalism: Confronting global capitalism and challenges to the nation-state*, [w:] Ricento T. (ed.), *Language Policy and Political Economy: English in a Global Context*, Wyd. Oxford University Press 2015, s. 48–71.

<sup>68</sup> Haque E., *Multiculturalism Within a Bilingual Framework: Language, Race, and Belonging in Canada*, Wyd. University of Toronto Press 2012.; Young I., A Multicultural Continuum: A Critique of Will Kymlicka's Ethnic-Nation Dichotomy, “*Constellations*” 1997, vol. 4, nr. 1, s. 48–53.

<sup>69</sup> Hobsbawm E., *Are All Tongues Equal? Language, culture, and national identity*, [w:] Barker P. (ed.), *Living as Equals*, Wyd. Oxford University Press 1997, s. 85–98.



fact that not only their citizens but also immigrants and refugees live in different sovereign states. Thus, the fallacy of the identification of nation and state is quite obvious, because only in the past the inhabitants of a state were identified with the “imaginary community”, which was united by language, culture, ethnicity, etc., and thus the ideal was linguistically, culturally and ethnically homogeneous population. Instead, today the desire for “ethnic cleansing” is dangerous and completely unrealistic, because among more than 200 countries in the world, only a small number of policies correspond to its historical understanding as a nation-state. In addition, even in retrospect, such a desire to present the state of affairs of statehood through the prism of the past is erroneous, because the unity of the nation has historically been positioned as a political rather than socio-anthropological indicator of state development. After all, the state has historically been shaped as a unity, which as a sovereign people decided to live within national legal frameworks, regardless of culture, language and ethnic composition of the population. This leads to the problems of multilingualism and multiculturalism, because historically the existence of states with different languages and cultures is very common or at least no less common than the availability of states characterized by a single homogeneous language and culture. This is compounded by the fact that historically in the already formed nation-states only a small proportion of the population spoke a language that is now state or official (for example, about half the population of France at the end of the French Revolution in the late eighteenth century, the moment of its unification in the second half of the XIX century, a small share of the population of India in the early XIX century.).

Instead, the need for a single national language was formed when ordinary citizens became part of the state. Moreover, the initial process of language standardization initially pursued only democratic goals, contrary to cultural and national ones, since the population of different countries needed to understand the procedural minimum of the functioning of the political systems in which they lived. The situation was more complicated in countries where there was not a single predominant oral or even written language or where one language community was dissatisfied with the higher status of the language of another community. Accordingly, the privileged use of any language as the only language of instruction and / or culture is necessarily historically linked to political and ideological or, at best, pragmatic considerations<sup>70</sup>. However, the situation in the late twentieth - early twenty-first century, has changed significantly, because: the world no longer lives solely due to the culture of reading and writing; the world is no longer constructed on the idea of a single common national language, but instead is increasingly moving to multilingualism; the world lives in an age when at least one language (primarily English) has the status of a global language, at least in business, education, science, international relations, and so on. All this proves the existence of an uneven relationship between languages in multinational societies, although in general this does not contradict the principle that languages should not be interchangeable.

<sup>70</sup> Hobsbawm E., *Are All Tongues Equal? Language, culture, and national identity*, [w:] Barker P. (ed.), *Living as Equals*, Wyd. Oxford University Press 1997, s. 85–98.

At the same time, this is the basis for distinguishing a cohort of purely political or politicized languages that have been created / restored specifically and as symbols of nationalist or regionalist aspirations and separatist, irredentist or secessionist ideas<sup>71</sup>. A striking example is the so-called Cornish language, which “died out” in the middle of the eighteenth century<sup>72</sup>, but today we witness numerous efforts not so much to revive but to politicize it, in particular with a view to separating Cornwall from England. Such artificially constructed languages can either achieve political success, like Hebrew in Israel, that is, they can become truly spoken and living languages, or they can fail, like nationalist poets’ attempts to turn the dialect of southern Scotland into a literary language in the interwar period<sup>73</sup>. Besides, some of the languages used are politically modified. This was the case, for example, with the intensification of the Croatian language, which was developed by establishing additional benefits in the form of prestigious jobs for those who used it, or with the “purity” of the Czech language, which was specially purified from German words and elements<sup>74</sup>.

Hence, the results of the research provide a basis for the conclusion that the officially recognized means of communication, which have historically been and still remain different national or ethnic languages, have both advantages and disadvantages. Among the main advantages - functional development and a stable basis in the form of relations between ethnic groups and states that have material and power resources. Among the main advantages - functional development and a stable basis in the form of relations between ethnic groups and states that have the material and power resources to promote national or ethnic languages.

Instead, among the key shortcomings is the fact that the richness of the language makes it difficult to master it as a foreign language, and national affiliation causes socio-political tension and competition. Therefore, any language not in the mouths of its native speakers necessarily undergoes transformations in the direction of simplification and “adaptation” to another native language, which, in the end, reaches such a scale when the correct (according to native speakers) language is used only by a small part population. More importantly, however, language is inextricably linked to culture, ethnicity and identity, and the latter to the economy. Therefore, language is not only a means of communication and an integral element of culture, but also a socio-political tool.

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<sup>72</sup> Sims-Williams P., A New Brittonic Gloss on Boethius: ud rocashaas, “*Cambrian Medieval Celtic Studies*” 2005, vol. 50, s. 77–86.

<sup>73</sup> Hobsbawm E., *Are All Tongues Equal? Language, culture, and national identity*, [w:] Barker P. (ed.), *Living as Equals*, Wyd. Oxford University Press 1997, s. 85–98.

<sup>74</sup> Jernudd B., Shapiro M., *The Politics of Language Purism*, Wyd. Mouton de Gruyter 1989, s. 218.

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## **THEORETICAL AND CRITICAL ANALYSIS OF THE RELATIONSHIP BETWEEN LANGUAGE, DISCOURSE, LITERATURE AND POLITICS IN POLITICAL LINGUISTICS**

The article provides a theoretical and critical analysis of the relationship between language, discourse, literature and politics in political linguistics. This relationship was studied in view of the fact that politics and real political process are not only institutionally conditioned spheres of life, but also potentially the entire social space of human life, even if it is not politically meaningful. In this context, the topic of not only language and politics, language in politics and politics in language, but also in general and much more broadly – the topic of theoretical and critical relationship of language, discourse, literature and politics – acquires special scientific interest in political linguistics. That is why the idea of studying language, discourse and literature appears not only as an object of political science, but also as an object of political linguistics and literary studies. The examination of the relationship between these categories and phenomena allowed us to state that: linguistic and literary interpretations are political ones insofar as they are a reconfiguration of the appearance of a common world; political discourse that opposes interpretive and real change is itself the part of the same hermeneutic design as the interpretation it challenges, and therefore it can certainly be political. In general, the article argues that the relationship between language, discourse, literature and politics is not traditionally institutionalized and institutional one (but it may be), but rather non-institutional one, although it may relate to the institutional dimension of politics and political process.

*Keywords: language, discourse, literature, ideology, politics, political process.*

## **TEORETYCZNA I KRYTYCZNA ANALIZA ZWIĄZKÓW MIĘDZY JĘZYKIEM, DYSKURSEM, LITERATURĄ I POLITYKĄ W LINGWISTYCE POLITYCZNEJ**

Artykuł zawiera teoretyczną i krytyczną analizę relacji między językiem, dyskursem, literaturą i polityką w językoznawstwie politycznym. Związek ten badano ze względu na fakt, że polityka i realny proces polityczny to nie tylko instytucjonalnie uwarunkowane sfery życia, ale potencjalnie cała przestrzeń społeczna ludzkiego życia, nawet jeśli nie ma ona znaczenia politycznego. W tym kontekście temat nie tylko języka i polityki, języka w polityce i polityki w języku, ale także w ogóle i znacznie szerzej – temat teoretycznej i krytycznej relacji języka,

дискурсу, литературе и политике – набирает специального значения научowego в языкознании политическом. Поэтому идея badania языка, дискурсу и литературы появляется не только как предмет политологии, а также как предмет политологии и литературоведения. Badanie relacji między tymi kategoriami i zjawiskami pozwoliło stwierdzić, że: interpretacje językowe i literackie są interpretacjami politycznymi, o ile stanowią rekonfigurację wyglądu wspólnego świata; dyskurs polityczny, który sprzeciwia się interpretacyjnej i rzeczywistej zmianie, sam w sobie jest częścią tego samego projektu hermeneutycznego, co interpretacja, którą kwestionuje, i dlatego z pewnością może mieć charakter polityczny. Ogólnie rzecz biorąc, w artykule argumentuje się, że relacja między językiem, dyskursem, literaturą i polityką nie jest tradycyjnie zinstytucjonalizowana i instytucjonalna (choć może być), а raczej pozainstytucjonalna, choć może odnosić się do instytucjonalnego wymiaru polityki i polityki. процес.

*Słowa kluczowe: język, dyskurs, literatura, ideologia, polityka, процес polityczny.*

## **Теоретический и критический анализ взаимосвязи языка, дискурса, литературы и политики в политической лингвистике**

В статье осуществлено теоретический и критический анализ взаимосвязи языка, дискурса, литературы и политики в политической лингвистике. Эту взаимосвязь проанализировано в контексте того, что политика и реальный политический процесс выступают не только как институционально обусловленные сферы жизни, но потенциальноохватывают все социальное пространство жизни человека, даже в случае, если эта взаимосвязь не осмыслена политически. Исходя из этого особенный научный интерес в политической лингвистике приобретает тематика не только языка и политики, языка в политике и политики в языке, но и в целом и значительно шире – теоретической и критической взаимосвязи языка, дискурса, литературы и политики, соответственно идея исследования языка, дискурса и литературы не только как объекта политической науки, но и политической лингвистики и литературоведения. Рассмотрение связи этих категорий и феноменов позволило констатировать, что: языковые и литературные интерпретации выступают политическими настолько, насколько они являются реконfigurацией видимости общего мира; политический дискурс, который противостоит интерпретационным и реальным изменениям, сам по себе является частью того же герменевтического сюжета что и интерпретация, которой он бросает вызов, а поэтому он обязательно должен быть политическим. В целом в статье доказано, что взаимосвязь языка, дискурса, литературы и политики традиционно не выступает институционализированным и институционным (хотя и может таковым быть), а по

факту вне институционализированным, хотя и может относиться к институциональному измерению политики и политического процесса.

**Ключевые слова:** язык, дискурс, литература, идеология, политика, политический процесс.

Сегодня в мире не существует ни одного социального явления и аспекта жизнедеятельности которые не могли бы иметь политический или около политический характер, соответственно не привлекали бы внимания политической лингвистики. Даже преимущественно природные и ожидаемо аполитические проблемы, в частности вопросы гендера, литературы и поколений населения все чаще становятся объектами политической лингвистики. Поэтому политика и реальный политический процесс сводятся не только к институциональным сферам жизни, но и охватывают потенциально все социальное пространство жизни человека, даже в случае, если это пространство не осмысленно политически<sup>1</sup>. Важным следствием такой позиции выступает факт, что современная политика все больше и больше не ориентируется на классовую борьбу<sup>2</sup>, как было раньше, а фокусируется на аполитических проблемах, на первый взгляд, и нематериалистических ценностях и вопросах. В этом контексте в последнее время особое внимание в политической лингвистике получила тема не только языка и политики, языка в политике и политики в языке, но и в целом и значительно шире – теоретической и критической взаимосвязи языка, дискурса, литературы и политики, а потому и идея исследования языка, дискурса и литературы не только как объекта политической науки но и политической лингвистики и литературоведения. С другой стороны, это стало нормой для междисциплинарных исследований, которые по многим параметрам стали обращаться не только к проблемам языка в объяснении социальной фрагментации и создания различных моделей политического устройства, но и к определению взаимосвязи между целым спектром лингвистических явлений – языком, литературой и дискурсом – и политикой, политическим процессом и властью. При этом, как считает большинство исследователей, причина такого состояния дел достаточно очевидна, поскольку сегодня и язык, и дискурс, и литература все больше не только отражают, но и влияют на социальные и политические структуры власти, межчеловеческие и групповые взаимоотношения, а поэтому служат маркерами социальных, в частности политических ситуаций, событий, условий и отношений. Именно на обозначенном ракурсе проблематики политической лингвистики и будет сфокусировано внимание в данном научном исследовании. Однако вначале внимание будет обращено на взаимосвязи политики и языка, позже – политики и дискурса, и уже после этого – политики и литературы, что, по нашему

<sup>1</sup> Pelinka A., Language as a political category: The viewpoint of Political Science, *“Journal of Language and Politics”* 2007, vol. 6, nr. 1, s. 129–143

<sup>2</sup> Lipset S., *Political Man. The Social Bases of Politics*, Wyd. Johns Hopkins University 1981, s. 503–521.

мнению, будет соответствовать логической градации исследуемых категорий средствами именно политической лингвистики и позволит проверить взаимное влияние между обозначенными категориями как в контексте лингвистическом, так и политическом.

Необходимо отметить, что представленная научная тема не может считаться абсолютно новой, поскольку она отражена в публикациях ряда исследователей, теоретиков и практиков из различных сфер знаний и практики. Тем не менее ревизия их идей даст основание констатировать, что публикации по избранной теме, преимущественно, носят обзорный характер и фрагментарны, поскольку даже при очевидной взаимосвязи между языком, дискурсом и литературой (меньшей мерой) и политикой, лингвистика недостаточно успешно и активно интересуется подобным подходом (ракурсом), а точнее его систематизацией и как можно более широким охватом. Главная проблема заключается в том, что филологи и лингвисты понимают обозначенную тему под одним углом зрения и при этом не учитывают другой стороны медали, которая преимущественно политологическая. Иными словами, лингвистическая сторона исследуемой взаимосвязи языка, дискурса, литературы и политики не совсем или вообще достаточно плохо соответствует уровню понимания политологической стороны этого процесса. Соответственно, одним из наших заданий является преодоление обозначенного недостатка современной политической лингвистики, в частности благодаря теоретическому и критическому анализу взаимосвязи языка, дискурса, литературы и политики.

Одновременно политическая лингвистика владеет рядом существенных результатов, и готовыми оценками относительно исследуемого вопроса. Один из них заключается в следующем, что язык и дискурс (в меньшей мере литература) как лингвистические единицы обязательно рассматриваются как определенные конкурентные феномены, явления и процессы, которые неминуемо определяют политические последствия или зависят от политических событий и отношений<sup>3</sup>. Причина заключается в том, что язык в первую очередь позиционируется и воспринимается как средство достижения целей определенных концептов, в частности: как функция и инструмент коммуникации; как часть символической политики; как причина социальной структуризации и фрагментации с конкретными политическими реакциями и последствиями; как средство пропаганды, соревнования и политической мобилизации. Это определяет, что язык с одной стороны, описывает и определяет политику. Одновременно, с другой стороны, способствует «коррекции» политики<sup>4</sup>. Иными словами, язык одновременно является политическим средством и средством политической пропаганды и манипуляции<sup>5</sup>. А

<sup>3</sup> Dallmayr F. *Language and politics: why does language matter to political philosophy*, Wyd. University of Notre Dame 1984.

<sup>4</sup> Pelinka A. Language as a political category: The viewpoint of Political Science, *Journal of Language and Politics* 2007, vol. 6, nr. 1, s. 129–143.

<sup>5</sup> Wodak R., Panagl O., *Text und Kontext: Theoriemodelle und methodische Verfahren im transdisziplinären Vergleich*, Wyd. Königshausen & Neumann 2004., s. 87–104.



поэтому «политическая сила» языка, дискурса и даже литературы (в каждом из них присутствует язык) должна быть охарактеризована разносторонним потенциалом<sup>6</sup>, поскольку язык может выступать средством и для, и против просвещения и развития, и для, и против эмансипации, демократии, прав человека, прогресса, модернизации и т.п. Таким образом язык, риторика, дискурс и литература используются в рамках разных политических систем и режимов, но одновременно могут использоваться и как средство/инструмент сопротивления им. Наиболее просто это проявляется в том, что язык и языковая политика могут способствовать формированию национальных государств и этносов, но одновременно могут им и угрожать, вследствие чего вполне очевидно, что роль языка в создании нации и государства может выступать как позитивной или конструктивной, так и негативной или деструктивной. Хотя, мы можем также констатировать, что значение языка в политике может сводиться к минимализации последствий и некоторых иных политических явлений и процессов в том или ином обществе, в частности способствовать уменьшению социальных отличий на основании многообразия культур, религий, этносов, образования и т.д.<sup>7</sup> Это все знаменует понимание согласно с которым параллельность языков и других факторов общественной и политической жизни ведет к усложнению последних, а соединение – к их упрощению/облегчению.<sup>8</sup> Другими словами, язык безусловно может выступать составляющей политической инженерии с помощью которой можно решать не только лингвистические или около лингвистические проблемы, но и проблемы, которые, на первый взгляд не выступают предметом интереса политической лингвистики или политической теории.<sup>9</sup>

Таким образом, язык всегда играет определенную роль в политике и политическом процессе. Кроме того, язык выступает или может выступать катализатором, или объяснительным фактором политики и политических процессов в том числе и на уровне нацио- и государственного строительства. Именно поэтому политическое восприятие языка в социальной жизни автоматически делает его фактором политики и общественно-политической мобилизации, отраженной в существовании разнообразных общественных движений и политических организаций.<sup>10</sup> Хотя, как и обозначено выше, это даже вопреки тому, что язык может выступать как инструмент упрощения так и как средство усложнения общественно-политической жизни и политического процесса.<sup>11</sup> Таким образом, язык является одним из наиболее сильных факторов определения

<sup>6</sup> Wodak R., Preface. The power of language in political discourse, *Journal of Language and Politics* 2004, vol. 3, nr. 3, s. 381–383.

<sup>7</sup> Lijphart A., *Democracy in Plural Societies. A Comparative Exploration*, Wyd. Yale University 1977.

<sup>8</sup> Oudenaren J., *Uniting Europe. An Introduction to the European Union*, Wyd. Rowman & Littlefield 2005, s. 354–356.

<sup>9</sup> Gruber H., Menz F., Language and political change: Micro- and macro-aspects of a contested relationship?, *Journal of Language and Politics* 2004, vol. 3, nr. 2, s. 175–188.

<sup>10</sup> Inglehart R., *The Silent Revolution. Changing Values and Political Styles among Western Publics*, Wyd. Princeton University 1977.

<sup>11</sup> Pelinka A., Language as a political category: The viewpoint of Political Science, *Journal of Language and Politics* 2007, vol. 6, nr. 1, s. 129–143.

и распространения социально-политических отличий и формирования политикомобилизирующих идентичностей и общностей. В этом контексте опыт пангерманизма и панславизма, которые формировались и проявились именно благодаря восприятию и осознанию языковых отличий, и поэтому стали основой конструирования общих культур и наследия в рамках хотя и разных, но одновременно и подобных политий. На основании этого мы можем сделать вывод, что язык как политическое явление бывает разным – более или менее контролируемым, управляемым, формализованным или прикрытым. При этом оценка будет зависеть от разных политических целей и особенностей восприятия языка как способа политики. Именно поэтому даже когда язык выступает общностью нации (а не средством политической и национальной гармонизации), то и политическое многообразие не исключается, а выступает средством политической мобилизации и конкуренции при достижении политических целей и сепарации политических ролей субъектов и объектов политики, элит и масс, социальных и политических групп, организаций, партий с различными идеологиями. Все это дает основание говорить, что язык, как средство влияния и социальной дифференциации, безусловно является политическим феноменом, хотя также может быть и аполитическим, при этом всегда выступает политизированным благодаря своей чувствительности, открытости и требовательности.<sup>12</sup>

Учитывая все это, важным вопросом выступает понимание языка как одного из факторов идеологической структуризации общества и политического пространства. Обозначенная дихотомия является циклической, поскольку одной из важнейших практик на которую влияют идеологии, выступают язык и дискурс, которые также влияют на то, как формируются и изменяются идеологии. Главная причина такого положения вещей заключается в том, что язык и дискурс выступают формами социальной и политической реальности, которые всегда определяются ценностями и нормами, политическими конвенциями, идеологиями и социальными практиками, а также отделены влиянием властных институтов, исторических явлений и процессов.<sup>13</sup> Соответственно, политический дискурс как средство и маркер взаимосвязи языка и политики формируется идеологически определенными и/или не определенными позициями/мыслями. Одновременно политический дискурс очень часто выступает инструментом обучения и осознания идеологий. А это обозначает, что идеология выступает не прирожденной, а приобретенной особенностью и системой убеждений тех или иных индивидов и групп,<sup>14</sup> поскольку она «приобретается» средствами

<sup>12</sup> Pelinka A., Language as a political category: The viewpoint of Political Science, *Journal of Language and Politics* 2007, vol. 6, nr. 1, s. 129–143.

<sup>13</sup> Wodak R., *Critical linguistics and critical discourse analysis*, [w:] Verschuren J., Ostaman J., Blommaert J. (eds.), *Handbook of pragmatics-Manual*, Wyd. John Benjamins 1995, s. 204–210.

<sup>14</sup> Van Dijk T., *Principles of Critical discourse analysis*, [w:] Wetherell M. (ed.), *Discourse theory and practice*, Wyd. A Reader 2001, s. 300–317.; Fraser C., Gaskell G., *The social psychological study of widespread beliefs*, Wyd. Clarendon Press Oxford University Press 1990.

языка и политического дискурса. Поэтому особенное значение в дихотомии «язык – идеология» принадлежит власти, которая концептуализирует и с точки зрения асимметрии между участниками политического дискурса, и с точки зрения неодинаковой способности контролировать ими то, как создается. Распространяется и потребляется политический дискурс в конкретных контекстах.<sup>15</sup> Это в свою очередь аргументирует, что язык может одновременно и поддерживать власть, и подрывать к ней доверие, тем самым модифицируя политику, однако в среднем она через политический дискурс денатурализирует политические идеологии<sup>16</sup> и уточняет необходимые ей политические и социальные категории и критерии.<sup>17</sup>

Именно поэтому важным заданием выступает определение, сопоставление и разделение таких понятий как «язык политики» и «политика языка», а также обращение к феномену политического дискурса или дискурса в политике и политическом процессе. Дело в том, что сегодня среди представителей прикладной и политической лингвистики все чаще звучит научная позиция согласно которой среди причин происхождения и развития языка необходимо выделять именно политические факторы. И это достаточно релевантно, поскольку язык эволюционно развивался как эффективное средство установления отличий между союзниками и врагами, в частности во время определения того, кто кем выступает в реальном политическом процессе. Иными словами, язык может всегда позиционироваться как главный организационный индикатор формирования «коалиций критического размера» в любой сфере политической жизни. Поскольку большинство партий и политических обществ в мире не относятся к тем, которые используют один язык, а соответственно выбор того, какой язык будут использовать в различных условиях и обстоятельствах выступает политическим делом. Так, с одной стороны, выбор языка одновременно зависит и определяет политические отношения между носителями языка. С другой стороны, выбор языка происходит с учетом реальных, ожидаемых и гипотетических политических санкций. Учитывая это, тематика взаимосвязи языка, дискурса и политики также выходит на исследовательскую плоскость в измененном формате. С одной стороны, ученые интересуются диалектической взаимосвязью между политическими дискурсами о реальности и реальностью как таковой. С другой стороны, исследователи обращаются к проблемам влияния различных форм политических изменений как следствия взаимосвязи языка и политики в том числе при одождении языковой политики.<sup>18</sup> Это

<sup>15</sup> Nahrkhalaji S., *Language, Ideology and Power: a Critical Approach to Political Discourse*, Wyd. Islamic Azad University Najafabad Branch, źródło: [http://research.iaun.ac.ir/pd/shafice-nahrkhalajid/pdfs/PaperC\\_9003.pdf](http://research.iaun.ac.ir/pd/shafice-nahrkhalajid/pdfs/PaperC_9003.pdf); Wodak R., 1968: *The power of political jargon*, [w:] Wodak R. (ed.), *Language, power, ideology*, Wyd. John Benjamins 1989, s. 137–163.

<sup>16</sup> Tollefson J., *Planning Language, Planning Inequality: Language Policy in the Community*, Wyd. Longman 1991.; Ricento T. (ed.), *Ideology, Politics and Language Policies: Introduction*, [w:] Ricento T. (ed.), *Ideology, Politics and Language Policies: Focus on English*, Wyd. Benjamins 2000, s. 1–8.

<sup>17</sup> Fairclough N., *Critical discourse analysis*, Wyd. Longman 2010.

<sup>18</sup> Gruber H., Menz F., Language and political change: Micro- and macro-aspects of a contested relationship?, *Journal of Language and Politics* 2004, vol. 3, nr. 2, s. 175–188.

обозначает, что постепенно происходит существенное расширение понимания языка и как формы политической практики<sup>19</sup>, и как абстрактной системы, а соответственно и предметной сферы взаимосвязи языка и политики – в форме влияния формальных и неформальных политических институтов, акторов, процессов и систем на систему языка.<sup>20</sup>

Теоретически это обозначает, что важности взаимосвязи языка и политики является обусловленной различными векторами влияния и имеет различные направления развития.<sup>21</sup> Одни исследователи считают, что политика ни в коем случае не может формироваться и реализовываться без языка, поскольку использование языка социальными группами неминуемо приводит к оформлению политики в широком контексте. Это обозначает, что язык должен восприниматься как политическое явление, а соответственно политика – как дискурсивное явление.<sup>22</sup> В ретроспективе проявлением этого была позиция многих мыслителей о том, что ораторское искусство является важным для дел государства и граждан, а риторика – это мощный фактор формирования политической веры и действий. Вместе с тем в текущем формате и в перспективе связь между языком и политикой является и будет оставаться предметом ряда дисциплин и будет научным интересом многих исследователей,<sup>23</sup> которые говорят о специфической роли дискурса и языка в конструировании реального и ожидаемого политического процесса и отношений по поводу власти.<sup>24</sup> Все это несомненно имеет значение поскольку анализ политического дискурса предполагает социально ориентированное исследование политики на границе политического дискурса и политических институтов, а поэтому предполагает изучение языка и языковых практик именно в политических условиях.<sup>25</sup> Причина в том, что язык выступает «понятийной линзой» изучения политики, политических явлений, действий, институтов и процессов, которая «составлена из слов и около слов»,<sup>26</sup> поскольку категории политики имеют отношение к языковым способам взаимодействия и достижения властных целей.<sup>27</sup> Другими словами, язык является стратегическим ресурсом с помощью которого политики получают и реализуют власть. Поскольку

<sup>19</sup> Fairclough N., *Language and Social Change*, Wyd. Polity Press 1992.

<sup>20</sup> Reisigl M., *Wie man eine Nation herbeiredet. Eine diskursanalytische Untersuchung zur sprachlichen Konstruktion der österreichischen Nation und österreichischen Identität in politischen Fest- und Gedenkreisen*, Wien 2003, s. 123.

<sup>21</sup> Dunmire P., Political Discourse Analysis: Exploring the Language of Politics and the Politics of Language, *“Language and Linguistics Compass”* 2012, vol. 6, nr. 11, s. 735–751.

<sup>22</sup> Pelinka A., Language as a political category: The viewpoint of Political Science, *“Journal of Language and Politics”* 2007, vol. 6, nr. 1, s. 129.

<sup>23</sup> Blommaert J., Language and politics, language politics and political linguistics, *“Belgian Journal”* 1997, vol. 11, s. 1–10.; Pelinka A., Language as a political category: The viewpoint of Political Science, *“Journal of Language and Politics”* 2007, vol. 6, nr. 1, s. 129–143.; Wodak R., Kirsch P., *Langue du Bois*, Wyd. Passagen Verlag 1995.

<sup>24</sup> Van Dijk T., *What is political discourse analysis? Political linguistics*, [w:] Blommaert J., Bulcean C. (eds.), *Political linguistics*, Wyd. John Benjamins 1997, s. 11, 12, 15.; Chilton P., *Analysing political discourse: theory and practice*, Wyd. Routledge 2004, s. 23.

<sup>25</sup> Okulska U., Cap P., *Analysis of political discourse: landmarks, challenges, and prospects*, [w:] Okulska U., Cap P. (eds.), *Perspectives in politics and discourse*, Wyd. John Benjamins 2010, s. 3–4.

<sup>26</sup> Bell D., *Power, influence, and authority: an essay on political linguistics*, Wyd. Oxford 1975, s. 12.

<sup>27</sup> Bell D., Political linguistics and international negotiations, *“Negotiations Journal”* 1988, vol. 4, nr. 3, s. 233–246.

политические заявления ни в коем случае не являются «прохладными», объективными или понятными высказываниями, а функционируют как «сетка безопасности» для достижения политических целей, создания союзов и оппозиционных групп и для представления национального единства.<sup>28</sup>

Своеобразным «политическим переворотом в восприятии языка»<sup>29</sup> стало заявление о том, что создание смысла является важным для политической практики и конструирования убеждений о событиях, политике, лидерах, проблемах и кризисах, которые или рационализируют, или ставят под сомнение существующие политические отличия.<sup>30</sup> Дело в том, что «политический язык выступает политической реальностью», поскольку конфликтов относительно смысла/сенса нет, то и вопросы, которые поднимаются не являются политическими. А это обозначает, что смысловые практики политики включают в себя как политические действия, так и политический язык для их интерпретации.<sup>31</sup> Подобным за своим значением выступает вывод о факте «радикального переплетения между текстом и политической практикой»<sup>32</sup> и, на этой основе, отрицание вывода о адекватности восприятия политического опыта как «автономной и полностью сформированной сущности» которую необходимо описывать с помощью «правильных языковых образцов».<sup>33</sup> С этой точки зрения исследователи более часто призывают к пониманию политического языка как общей фразы, которая в себя включает все типы публичных, институционных и частных разговоров на политические темы, все типы текстов, характерных для политики, а также всех лексических и стилистических языковых инструментов, которые характеризуют разговоры о политических текстах.<sup>34</sup> В итоге магистральным направлением осмысления многими учеными стала попытка политизации языковых практик ежедневной жизни путем определения и демистификации власти и авторитета через текст и язык.<sup>35</sup> И это при том, что исследования политического дискурса существенно расширились и обращаются к учету роли коммуникации внутри политических организаций и уникального стиля политиков, политических выступлений, политической риторики, стратегий манипуляции и убеждений.<sup>36</sup>

<sup>28</sup> Hudson K., *The language of modern politics*, Wyd. MacMillan 1978, s. 41, 61.; Dallmayr F., *Language and politics: why does language matter to political philosophy*, Wyd. University of Notre Dame 1984, s. 2.

<sup>29</sup> Dunmire P., Political Discourse Analysis: Exploring the Language of Politics and the Politics of Language, "Language and Linguistics Compass" 2012, vol. 6, nr. 11, s. 735–751.

<sup>30</sup> Edelman M., *Political language: words that succeed and policies that fail*, Wyd. Academic Press 1977.

<sup>31</sup> Edelman M., *The symbolic uses of politics*, Wyd. University of Illinois Press 1964, s. 1.

<sup>32</sup> Shapiro M., *Language and political understanding: the politics of discursive practices*, Wyd. Yale University Press 1981.; Shapiro M., *Language and politics*, Wyd. New York University Press 1984.

<sup>33</sup> Shapiro M., *Language and political understanding: the politics of discursive practices*, Wyd. Yale University Press 1981, s. 19.

<sup>34</sup> Burkhardt A., *Politlinguistik. Versuch einer Ortsbestimmung*, [w:] Klein J., Diekmannshenke H. (eds.), *Sprachstrategien und Dialogblockaden. Linguistische und politikwissenschaftliche Studien zur politischen Kommunikation*, Wyd. de Gruyter 1996, s. 79.

<sup>35</sup> Dunmire P., Political Discourse Analysis: Exploring the Language of Politics and the Politics of Language, "Language and Linguistics Compass" 2012, vol. 6, nr. 11, s. 735–751.

<sup>36</sup> Holzsheiter A., *Power of discourse and power in discourse: an investigation of transformation and exclusion in the global discourse of childhood*, Wyd. FU Berlin 2005.; Wodak R., *The Discourse of Politics in Action: Politics as Usual*, Wyd. Springer 2009.

Объединяет эти подходы связи языка и политики понимание в соответствии с которым любой политический процесс и политические институты обязательно будут отражены в политическом дискурсе и обязательно будут определяться дискурсивным характером.<sup>37</sup> В одном случае это полностью очевидно, когда речь идет о практических действиях которые по своей природе являются языковыми действиями (например когда мы имеем в виду клятвы, обещания, критику, призывы и т.д.)<sup>38</sup>, но в другом случае это не так очевидно, когда определенные политические события и явления маскируются, но не легитимизируются. Кроме этого, политическая борьба за власть бывает достаточно часто связана не только с использованием слов, но и с противостоянием «за» или «против» использования определенной лексики в политическом дискурсе. Таким образом политика планируется и осуществляется в политических дискуссиях и конкуренции, которые осуществляются с помощью языка, пребывают с ним в связи и касаются его.<sup>39</sup> В итоге это обозначает, что политическим дискурсом выступает коммуникационное действие или событие в сфере идеологии, которое позволяет его участникам формулировать и высказывать абстрактные идеологические убеждения и означает письменный или устный, заверченный или длящийся продукт коммуникативной деятельности, который интерпретируется реципиентами на фоне знаний и восприятия политической реальности. Именно поэтому политический дискурс аксиологически/ценностно отражает широкий коммуникативный и социальный контекст его производства, групповые и индивидуальные варианты его восприятия и прагматические, прецедентные, стилистические и функциональные аспекты обозначения им политической карты мира.<sup>40</sup> И в этом, в свою очередь, проявляется непрерывная, хотя достаточно часто и манипулятивная взаимосвязь между языком и политикой, поскольку она преимущественно проявляется в дихотомии «свой – чужой» или «друг – враг». Поэтому это выявляет способность политического дискурса служить, с одной стороны, производству интерпретации ментальности, а с другой стороны – конструированию и категоризации политической реальности свойственной определенной политической группе.

Одновременнов исследованиях, которые направлены на изучение взаимосвязи языка/дискурса и политики обе категории должны рассматриваться специально. В частности, политика должна пониматься и широко и узко<sup>41</sup>, и должна интерпретироваться как категория, которая может быть реализована на микро и

<sup>37</sup> Андриюхина Т., Язык власти и власть языка: политический дискурс, *Право и управление. XXI век* 2013, nr. 3, s. 62–69.

<sup>38</sup> Шейгал Е., *Семиотика политического дискурса*, Волгоград 2000.

<sup>39</sup> Fairclough N., *Language and Power*, London 1989.

<sup>40</sup> Андриюхина Т., Язык власти и власть языка: политический дискурс, *Право и управление. XXI век* 2013, nr. 3, s. 62–69.

<sup>41</sup> Chilton P., *Analysing political discourse: theory and practice*, Wyd. Routledge 2004; Chilton P., Schaffner C., *Introduction: themes and principles in the analysis of political discourse*, [w:] Chilton P., Schaffner C. (eds.), *Politics as text and talk*, Wyd. John Benjamins 2002, s. 1–41; Van Dijk T., *What is political discourse analysis? Political linguistics*, [w:] Blommaert J., Bulcaen C. (eds.) *Political linguistics*, Wyd. John Benjamins 1997, s. 11–52.

макроуровне. Именно поэтому ученые достаточно часто расходятся в своем подходе по поводу предмета взаимосвязи языка и политики. Так, некоторые из них настаивают на достижении такой взаимосвязи только в формате дискурса, выработанного политическими акторами<sup>42</sup>, при этом другие считают, что предметным полем заинтересованности политическим дискурсом должна выступать максимально широкая конструкция понимания политики, которая выходит за рамки политического процесса. В свою очередь, язык должен пониматься как система, которая постоянно и неминуемо пронизана или вообще не пронизана терминами политики. Поэтому любой вариант дискурса по своей конструкции и за логикой выступает политическим, поскольку он выступает местом борьбы и «смысловым пространством» в котором вырабатываются и/или ставятся под сомнение политические смыслы.<sup>43</sup> Именно поэтому политический дискурс как таковой и в различных формах или жанрах наполненный конфликтами и синергией, противоречиями и компромиссами, а также похвалами и недоброжелательностью, критикой и поддержкой и т.д. Вследствие этого благодаря хитрому и рискованному характеру политики и особенной силе языка (слова, текст или дискурс), политические акторы и институты иногда общаются/коммуницируют и взаимодействуют непонятным, не четким и «осторожным» образом, то есть опосредованно.<sup>44</sup> Это обозначает, что различными выступают смыслы и понимание, которые можно получить на основании использования различных концептов и техник дискурса, в частности в рамках соотношения власти, идеологии, этики и политических представлений или предубеждений.<sup>45</sup> Именно поэтому политический дискурс может быть или не быть манипулятивным, но он ведет к достижению новой сущности политики. В силу этого политическая риторика может выступать «врагом»<sup>46</sup> и «другом» истины<sup>47</sup>, даже вопреки тому, что она практически всегда достаточно расплывчатая.

Это, пожалуй, наиболее эффективно проявляется по линии взаимосвязи политики и литературы или в работах отдельных литераторов, которые говорят о политике литературы. В данном случае во внимание принимается не политика отдельных писателей и их групп, то есть не их личная симпатия к определенным социальным и политическим вопросам и политической конкуренции или же не способы представления/подачи ими политических событий или социальной структуры и социальной борьбы. А тот факт, что литература «делает» политику литературой, то есть что существует определенная связь

<sup>42</sup> Van Dijk T., *What is political discourse analysis? Political linguistics*, [w:] Blommaert J., Bulcaen C. (eds.) *Political linguistics*, Wyd. John Benjamins 1997, s. 13.

<sup>43</sup> Seidel G., *Political discourses analysis*, [w:] Dijk T. (ed.), *Handbook of discourse analysis: discourse analysis in society*, Wyd. Academic Press 1985, s. 43–60.

<sup>44</sup> Obeng S., Language and politics: indirectness in political discourse, *"Discourse & Society"* 1997, vol. 8, nr. 1, s. 49–83.

<sup>45</sup> Wilson J., *Politically Speaking: The Pragmatic Analysis of Political Language*, Wyd. Blackwell 1990.

<sup>46</sup> Orwell G., *Politics and the English Language*, [w:] Goshgarian G. (ed.), *Exploring Language*, Wyd. Scott, Foreman 1989.

<sup>47</sup> Obeng S., Language and politics: indirectness in political discourse, *"Discourse & Society"* 1997, vol. 8, nr. 1, s. 49–83.

между политикой, как определенным способом социальной жизни, и литературой, как определенной практикой лингвистики и передачи языка и дискурса.<sup>48</sup>

В этом контексте важно, что политика традиционно рассматривается как практика власти или реализация коллективной воли и интересов, реализация коллективных идей и планов. Иными словами, политикой в действительности является то, что выступает совокупностью представлений и практик, которые формируют наш общий мир. В виду этого, политика – это в первую очередь способ создания среди сенсорных данных специфической сферы опыта. Поэтому в литературном или, в целом, лингвистическом подходе политика – это часть разумного, видимого и сказанного, которая позволяет (или не разрешает) проявлять определенные конкретные данные, а также разрешает или не разрешает некоторым конкретным субъектам обозначать их и говорить о них. Параллельно с этим, политика в таком контексте – это специфическое переплетение способов существования/бытия, способов осуществления действий и способов использования языка. Из этого следует, что политика литературы обозначает, что литература как таковая принимает участие в таком распределении высказанного и видимого, а также находится в переплетении бытия, действий и высказываний, которые охватывают полемический мир.<sup>49</sup>

Весомое значение в этом контексте имеет понимание самого понятия «литература». Удивительно, но среди политических или общественных комментаторов литературы мало кто обратил внимание на собственно историчность литературы. Более того, среди всех, осуществленных попыток в этом направлении, только некоторые ученые настойчиво стремились связать литературу (рассматриваемую как историческое название искусства письма) и политику, которая рассматривалась ими как исторический набор сил, событий и проблем. Другие в то же время пытались дать конкретное содержание понятию «литература». На этой основе вначале взаимосвязь между литературой и политикой была не совершенной или не было способа связать между собой литературную нечувствительность и реальные политические действия. Вследствие этого «искусство ради искусства» рассматривалось политическим обязательством, а взаимосвязь между литературной нечувствительностью и материалистической рациональностью революционной политики было не существенным. Вследствие этого поэты в прошлом и сегодня преимущественно используют слова как вещи и не были сторонниками политического использования коммуникативного языка. При этом прозаики наоборот использовали слова как средство общения и автоматически обращались к конструированию общего мира. Хотя целиком очевидно и то, что отождествление литературы с определенным состоянием или использованием языка не

<sup>48</sup> Ranciere J., *The Politics of Literature*, "SubStance" 2004, vol. 103 (nr. 33, is. 1), s. 10–24.

<sup>49</sup> Ranciere J., *The Politics of Literature*, "SubStance" 2004, vol. 103 (nr. 33, is. 1), s. 10–24.



имеет реального лингвистического значения и поэтому не может обосновывать любой специфики литературы или ее политической направленности и контекста.

Все это означает, что литература, как таковая, задумана не как искусство письма вообще и не как конкретное состояние языка, а как исторический способ наглядности письма, а также конкретная связь между системой значения слов и системой видимости вещей. В таком разрезе литература достаточно часто выступает противостоянием двух способов связи смысла и действий, ограничением соотношения, сказанного и видимого, реализацией слов силой ограничения общего мира. При этом, очень важное значение в этом контексте имеет определение философско-политического значения поэзии, которое впервые оформилось еще во времена Аристотеля. Этот мыслитель в свое время отмечал, что поэзия – это выдумка, а поэтому вполне очевидно, что поэтичность может предполагать политичность. Дело в том, что именно в поэзии мы находим иерархию, которая противостоит причинно-следственной рациональности действий эмпиризма жизни.<sup>50</sup> Поэтому поэзия, по мнению Аристотеля, выступает более «философской», чем история, поскольку поэзия создает причинно-следственные сюжеты, которые связывают события в целое, тогда как история только рассказывает о политических событиях по мере их развития. Именно это было основанием для разделения в свое время всей художественной литературы на различные жанры. В частности, более высокие/изысканные жанры, посвященные исследованию благородных действий и персонажей, а также простые/низкие жанры, посвященные простым людям и базовым потребностям жизни. И даже более, поскольку жанровая иерархия также подчинила стиль литературы принципу иерархического удобства: короли должны были действовать и говорить так, как это делают короли, а простые люди – так, как это делают обычные люди. Именно на этой основе ранее возможно было конструировать политику литературы, в частности противопоставляя эгалитарный принцип равнодушию/нейтральности иерархического закона «старого режима». Кроме этого, именно в этом контексте литература противопоставила свою «демократичность» (как конкретный режим высказывания/информирования, следствием которого является нарушение каких-либо устойчивых взаимосвязей между манерой говорить, манерами работы и манерами бытия) представительской иерархии.<sup>51</sup>

Все это ведет к достаточно интересной связи между литературой, наукой и политикой. В рамках этой связи литература делает своеобразную «публичную политику» или «метаполитику». При этом, принцип этой «политики» заключается в том, чтобы оставить общий этап конфликта воле/судьбе и чтобы «изучать» в подполье общество и «читать» симптомы истории». <sup>52</sup> Даже больше, поскольку этот принцип отдаляет социальные

<sup>50</sup> Ranciere J., *The Politics of Literature*, "SubStance" 2004, vol. 103 (nr. 33, is. 1), s. 10–24.

<sup>51</sup> Ranciere J., *The Politics of Literature*, "SubStance" 2004, vol. 103 (nr. 33, is. 1), s. 10–24.

<sup>52</sup> Ranciere J., *The Politics of Literature*, "SubStance" 2004, vol. 103 (nr. 33, is. 1), s. 10–24.

ситуации и персонажей от их ежедневной реальности и отражает то, кем они являются в действительности, через фантазмагорическую ткань поэтических знаков, которые выступают историческими симптомами. Причина в том, что природа поэтических знаков такая же, как и природа исторических результатов и политических симптомов. В этом смысле «политика» литературы возникает как отказ или возражение «политики» ораторов и силовиков, которые воспринимают ее как борьбу воли и общественно-политических интересов. Таким образом литература, как такая, демонстрирует «двойную политику» и двойную манеру перенастройки конфиденциальных данных. Поскольку, с одной стороны, литература отражает силу литературности и «немого» листа, что нарушает не только иерархию репрезентативной системы, но и любой принцип адекватности между способом существования и способом высказывания. Однако, с другой стороны, литература запускает другую «политику немого листа» и своеобразную «производную политику» или «метаполитику», которая заменяет расшифровку «немого значения». Из этого следует, что «политика» литературы проявляется конфликтом политики литературности и политики симптоматического чтения. В силу этого политика литературы несет в себе противоречие, которое можем решить лишь само принуждением.

Со всего этого можем сделать несколько выводов которые касаются взаимосвязи языка, дискурса, литературы и политики, в частности о том, что: языковые и литературные интерпретации являются политическими настолько, насколько они являются реконfigurацией видимости общего мира; политический дискурс, который противостоит интерпретационным и реальным изменениям сам по себе является частью того же герменевтического сюжета что и интерпретация которой он бросает вызов, а поэтому он неминуемо может быть политическим. Обобщая это обозначает, что взаимосвязь языка, дискурса, литературы и политики традиционнне является институционализированной (однако все-таки таковой может быть), а де факто, выступает вне институционной хотя и может касаться институционного измерения политики и политического процесса.

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## **Preconditions, features, prospects and problems of motor transport development in the countries of the Visegrad Group**

The article is devoted to analyzing the basic preconditions, features, prospects and problems of the motor transport development in the countries of the Visegrad Group, i.e. in Poland, Hungary, Slovakia and the Czech Republic. This is done against the background of the well-known conclusion about the existence of a modal split in the development of transport in the countries of the region, in particular between the regressing rail transport and the progressing motor transport. To do this, the researcher first analyzed the state of development of various types of transport until the collapse of communist regimes in the region. After that, the focus was on the causes of the decline of rail transport and the improvement of motor transport efficiency. Finally, the author analyzed the current state of development and problems of motor transport in the countries of the Visegrad Group. As a result, it is proved that at present, in fact, nothing can affect the already formed modal split in the transport system of the countries of the region, which obviously will continue to deepen in favor of motor transport.

*Keywords: transport, motor transport, modal split, the Visegrad group.*

## **UWARUNKOWANIA, CECHY, PERSPEKTYWY I PROBLEMY ROZWOJU TRANSPORTU DROGOWEGO W KRAJACH GRUPY WYSZEHRADZKIEJ**

Artykuł analizuje podstawowe założenia, cechy, perspektywy i problemy rozwoju transportu drogowego w krajach Grupy Wyszehradzkiej – w Polsce, na Węgrzech, Słowacji i w Czechach. Wynika to z powszechnie znanego wniosku o istnieniu podziału modalnego w rozwoju transportu w krajach regionu, w szczególności pomiędzy regresywnym transportem kolejowym a postępującym transportem drogowym. W tym celu najpierw analizujemy stan rozwoju różnych rodzajów transportu aż do upadku reżimów komunistycznych w regionie. Następnie skupiono się na przyczynach upadku transportu kolejowego i poprawie efektywności transportu drogowego. I dopiero na końcu przeanalizowano obecny stan rozwoju i problemy transportu drogowego w krajach Grupy Wyszehradzkiej. Udowodniono, że obecnie nic nie może wpłynąć na ukształtowany już w krajach regionu podział modalny w systemie transportowym, który oczywiście będzie się pogłębiał na korzyść transportu drogowego.

*Słowa kluczowe: transport, transport drogowy, podział modalny, Grupa Wyszehradzka.*

## **ПЕРЕДУМОВИ, ОСОБЛИВОСТІ, ПЕРСПЕКТИВИ ТА ПРОБЛЕМИ РОЗВИТКУ АВТОМОБІЛЬНИХ ПЕРЕВЕЗЕНЬ У КРАЇНАХ ВИШЕГРАДСЬКОЇ ГРУПИ**

У статті проаналізовано базові передумови, особливості, перспективи і проблеми розвитку автомобільних перевезень у країнах Вишеградської групи – в Польщі, Угорщині, Словаччині та Чехії. Це зроблено на тлі загально відомого висновку про наявність модального розколу в розвитку транспорту у країнах регіону, зокрема між регресуючим залізничним транспортом і прогресуючим автомобільним транспортом. Для цього спочатку проаналізовано стан розвитку різних типів транспорту до моменту колапсу комуністичних режимів у регіоні. Після цього увагу було зосереджено на причинах занепаду залізничного транспорту й покращення ефективності автомобільного транспорту. І лише у підсумку було проаналізовано сучасний стан розвитку та проблеми автомобільного транспорту в країнах Вишеградської групи. Доведено, що поточно нічого не може вплинути на вже сформований у країнах регіону модальний розкол в транспортній системі, який вочевидь і далі буде поглиблюватись саме на користь автомобільного транспорту.

***Ключові слова:** транспорт, автомобільний транспорт, модальний розкол, Вишеградська група.*

The globalization of socio-economic systems and economic relations covers all areas of the international economy and public and supranational government. Among them, including in the countries of the Visegrad Group – Poland, Slovakia, Hungary and the Czech Republic – an important place is occupied by transport, and hence the problems of infrastructure and logistics of the transport system. They, being the bases of the functioning of the world, national and regional economies, are at the same time also elements of the global economic infrastructure. This is reflected in the fact that the role of transport is constantly growing, especially during the implementation of large-scale national and supranational integration plans and projects, as transport and the transport system in general are one of the basic components of territorial division of labor and effective means of territorial relations between production, service and consumption. This is most important and relevant in the context of appealing to the effects and consequences of infrastructure development and logistics of the transport system in the Visegrad countries within the existing modal split between rail and road, freight and passenger infrastructure and logistics in the transport system of these countries. Therefore, the focus of attention, which is the title of the presented study – and more precisely on the features, prospects and problems of road transport in the Visegrad Group, is extremely important, because according to various indicators, road transport in the region today is predominant in various

types of transport logistics and infrastructure, and therefore it needs to be considered and systematized, which can be significant and relevant for solving other existing problems of logistics and infrastructure of the transport system in the region and beyond it.

This research problem was revealed and analyzed at different times by such scientists as G. Augustyniak<sup>1</sup>, A. Brenck, T. Beckers, M. Heinrich and C. Von Hirschhausen,<sup>2</sup> J. Burniewicz<sup>3</sup>, S. Carpintero<sup>4</sup>, D. Gillen<sup>5</sup>, T. Ichiniowski<sup>6</sup>, E. Judge<sup>7</sup>, T. Komornicki<sup>8</sup>, Z. Taylor<sup>9</sup>, C. Waters<sup>10</sup> and others.

However, they either did not fully represent the state of development of road transport in the region, or did so not holistically, either functionally or in time frame. Therefore, the presented study is focused on the maximum coverage of the features, prospects and problems of road transport development in the Visegrad countries.

However, from the already existing scientific achievements and a whole array of statistics, it is clear that for the Visegrad countries, as well as for all European countries, traditionally – during the last decades of socio-economic development – inherent modal split in freight and passenger traffic between rail and road transport (for example, see Table 1). However, the formation and structuring of this split, and hence the signs and features of the development of rail and road transport in the countries of the region were and remain extremely different. Hence, their consideration, in this case on the example of road transport, and comparisons are a separate problem in the study of the transport system, logistics and infrastructure of the Visegrad Group.

<sup>1</sup> Augustyniak G., *Logistics strategies for Central and Eastern Europe*, [w:] Waters D. (ed.), *Global Logistics and Distribution Planning*, Kogan Page 1999

<sup>2</sup> Brenck A., Beckers T., Heinrich M., Von Hirschhausen C., Public-private partnerships in new member countries of Central and Eastern Europe: an economic analysis with case studies from the highway sector, *"EIB Papers"* 2005, vol. 10, nr. 2, s. 82–111.

<sup>3</sup> Burniewicz J., *Polityka Transportowa*, Wyd. Ministry of Transport and Shipping 1994.

<sup>4</sup> Carpintero S., Toll Roads in Central and Eastern Europe: Promises and Performance, *"Transport Reviews"* 2010, vol. 30, nr. 3, s. 337–359

<sup>5</sup> Gillen D., Transportation infrastructure and economic development: a review of recent literature, *"Logistics and Transportation Review"* 1996, vol. 32, nr. 1, s. 39–62.

<sup>6</sup> Ichiniowski T., Ambitious Polish road plan draw interest of U.S. firms, *"Engineering News-Record"* 1997, vol. 238, nr. 20.

<sup>7</sup> Judge E., Environmental and economic development issues in the Polish motorway programme: A review and an analysis of the public debate, *"European Environment"* 2002, vol. 12, s. 77–89.

<sup>8</sup> Komornicki T., Specific institutional barriers in transport development in the case of Poland and other central European transition countries, *"LATSS Research"* 2005, vol. 29, nr. 2, s. 50–58.

<sup>9</sup> Taylor Z., Polish transport policy: an evaluation of the 1994/5 White Paper, *"Journal of Transport Geography"* 1998, vol. 6, nr. 3, s. 227–236; Taylor Z., Recent changes in Polish transport policy, *"Transport Reviews"* 2004, vol. 24, nr. 1, s. 19–32

<sup>10</sup> Waters C., Changes to road transport in Poland during a period of economic transition, *"International Journal of Physical Distribution and Logistics Management"* 1998, vol. 29, nr. 2, s. 122–137

**Table 1.** Modal split between rail and road transport in the Visegrad countries: the ratio on the basis of indicators of freight and passenger traffic (in the dynamics, on the example of the period 2006–2016)

Year	Poland	Slovakia	Hungary	Czech Republic
<b>The indicator of transportation of goods and cargo by rail, in 1000 tons</b>				
2006 p.	291 394	52 449	54 705	97 491
2009 p.	200 819	37 603	42 277	76 715
2012 p.	230 878	42 599	46 884	82 968
2015 p.	224 320	47 358	50 333	97 280
2016 p.	222 523	47 548	50 047	98 034
Average data	233 987	45 511	48 849	90 498
<b>The indicator of transportation of goods and cargo by road, in 1000 tons</b>				
2006 p.	897 414	181 521	250 989	444 644
2009 p.	1 170 478	163 491	229 808	370 115
2012 p.	1 245 053	132 270	165 514	339 314
2015 p.	1 264 960	147 225	198 744	438 907
2016 p.	1 313 657	156 179	197 759	431 889
Average data	1 178 312	156 137	208 563	404 974
<b>The indicator of passenger transportation by rail, in million passengers / km</b>				
2006 p.	18 240	2 213	–	6 922
2009 p.	18 128	2 264	8 003	6 472
2012 p.	17 110	2 459	7 769	7 196
2015 p.	17 024	3 411	–	8 125
2016 p.	18 753	3 484	–	8 738
Average data	17 851	2 766	7 886	7 491

This is important at least because, as shown in Table 1, in recent decades the share of rail transport in freight transportation, transportation of goods and passengers in the Visegrad Group countries is declining or remains stable, while the share of road transport in this context is growing. For example, in 2006–2016, rail transport averaged 17 percent of all freight and goods transportation in Poland, 23 percent in Slovakia, 19 percent in Hungary, and 18 percent in Czech Republic. In contrast, many times higher rates were inherent in road transport in all countries of the analyzed region. All this means that a remarkable feature of the development of rail transport in the region was that it gradually lost and still loses its popularity and modal share in the development of road transport, and this trend can be traced for about thirty years, i.e. from the collapse of the communist regime till today. This is reflected in the fact that the railway sector of the Visegrad Group countries today is characterized by a serious recession, primarily as a result of the collapse of planned economies, as a result of which rail traffic has declined sharply and is still declining – primarily due to loss of major customers. This is complemented by the fact that the governments of all Visegrad countries, immediately after the collapse of the communist regimes, took measures to deregulate the road transport sector, which created fierce competition, especially for railways, for the rest for the rest of the volume of



traffic. Accordingly, all these factors created, on the one hand, serious problems for the railways in terms of financial situation and profits and expenses, market positions, operational indicators and asset management, etc., however, on the other hand, were significantly more effective (by a reversal) in progress of the situation with road transport.

That is why, from the late 80's – early 90's of the twentieth century<sup>11</sup> until now, the subject and temporal controversy or alternative to the decline of rail transport in the region was and is the state and features of road transport.

The fact is that this cluster of the transport system of the Visegrad Group countries initially began to be considered as subject to reform against the background of simultaneous plans for socio-economic development of Poland, Slovakia, Hungary and Czech Republic<sup>12</sup>. This was its key systemic difference from rail transport, which at the beginning of socio-economic reforms (or at least initiatives to do so) was left virtually in the same state as before and therefore largely at random. This is what has generated the previously and still modal divide between road and rail transport in the near future. This was complemented by the fact that the development of road transport in the Visegrad Group countries was less determined by the needs of centralized government investment, as it began to be carried out primarily in the development of the private part of the road transport sector and transport motorization processes<sup>13</sup>.

A striking example of such processes at one time was Poland; where against the background of planned socio-economic reforms (the so-called "Balcerowicz plan") in the early 90's of the twentieth century was regulated and initiated processes of minimal government intervention in the economy. This, in particular as a result of the cessation of state prices, the abolition of administrative regulation and distribution of raw materials, as well as the privatization of the public sector, removed total control over economic activity, encouraged foreign trade, abolished private monopolies and stabilized the financial system<sup>14</sup>, which, in the end, allowed to motorize the transport system mainly road transport – primarily through private investment<sup>15</sup>. As a result, the transportation of passengers and cargo began to mix systematically and purposefully from the railway sector to the road sector, mostly private. For example, between 1990 and 1992, the

<sup>11</sup> Waters C., Changes to road transport in Poland during a period of economic transition, *"International Journal of Physical Distribution and Logistics Management"* 1998, vol. 29, nr. 2, s. 122–137.

<sup>12</sup> Gramlich E., Infrastructures, *"Journal of Economic Literature"* 1994, vol. 32, s. 1176–1196; Sanchez-Robles B., The role of infrastructure investment in development: some macroeconomic considerations, *"International Journal of Transport Economics"* 1998, vol. 25, nr. 2, s. 113–136; Gillen D., Transportation infrastructure and economic development: a review of recent literature, *"Logistics and Transportation Review"* 1996, vol. 32, nr. 1, s. 39–62; Barro R., Government spending in a simple model of endogenous growth, *"Journal of Political Economy"* 1990, vol. 98, nr. 2, s. 103–125; Barro R., Sala i Martin X., Public finance and growth, *"Review of Economic Studies"* 1992, vol. 59, s. 645–662.

<sup>13</sup> Vickers J., Yarrow G., *Privatisation: An Economic Analysis*, Wyd. MIT Press 1988; Helm D., Thompson D., Privatised transport infrastructure and incentives to invest, *"Journal of Transport Economics and Policy"* 1991, vol. 25, nr. 3, s. 231–246; Augustiniak G., *Logistics strategies for Central and Eastern Europe*, [w:] Waters D. (ed.), *Global Logistics and Distribution Planning*, Kogan Page 1999.

<sup>14</sup> *European Marketing Data and Statistics*, Wyd. Euromonitor 1998; Burniewicz J., *Polityka Transportowa*, Wyd. Ministry of Transport and Shipping 1994.

<sup>15</sup> Waters C., Changes to road transport in Poland during a period of economic transition, *"International Journal of Physical Distribution and Logistics Management"* 1998, vol. 29, nr. 2, s. 122–137

share of railways in freight transport in Poland decreased from 22.2 to 14.8 percent, while the share of cars in this process increased from 74.4 to 82.4 percent<sup>16</sup>.

Such trends have continued in the future and continue to this day (see Table 1) and are often explained by the fact that the new fragmented road transport industry has lost the “economies of scale” that existed with the old rail transport monopolies.

In terms of infrastructure, on the example of the same Poland (but similarly in other Visegrad countries), the situation has changed so that before the period of socio-economic reforms, the Polish government controlled transport through state-owned cooperatives. Thus, the main road transport operators were: “Państwowa Komunikacja Samochodowa” (in 1990 operated about 30 percent of all freight), “Pekaes Autotransport” (responsible for exports and international transport), “PSK – National” (which was responsible for freight forwarding)), branch industrial transport associations, cooperatives, etc. The specificity of this period was that the defects of central planning created a “deficit economy”, when demand was greater than supply for almost everything. Accordingly, in these conditions there was no need for an efficient distribution system, and logistics was paid almost no attention<sup>17</sup>. As a result, road transport operators did not actually have the motivation to change, as all plans were regulated by the state and did not directly depend on market competition. Therefore, in the absence of commercial pressure, the productivity of road transport in the region was assessed solely by the use of available resources. This, in turn, encouraged the inefficiency of road transport, because different organizations aimed to make full use of all resources allocated to them, rather than increase efficiency and use fewer resources, which, in contrast, is inherent in the market. This was compounded by the problems of the system of “compulsory mediation”, when individual trade agencies had to organize the transportation of goods between suppliers and customers<sup>18</sup>. Another serious problem was the “retransmission of materials”, because companies resold materials that they had previously purchased for their own use. The government was also responsible for the road network, but it was clearly a low priority at the time. For example, since 1955, investment in road and road infrastructure in Poland has been below the theoretical minimum required to maintain asset values. This made it possible to argue, that “the condition of most roads remained far from desirable, because the density of the Polish road network did not meet European standards”<sup>19</sup>.

In total, in the late 80's – early 90's of the twentieth century the main problems of road transport in the Visegrad Group were: organization (the automotive industry was based on planned state-centralized monopolies, which did not stimulate entrepreneurship, efficient

<sup>16</sup> Waters C., Changes to road transport in Poland during a period of economic transition, *“International Journal of Physical Distribution and Logistics Management”* 1998, vol. 29, nr. 2, s. 122–137.

<sup>17</sup> Augustyniak G., *Logistics strategies for Central and Eastern Europe*, [w:] Waters D. (ed.), *Global Logistics and Distribution Planning*, Kogan Page 1999.; Kisperska-Moron D., *Logistics in Poland*, [w:] Dimitrov P. (ed.), *National Logistics Systems*, Luxemburg 1991.

<sup>18</sup> Wierzbicki T., *Podstawy informatyki w transporcie*, Warsaw 1984.

<sup>19</sup> *Transforming the Polish Economy*, Wyd. World Economy Research Institute 1994–1997.

operations, customer service, quality improvement, cost reduction, high productivity, as well as technical and organizational innovations); industrial policy (central governments paid very little attention to vehicles, but instead took care of heavy industry, so all other industries had few resources and poor management); lack of coordination (too many ministries and agencies were involved in decision-making, making long-term road transport planning almost impossible, responsibility for decision-making was unclear, and the decisions themselves were inconsistent); capacity (characterized by a serious shortage of transport, as "all transport needs far exceeded the capabilities of all available vehicles"); profitability (state-owned car companies operated with a permanent deficit, which was covered by government funding, so that in times of economic hardship, central governments could not meet the costs); reduction of investment in road transport (this process began in the 50s of the twentieth century); fleet (reduced investment meant that the car fleet was aging and deteriorating due to insufficient maintenance; in addition, virtually all cars in the Eastern European region were of relatively low quality); quality of roads (they did not meet European standards, needed urgent repairs and among them there were very few roads for the transportation of bulky goods); lack of highways (they were practically non-existent in the modern countries of the Visegrad Group at the turn of the 1980s and 1990s); accessibility of roads (highways were used by all means of transport and passed through settlements); increase in traffic (the number of cars still gradually increased) and congestion; costs (inefficient and poorly planned operations significantly increased the cost of transportation and logistics); slow border crossings (bureaucratic procedures often delayed crossings at international borders, reducing the level of transport services); directions of transportation (were strictly limited and applied only to the Warsaw Pact countries, although the situation began to change in the late 80s of the twentieth century); location of industrial facilities (central governments have implemented "equal development" policies for all regions, which did not meet the existing transport logistics); safety (a large number of accidents on transport due to the poor condition of roads and vehicles); poor quality services (there were almost no specialized logistics facilities – facilities of multimodal services and so-called distribution centers); environment (growing problems with environmental problems, in particular from the lack of disposal facilities, noise and greenhouse gas pollution)<sup>20</sup>.

Instead, from the moment of initiation of socio-economic reforms significant changes in road transport began. The fact is that the problems listed above during the period of "real socialism" regimes were not acceptable to the new central governments in the early 1990s, when the processes of integration of the Visegrad countries with the EU and NATO began. Accordingly, "industrial strategies in the single European market have created a demand for the fast, flexible and high-quality transport services in Europe"<sup>21</sup>, which have spread to the

<sup>20</sup> Waters C. Changes to road transport in Poland during a period of economic transition *"International Journal of Physical Distribution and Logistics Management"* 1998, vol. 29, nr. 2, s. 122–137.

<sup>21</sup> Bayliss B., Millington A., Deregulation and logistics systems in a single European market, *"Journal of Transport Economics and Policy"* 1995, vol. 29, nr. 3, s. 305–316

Visegrad countries. However, the key factor in the development of road transport was, as it is noted above, privatization. After all, the central governments of the region have realized in a timely and convenient manner that many transport problems in general can be solved through the privatization of industry and the introduction of market competition. They did this in three main ways: a) began to privatize existing state-owned transport companies (for example, in Poland, the state-owned company “Panstwowa Komunikacja Samochodowa” was divided into 167 independent companies engaged in both freight and passenger transport, 31 companies engaged only in freight transport, and 34 ancillary transport companies<sup>22</sup>; b) deregulated the transport industry and called for the opening of new companies; c) allowed international companies to operate in the countries of the region.

Initially, this had negative consequences in road transport, but soon they turned into processes with positive dynamics. As a result, not only road motorization began to increase, but also the quality and quantity of road transport services and companies. A notable process was that all transport companies in the automotive industry became independent and began their activities independently. Moreover, some of them moved to new areas and began to serve certain sectors of industry and services, etc. This has led to a situation where it is the car companies, unlike the railways, that have been given a “market obligation” to respond to the commercial load and the supply and demand. The direct consequence was that, for example, in Poland in 1991 in the automotive sector there were more than 200 cooperatives, 500 state-owned companies, 200 enterprises with private and joint ownership, as well as more than 100 private enterprises and about 60 thousand private firms (up to 6 people). At first, they acted rather chaotically and scattered, but later the level of their professionalism and income increased significantly. This coincided with the actions of the central governments of the Visegrad Group, which were aimed at minimizing state intervention in the sector, promoting equal opportunities, ensuring fair and free competition, as well as combating monopolistic practices, controlling safety and technological standards, creating appropriate conditions that stimulated investment in transport, guaranteeing unlimited access to public infrastructure.

All this, in turn and by reversal, significantly affected the further significant increase in the number of private companies in road transport, and in the transport sectors of both goods and passengers, and therefore to increase the number of different road vehicles (see Table 2).

As a result, by the mid-1990s, private companies began to own and service about 40 percent of the road transport market (with this trend growing steadily in the future). They were also joined by international companies that began to enter the markets of the Visegrad Group, bringing them a combination of capital, technology, modern operations, management skills, services, facilities, guaranteed quality and price, which could not compete with similar companies, which were formed purely in the countries of the region. Especially given that it is

<sup>22</sup> Waters C., Changes to road transport in Poland during a period of economic transition, *“International Journal of Physical Distribution and Logistics Management”* 1998, vol. 29, nr. 2, s. 122–137.

international companies that have operated more profitably than their national homologues, which has shown that better operations can lead to both improved services and higher profits.

**Table 2.** Number of road vehicles in the automobile system and infrastructure of the Visegrad Group countries (In dynamics, on the example of the period 2007-2016)

Indicator of the number of road vehicles	Poland				Slovakia				Hungary				Czech Republic			
	2007	2010	2013	2016	2007	2010	2013	2016	2007	2010	2013	2016	2007	2010	2013	2016
Number of all available cars, in 1000 units..	14 589	17 240	19 389	21 675	1 434	1 669	1 880	2 122	3 262	2 984	3 041	3 313	4 280	4 496	4 729	5 308
Number of cars under 2 years old, in 1000 units..	684	723	797	1 028	N.D.	N.D.	N.D.	N.D.	521	76	140	204	259	324	465	559
Number of cars aged from 2 to 5 years, in 1000 units.	1 009	1 143	1 058	1 059	N.D.	N.D.	N.D.	N.D.	635	501	246	201	466	476	532	500
Number of cars per 1,000 inhabitants	383	453	510	571	267	310	347	390	325	299	308	338	414	429	450	502
Number of trams, №	3 656	3 620	3 383	3 332	357	345	345	349	N.D.	711	715	723	1 877	1 826	1 835	1 711
Number of tractors, №	N.D.	N.D.	280 420	361 681	N.D.	N.D.	27 561	31 016	N.D.	N.D.	56 089	68 117	N.D.	N.D.	7 626	4 488
Number of trucks with a tonnage of up to 3.5 tons, in 1000 units.	N.D.	N.D.	2 334	2 516	N.D.	N.D.	N.D.	N.D.	N.D.	N.D.	360	404	N.D.	N.D.	406	425
The number of trucks with a tonnage of more than 3.5 tons, in 1000 units.	N.D.	N.D.	628	664	N.D.	N.D.	288	309	N.D.	N.D.	47	45	N.D.	N.D.	188	222

Źródło: *Transport Database*, Wyd. Eurostat, źródło: <http://ec.europa.eu/eurostat/web/transport/data/database>

As a result, more flexible tariffs have become important changes in the countries of the region. In addition, in the long run, the first targeted facilities for automotive logistics began to open, resulting in a general change in attitudes towards logistics and the benefits of efficient transport in the Visegrad countries<sup>23</sup>. A further consequence of such processes was the improvement of road transport infrastructure, in particular the system of existing roads. This became especially clear, tangible and necessary when the Visegrad Group countries failed to privatize the railway transport sector and passenger and freight flows began to shift more and more to more flexible, cheaper and organized. road transport sector, primarily due to an increase in the number of road vehicles (see Table 2)<sup>24</sup>. In particular, it was found that during 1985-1997, the volume of road traffic in the countries of the analyzed region doubled. Another doubling took place by 2010.

However, such processes did not fully meet the investment in existing automotive infrastructure and the renovation and construction of completely new roads. Significant changes took place only after the accession of the Visegrad Group countries to the European Union in 2004, when new joint investment projects and additional sources of funding began to apply

<sup>23</sup> Waters C., Changes to road transport in Poland during a period of economic transition, *"International Journal of Physical Distribution and Logistics Management"* 1998, vol. 29, nr. 2, s. 122-137.

<sup>24</sup> The data as of 2015 are indicated.

to them in various ways. Although today the current condition of roads in the region is much lower than in Western Europe. However, politicians and the public in the region realize that its non-renewal in the future could lead to significant socio-economic problems. This is particularly noticeable in the context of the marginal development or decline of rail transport, as discussed above, which cannot encourage private carriers to use its capacity to replace or supplement road transport. Therefore, in all countries of the Visegrad Group, a scenario of improvement of highways and construction of highways has been chosen, which once again intensifies the split between rail and road transport in the region. This is successfully evidenced by the data in table. 3<sup>25</sup>, from which it is quite obvious that in the region during, for example, 2007-2016 there were processes: increasing the length and share of highways (all countries in the region, especially in Slovakia), increasing the length of national roads (except Hungary and the Czech Republic) and road density (except for the Czech Republic) and road cabotage (with specifics in Poland and Czech Republic); reducing the length of provincial or regional roads (with the exception of Hungary and the Czech Republic, where their length is still stable) while maintaining a significant proportion of unpaved roads.

**Table 3.** Features of road infrastructure within the road transport of the Visegrad Group countries (In dynamics, on the example of the period 2007-2016)

Road infrastructure indicator	Poland				Slovakia				Hungary				Czech Republic			
	2007	2010	2013	2016	2007	2010	2013	2016	2007	2010	2013	2016	2007	2010	2013	2016
Length of highways, km	663	857	1 482	1 640	365	416	420	463	858	1 477	1 767	1 924	657	734	776	1 223
Share of motorways from all highways,%	0,2	0,2	0,3	0,4	0,9	1,0	0,8	H.d.	0,6	0,8	0,8	0,9	1,1	1,3	1,3	1,4
Length of national roads, km	18 546	18 606	19 296	19 388	3 366	3 507	3 538	3 580	31 182	30 151	31 760	30 062	6 191	6 255	6 250	5 807
Length of provincial or regional roads, km	155 814	154 634	153 787	153 865	3 742	3 643	3 617	3 611	H.d.	167 939	171 549	174 599	48 736	48 763	48 736	48 727
Length of municipal roads, km	H.d.	232 880	240 447	246 983	36 344	35 759	35 787	36 817	0	0	0	0	74 919	74 919	74 919	74 919
Length of unpaved roads, km	H.d.	132 362	129 969	125 924	H.d.	H.d.	H.d.	H.d.	H.d.	123 486	126 472	128 581	H.d.	H.d.	H.d.	H.d.
Density of roads, in km on 100 square km	125	133	135	136	91	90	114	H.d.	218	220	225	226	72	72	72	72
Road cabotage, in thousands of tons-kilometers	42 903	180 690	68 024	175 910	52 350	40 111	84 310	110 773	20 151	21 229	47 171	64 659	74 784	171 174	63 450	192 910

Zródło: *Transport Database*, Wyd. Eurostat, źródło: <http://ec.europa.eu/eurostat/web/transport/data/database>; Transport infrastructure investment and maintenance spending, Wyd. OECD Transport Database, źródło: [https://stats.oecd.org/Index.aspx?&datasetcode=ITF\\_INV-MTN\\_DATA#](https://stats.oecd.org/Index.aspx?&datasetcode=ITF_INV-MTN_DATA#)

The conformity to plan and importance of such measures became apparent in the late 1990s, but mainly after the region's accession to the EU, when the first toll roads began to be built in the Visegrad Group, primarily in Poland and Hungary<sup>26</sup>. Interestingly, the beginning of construction of such roads is due to specific factors, one of which was a sharp increase in the number of cars and trucks despite the extremely low level of development of roads / highways

<sup>25</sup> The data as of 2015 are indicated.

<sup>26</sup> Carpintero S., Toll Roads in Central and Eastern Europe: Promises and Performance, *"Transport Reviews"* 2010, vol. 30, nr. 3, s. 337–359.

in the 90s of the twentieth century<sup>27</sup>. Thus, in Poland at that time there were almost 260 km of highways, in Slovakia – almost 200 km, in Hungary – almost 300 km and in the Czech Republic – more than 300 km. This was complemented by extremely low provision and funding for road construction, as a result of which various projects aimed at the construction of toll roads began to be initiated. Moreover, in this context, road tolls were interpreted as a tool to return the investments that were invested in the development of roads in the Visegrad Group countries at the stage of their initial socio-economic reform.

Hence, the conclusion is that, faced with the urgent need to expand their network of highways, all Visegrad Group countries have developed ambitious investment plans. But to meet investment needs, these countries have expressed hope for the development of private toll roads, and for several main reasons: a) lack of sufficient public funds, b) the need to reduce both the government deficit and public debt, in particular to meet the requirements for accession to the European Union; c) the purpose of strengthening the role of the private sector in the economy<sup>28</sup>. However, after almost twenty years, the declared goals did not actually correspond to the infrastructural reality. Despite the fact that during 1991–2021 the countries of the region launched many concession tenders (mostly in Hungary and Poland, and the least in Slovakia), only some of them were successfully completed as toll highways. Moreover, most of the planned projects have undergone significant changes in length, public and private contributions, and risk allocation<sup>29</sup>.

Also, the experience of construction and operation of toll roads in the region was and remains strongly colored by the economic and political problems of the Visegrad Group, although this was especially noticeable in the 90s of the twentieth century<sup>30</sup>. Thus, on the one hand, the construction of toll roads in the countries of the region was rather not an achievement but a disappointment, which quite often continues today<sup>31</sup>. This is especially true in the

<sup>27</sup> Ichiniowski T., Ambitious Polish road plan draw interest of U.S. firms, *"Engineering News-Record"* 1997, vol. 238, nr. 20, s. 17.; Judge E., Environmental and economic development issues in the Polish motorway programme: A review and an analysis of the public debate, *"European Environment"* 2002, vol. 12, s. 77–89.

<sup>28</sup> Colbourne J., Gray S., *Public/private partnership in infrastructure finance*, [w:] Johnson M., Keatinge S. (eds.), *World Infrastructure 1994*, Wyd. Sterling 1993, s. 75–78.; Timar A., Attracting private capital to finance toll motorways in Hungary, *"Transport Reviews"* 1994, vol. 14, nr. 2, s. 119–133.; Muranyi M., *Infrastructure, finance, provision and operation*, Presented at Proceedings of Seminar held at the European Transport Forum Annual Meeting, Middlesex: Brunel University (September 1–5, 1997).; Perez B., *Achieving Public-Private Partnership in the Transport Sector*, Wyd. Diebold Institute for Public Policy Studies 2004.; Brenck A., Beckers T., Heinrich M., Von Hirschhausen C., Public-private partnerships in new member countries of Central and Eastern Europe: an economic analysis with case studies from the highway sector, *"EIB Papers"* 2005, vol. 10, nr. 2, s. 82–111.

<sup>29</sup> Carpintero S., Toll Roads in Central and Eastern Europe: Promises and Performance, *"Transport Reviews"* 2010, vol. 30, nr. 3, s. 337–359.

<sup>30</sup> Szabo F., *Public-private partnerships in Hungarian motorways' construction*, Presented at Proceedings of the ECMT Seminar on Public-Private Partnerships in Transport Infrastructure Financing, London: European Conference of Ministries of Transport (January 12, 1999).; Dinham M., Asterak D., Kilyenfalvi B., Hungarian road projects: a definitive summary, *"Infrastructure Journal"* 2005, s. 59–61.; Taylor Z., Polish transport policy: an evaluation of the 1994/5 White Paper, *"Journal of Transport Geography"* 1998, vol. 6, nr. 3, s. 227–236.; Taylor Z., Recent changes in Polish transport policy, *"Transport Reviews"* 2004, vol. 24, nr. 1, s. 19–32.; Waters C., Changes to road transport in Poland during a period of economic transition, *"International Journal of Physical Distribution and Logistics Management"* 1998, vol. 29, nr. 2, s. 122–137.; Komornicki T., Specific institutional barriers in transport development in the case of Poland and other central European transition countries, *"LATSS Research"* 2005, vol. 29, nr. 2, s. 50–58.

<sup>31</sup> Carpintero S., Toll Roads in Central and Eastern Europe: Promises and Performance, *"Transport Reviews"* 2010, vol. 30, nr. 3, s. 337–359.

case of Slovakia, which launched its first concession in this direction only shortly before 2010. Although, in contrast, the situation is much better in Poland and Hungary, where toll highways have been built and launched. On the other hand, private highways have made an impressive contribution to the transport systems of some Visegrad countries, especially given the novelty of this concept in the transition economies of the time.

Hence, in the end it is argued that in the countries of the Visegrad Group for a long time and radically revealed a modal split between rail and road transport. Moreover, in practice it is implemented mainly in favor of road transport, which has a significantly predominant share in the transportation of goods, services, cargo and passengers, because it is characterized by much better logistics and infrastructure. Perhaps the only indicator in which rail transport in the region still wins is its relative environmental friendliness and safety. This is evidenced by statistics, which show that, despite the reduction in road deaths, it remains much more dangerous than rail transport. At the same time, this is manifested both in the number of accidents on two types of transport, and in the number of fatalities in different types of accidents (even in terms of the total population and number of vehicles). Although this is unlikely to affect the already formed in the countries of the region modal split in the transport system, which obviously will continue to deepen in favor of road transport.

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## **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

саморządowych 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 в 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: місцеве 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 2018 - 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 voivodeships (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 Saint-Laguë 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) MSM * in single-member constituencies - gminas up to 40 thousand people; 2) PSL in multi-member (5-10 seats) constituencies by the method of Saint-Lage - 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) MSM in single-member constituencies - gminas up to 20 thousand people; 2) PSL in multi-member (5-10 seats) constituencies by the method of Saint-Lage - 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) MSM 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) MSM 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); MSM 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 Saint-Lage 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 Saint-Lage 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)

November 2006 (attendance – 45,99 %) / in 4 years	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	2 479 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 D'Hondt method and with a 5% electoral barrier for parties and 10 - percentage electoral barrier for blocs	314 counties (excluding communes / cities with county rights); non-national (only in county councils) elected collegial executive committees headed by mayors	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	16 counties; non-nationally elected (only in the Sgjm) collegial executive committees headed by marshals + voivodes (appointed by the Prime Minister)
November – December 2010 (attendance – 47,32 %) / in 4 years	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 a 5% electoral barrier for parties and 10% for block voting – gminas of more than 20,000 people	2 479 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 D'Hondt method and with a 5% electoral barrier for parties and 10 - percentage electoral barrier for blocs	314 counties (excluding communes / cities with county rights); non-national (only in county councils) elected collegial executive committees headed by mayors	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	16 counties; non-nationally elected (only in the Sgjm) collegial executive committees headed by marshals + voivodes (appointed by the Prime Minister)
November 2014 p. (attendance – 47,40 %) / in 4 years	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	2 479 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 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	314 counties (excluding communes / cities with county rights); non-national (only in county councils) elected collegial executive committees headed by mayors	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	16 counties; non-nationally elected (only in the Sgjm) collegial executive committees headed by marshals + voivodes (appointed by the Prime Minister)
October - November 2018 p. (attendance – 54,90 %) / in 5 years	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 more than 20,000 people and with county rights	2 480 gminas (including gminas / cities with county rights); popularly elected sole executive bodies (lords, mayors, and city presidents); MSAM in single-member constituencies	380 counties (including gminas / cities with county rights); popularly elected county councils; 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	314 counties (excluding communes / cities with county rights); non-national (only in county councils) elected collegial executive committees headed by mayors	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	16 counties; non-nationally elected (only in the Sgjm) collegial executive committees headed by marshals + voivodes (appointed by the Prime Minister)

\* 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 even 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, *Burmistr*a 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 sejmiks*. 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, *burmistrz*s 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.

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## **Cross-Border Cooperation as a Mechanism of Europeanization of Ukraine**

The article analyzes the state of cross-border cooperation between Ukraine and EU Member States. The authors of the article deeply analyze the literature on cross-border cooperation as well as the typology of border regions in Europe. The article analyzes in depth the cross-border cooperation between Ukraine and the EU within the framework of the European Neighborhood Policy. The authors make a comparative analysis of two CBC programs for 2007-2013 and 2014-2020. They conclude that, unlike the program for 2007-2013, where the focus was on the economic development, in 2014-2020, the focus was on development of health care, cultural heritage, infrastructure projects and security.

*Keywords:* cross-border cooperation, European Neighborhood Policy, Europeanization, Ukraine, EU.

## **Współpraca transgraniczna jako mechanizm europeizacji Ukrainy**

Artykuł analizuje stan współpracy transgranicznej między Ukrainą a państwami członkowskimi UE. Autorzy artykułu dogłębnie analizują literaturę dotyczącą współpracy transgranicznej oraz typologię regionów przygranicznych w Europie. Artykuł zawiera dogłębną analizę współpracy transgranicznej między Ukrainą a UE w ramach Europejskiej Polityki Sąsiedztwa. Autorzy dokonują analizy porównawczej dwóch programów CBC na lata 2007-2013 i 2014-2020. Stwierdzają, że w przeciwieństwie do programu na lata 2007-2013, w którym skupiono się na rozwoju gospodarczym, w latach 2014-2020 skupiono się na rozwoju ochrony zdrowia, dziedzictwa kulturowego, projektach infrastrukturalnych i bezpieczeństwie.

*Słowa kluczowe:* współpraca transgraniczna, Europejska Polityka Sąsiedztwa, europeizacja, Ukraina,

## **Транскордонне співробітництво як механізм європеїзації України**

У статті проаналізовано стан транскордонного співробітництва між Україною та країнами-членами ЄС. Автори статті проводять детальний аналіз літератури з

проблематики транскордонного співробітництва, аналізують типологію прикордонних районів Європи. У статті проведений глибокий аналіз транскордонної співпраці між Україною та ЄС, яка відбувається в рамках Європейської політики сусідства. Автори статті проводять порівняльний аналіз двох шестирічних програм співпраці на 2007-2013 рр. та 2014-2020 рр. та доходять висновку, що на відміну від програми на 2007-2013 роках, де основний акцент було зроблено на економічному розвитку, у 2014-2020 роках акцент зроблено на розвиток на сфері охорони здоров'я, охорони культурної спадщини, інфраструктурні проекти та безпеку.

**Ключові слова:** транскордонне співробітництво, Європейська політики сусідства, європеїзація, Україна, ЄС.

Introduction. Cross-border cooperation is one of the forms of interregional cooperation (a more general phenomenon) and is considered a means for the ongoing regionalization. The increased borders permeability is reflected in the institutional and functional situation of the border regions, providing a unique site for cross-border regionalization. Ukraine-EU border region is one of the grounds where the potential for regionalization is implemented via spatial agreements ranging from large multinational agreements, such as the Black Sea region, to very small local regions near the border checkpoints. Such agreements facilitate transboundary cooperation.

Cross-border cooperation (CBC) is a key element of the European Union (EU) policies regarding its neighbors. CBC supports sustainable development along the EU external borders and helps diminish differences in standards of living while addressing common problems across these borders. Since the EU expansion in 2004 and 2007, various forms of bilateral cooperation have been introduced between the new member states of the EU and countries, which are united under the European Neighborhood Policy, in particular, Ukraine. They strive to maintain existing relations in the spheres of human contacts, cultural exchanges, trade and seasonal migration. Here, the role of CBC in the regional development is determined by its ability to mobilize and utilize the existing potential of the border regions and to combine the resources of the border regions of neighboring countries to solve common problems and to promote cross-border cooperation.

Research Background. The problems of cross-border cooperation were studied by many European scholars. Thus, A. van der Veen and D. J. Boot<sup>1</sup> investigated two aspects of cross-border cooperation between the EU internal regions and the border regions. Scientists claim the main motives of the EU for cooperation across its internal borders to result from the regional development and functional integration. Many border regions lag in development and hence cross-border cooperation is considered an important strategy of addressing their structural

<sup>1</sup> A. Van Der Veen, D.-J. Boot, *Competitive European peripheries*. Berlin, Heidelberg 1995, p. 75-94.

problems. In their CBC study, G. Nippenberg and J. Marcus<sup>2</sup> claimed that “territory is an essential element of modern states since it provides a crucial foundation for their functions. Functions of the borders are derived from the functions of the state”. J. Anderson<sup>3</sup> notes that “it is necessary to analyze the functions of the borders to understand the hindrances to cross-border cooperation; to learn how to create a network of trust and to achieve the democratic cooperation management”.

M. Buffon and V. Markelj<sup>4</sup> explores the introduction of local cross-border governmental institutions and analyzes the experience of cross-border cooperation in Central Europe using Slovenia model. He presents the advantages and interferences of established cross-border cooperation. The author notes that the main challenge of today’s European reality is an attempt to provide a solid foundation for social, economic and political integration under conditions of cultural diversity, subsidiarity and multilevel governance. I. Blatter<sup>5</sup> conducted even a broader analysis. They investigated cross-border cooperation in Europe through the prism of historical development, institutionalization and differences while compared with North America. The idea of Europe as (re)integrated macro-region could not be implemented without a direct social and economic development of all its regions and areas. This creates a rather new context for border areas and regions since they are both peripheral within individual state systems and central within the EU integration programs. While exploring the multidimensionality of integration between the EU border regions, F. Durand and A. Decoville<sup>6</sup> (2019) define similarities and differences observed between different European regions in the context of the intensity of cross-border cooperation as a cross-border functional dimension of integration. The representative dimension lies in the level of mutual social trust among the border groups. The third dimension envisages inviting the parties concerned to the cross-border cooperation projects (institutional dimension).

Among the Ukrainian scientists, O. Zarichna<sup>7</sup> (2018) analyzes the experience of the international community regarding the implementation of the cross-border cooperation system and explores the legal and methodological framework of cross-border cooperation as the direction of the European integration processes in Ukraine. A. Kuzmin and I. Kravchenko<sup>8</sup> analyzed cross-border cooperation of enterprises and suggested to define the following levels of cross-border cooperation: meta-level – European; macro-level – national; meso-level-regional

<sup>2</sup> H. Knippenberg, J. Markusse, *Nationalising and denationalising European border regions, 1800–2000: views from geography and history*. Dordrecht: Kluwer 1999, p.1–19.

<sup>3</sup> J. Anderson, *Why study borders now?*, “Regional and Federal Studies”, 2002, No 12, Pp. 1–12.

<sup>4</sup> M. Bufon, V. Markelj, *Regional Policies and Cross-Border Cooperation: New Challenges and New Development Models in Central Europe*, “Revista Română de Geografie Politică”, 2010, no. 1, Pp. 18–28.

<sup>5</sup> J. Blatter, C. Norris, *II Introduction to the Volume: Cross-Border cooperation in Europe: Historical development, institutionalization, and contrasts with North America*, “Journal of Borderlands Studies”, 2003, No. 15.1, Pp. 14–53.

<sup>6</sup> F. Durand, A. Decoville, *A multidimensional measurement of the integration between European border regions*, “Journal of European integration”, 2019.

<sup>7</sup> O. Zarichna, *New Forms of Cross-Border Cooperation*, “Management”, 2018, No. 2, Pp. 99–107.

<sup>8</sup> O. Kuzmin, I. Kravchenko, *Cross-border cooperation of enterprises: essence and significance*, “Econtechmod. An International Quarterly Journal”, 2014, Vol. 3. No. 2. Pp. 37.

and micro-level – local. N. Mikula believes that cross-border cooperation should be considered both a result of the regions' development and a tool for economic growth in border areas<sup>9</sup>.

However, theoretical and empirical studies on the features of cross-border cooperation between Ukraine and the EU, in particular, in the framework of the 2014-2020 cross-border cooperation programs, are still insufficiently described in the literature and require detailed research to determine their role in the border territories development.

Therefore, the purpose of this article is to study the peculiarities of the cross-border cooperation between Ukraine and the EU Member States and to identify specific economic problems of Ukraine in the context of cross-border cooperation.

The Background of the Cross Border Cooperation between Ukraine and the EU. While considering the typology of European border regions per the potential of their cross-border cooperation, M. Buffon<sup>10</sup> defines three groups: Western, Central and Eastern Europe. "Old" borders developed along with the historical regions of the area are typical for Western European group. In such an environment, relatively early forms of institutional cross-border cooperation emerged in the 1960s-70s. At the same period, the first border regions ("Euroregions") were formed.

The second typological group of border areas and regions is characteristic for Central Europe. In this area, historical regions often do not correspond to the actual spatial regionalization within the framework of individual States due to the numerous disengagement processes, especially after the two world wars. Consequently, these cross-border regions correspond to the previously existing historical regions rather than to administrative units. In addition, they do not get institutional support from local or state authorities that may resent cross-border cooperation because of the unresolved issues between neighboring States, caused by the separation processes. However, in addition to the "official" inter-state cooperation and openness, such types of border regions demonstrate extremely high potential for social (re)integration. It usually leads to the formation of functional cross-border systems, which can be defined as "regions within regions"<sup>11</sup>

The third and the last group is typical for Eastern Europe, merging old and new borders, which are traditionally less developed and sparsely populated. Such areas have their own weak socio-economic and demographic capabilities, as well as rather limited opportunities to create more intensive forms of cross-border cooperation and (re)integration. Such border regions are often merely nominal, and, therefore, can be defined as "regions under reconstruction".

Based on the above classification, we consider cross-border cooperation between Ukraine and the EU a combination of the second and third groups. After all, the Euroregions that

<sup>9</sup> N. Mikula, *Interterritorial and cross-border cooperation: Monograph*, Lviv, 2004, p. 22.

<sup>10</sup> M. Bufon, *Le regioni transfrontaliere nel processo di unificazione Europea*, In Bonavero, P. and Dansero, E. (Eds.) *L'Europa delle regioni e delle reti*, 126-142, UTET: Torino 1998, p. 126-127.

<sup>11</sup> M. Bufon, *Geography of border landscapes, borderlands and euroregions in the enlarged EU*, "Rivista Geografica Italiana", 2006, No. 113/1, p. 47-72.

currently cooperate with the EU (“Carpathian” and “Buh” regions in particular) are characterized by a joint state border with close industrial, socio-economic and ethnocultural connections, overpassing national borders and a common historical past. On the other hand, their ability to create more intensive forms of cross-border cooperation is comparatively limited.

In Europe of the late twentieth century, social and cultural communication had become increasingly difficult, resulting in new forms of social organization, both within different countries and between national systems. Most interstate and international activities do not hinge on the change or adaptation of the borders to the developing geopolitical situation (as it used to be in the period of nationalism and early modernism) but primarily to their weakening and elimination<sup>12</sup>. Thus, in the modern socio-political and economic conditions, cross-border cooperation has become one of the most effective ways to address common developmental challenges and deepen mutually beneficial contacts between populations of the neighboring countries<sup>13</sup>.

Cross-border cooperation program (CBC) between Ukraine and the EU has existed for 15 years. It aims to support developmental processes in the border territory of Belarus, Poland, Romania, Hungary and Ukraine while financing various projects. All projects funded under CBC are non-profit and contribute to improving the quality of life in these territories. The projects funded within the Program demonstrate a substantial cross-border effect due to the institutional partnership of the countries and primarily due to their operations’ results and the projects’ positive impact on the border territories<sup>14</sup>.

In the process of facilitating cross-border cooperation in Ukraine, which began in 1993 with the accession of Ukraine to the “European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities” and the introduction of Law of Ukraine “On cross-border cooperation” dated June 24, 2004. The country was revitalized when the EU introduced the Eastern partnership initiative in 2009. Law of Ukraine “On cross-border cooperation” is peculiar as it defines tasks and principles of state policy, rights and duties of the CBC subjects, principles and forms of state support, financial resources for cross-border cooperation, while considering the geopolitical changes caused by the EU expansion to the East in 2004<sup>15</sup>.

After signing of the Association Agreement in 2014, Ukraine began a new stage of cooperation with the European Union. This has particularly influenced the Ukrainian legislation on cross-border cooperation and effected the implementation of cross-border

<sup>12</sup> M. Bufon, V. Markelj, *Regional Policies and Cross-Border Cooperation: New Challenges and New Development Models in Central Europe*, “Revista Română de Geografie Politică”, 2010, no. 1, Pp. 18.

<sup>13</sup> N. Kukharska, *Cross-border cooperation as a form of Ukraine’s economic development on the regional level*. In *Management of modern socio-economic systems Collective monograph* [edited by J. Žukovskis, K. Shaposhnykov], Kaunas, Lithuania: Izdevniecība “Baltija Publishing”, 2017, Vol. 1, Pp., P. 264.

<sup>14</sup> Cross-border Cooperation Programme Poland-Belarus-Ukraine 2014-2020, URL <https://www.pbu2020.eu/ua/projects2020> [odczyt: 22.01.2021].

<sup>15</sup> Н.О. Кухарська, Транскордонне співробітництво як форма розвитку економічних відносин України на регіональному рівні. In *Management of modern socio-economic systems: Collective monograph* [edited by J. Žukovskis, K. Shaposhnykov], Kaunas, Lithuania: Izdevniecība “Baltija Publishing” 2017, Vol. 1, P. 270.

cooperation programs. An integrated approach to economic, environmental, cultural, historical and social relations is crucial in the context of interregional cooperation of Ukraine and EU countries.

The Association Agreement between Ukraine and the EU provides a wide range of possibilities for the modernization of regional policy and cross-border cooperation. In particular, on August 6, 2014, State Strategy of Regional Development for the period until 2020 was adopted. It lists cross-border cooperation among the primary tasks within two strategic purposes. Agreement on financing Sector Policy Support Program concluded and ratified in November 2014 – Support to Ukraine's Regional Policy is the main tool of the EU support to the implementation of the State Strategy of Regional Development. It presents the opportunity to bring 55 million euro from the European Union funds for implementing the State's regional policy goals<sup>16</sup>. On February 5, 2015, the Verkhovna Rada of Ukraine adopted Law "On Principles of State Regional Policy"<sup>17</sup>. It stipulates:

- development and execution of interrelated tasks and measures of socio-economic development in the medium (three to five years) and long term (over five years) periods.
- introduction of several implementing principles of state regional policy, including the coordination principle – interrelation and coherence of long-term strategies, plans and developmental programs at national, regional and local levels;
- system of interlinked documents to determine state regional policy;
- Latitude of Central Executive authority that provides the formation of the state regional policy and the authority that ensures its implementation;
- coordination of actions of executive authorities and local self-government bodies on the formation and implementation of state regional policy.

There is also the State Program for the development of cross-border cooperation for the 2016-2020 period. It entails providing state financial support to the implementation of certain activities and CBC projects for developing the infrastructure of border regions of Ukraine and environmental protection.

Before 2007, projects in Poland and Hungary were financed by the European Regional Development Fund, while Belarus, Moldova and Ukraine were financed by TACIS (22 million euro allocated to Ukraine), which considerably complicated the financing mechanism. Since 2007, CBC programs have been implemented within the framework of the European Neighborhood and Partnership Instrument (ENPI). Moreover, the funding of the EU Program for the 2007-2013 period has increased up to 351 million euro. It is important to note that the total project cost cannot be fully financed by the EU funds. Grant funds cannot

<sup>16</sup> Eurointegration portal (2020), *Cross-border and Regional Cooperation*, URL <https://eu-ua.org/ycvointehratsiia/transkordonne-ta-rehionalne-spivrobitnytstvo> [odczyt: 21.01.2021] [in Ukr.].

<sup>17</sup> Verkhovna Rada of Ukraine Law on Principles of State Regional Policy, No. 156-VIII, 2015, URL: <https://zakon.rada.gov.ua/laws/show/156-19#Text> [in Ukr.].

exceed 90% of the total project cost. The difference (10% of co-financing) must be backed either by the applicant, partners or with any other funds except for those of the European Union Budget or the European Development Fund. Co-financing must constitute at least 10% of the total project cost<sup>18</sup>. Therefore, financial support of cross-border cooperation should be considered as a mechanism of producing a significant socio-economic effect on the border region while using a relatively modest share of personal funds that in turn attract external financial resources<sup>19</sup>.

The Poland-Belarus-Ukraine project was the largest among CBC projects of Ukraine in 2007-2013 (see table 1). It had achieved positive changes in social infrastructure, healthcare, education, tourism, protection of cultural heritage, security and border-crossings' infrastructure and services<sup>20</sup>.

**Table 1.** Target costs on the CBC projects with the participation of Ukraine in 2007-2013

	Security		Environment		Social development		Economic development	
	Mln Euro	% to total	Mln Euro	% to total	Mln Euro	% to total	Mln Euro	% to total
RO-UA-MD	5%	5%	5%	5%	5%	5%	48,8	14%
PL-BY-UA	9%	9%	9%	9%	9%	9%	67	19%
HU-SK-RO-UA	3%	3%	3%	3%	3%	3%	13,2	4%

Source: Ex-post Evaluation of 2007-2013 ENPI CBC Programmes. Final report, European Commission, Brussels 2015, P. 20.

During the 2007-2013 program period, Ukraine remained a lead partner in 17% of the projects and acted as a partner country in 77% of the projects. At the same time, organizations from Poland (within the "Poland-Ukraine-Belarus" CBC Program) were lead partners in 76% of the projects, and from Romania (in "Romania-Ukraine- Moldova" CBC Program) – in 61% of the projects. For instance, among 617 applications (73%) submitted for the leading position in the project, Poland won 89 applications, while Ukraine won only 20 out of 183 (22%). It is worth mentioning that Poland and Romania (in "Romania-Ukraine-Moldova" CBC Program) participated in 100% of the projects<sup>21</sup>. Somewhat different was the situation with the CBC program "Hungary-Slovakia-Romania-Ukraine", where organizations from Ukraine acted as lead partners in the biggest number of projects (42 out of 138).

It must be noted that the majority of participants were local organizations and regional authorities (32.8% for the lead partners and 35,6% for partners), private institutions (35.8% and 39.7% respectively) and public authorities (26% and 21.5%,

<sup>18</sup> The Hungary-Slovakia-Romania-Ukraine ENI CBC Programme 2014-2020, Financed Projects Database, URL <https://huskroua-cbc.eu/projects/financed-projects-database> [odczyt: 24.01.2021]

<sup>19</sup> V.S. Kravtsiv (ed.) The Development of cross-border cooperation: scientific and analytical review, Lviv, 2017, p. 6. [in Ukr.]

<sup>20</sup> European Commission, *Ex-post Evaluation of 2007-2013 ENPI CBC Programmes. Final report*, Brussels 2015, P. 20.

<sup>21</sup> European Commission, *Ex-post Evaluation of 2007-2013 ENPI CBC Programmes. Final report*, Brussels 2015, p. 386.



respectively)<sup>22</sup>. It is also worth noticing that there were no private companies or businesses among the applicants.

Current state of the cross-border cooperation between Ukraine and the EU. The CBC programs 2014-2020, which have been implemented within the European Neighborhood Instrument (ENI), support sustainable development across the EU external borders, help to equate the standards of living and to solve common problems via borders. Total funding for Ukraine amounts 350 million euro. It is necessary to highlight that the funding program has changed. In particular, the financing of the Poland-Belarus-Ukraine CBC program has decreased (from 185 to 175 million euro) while the financing of the Hungary-Slovakia-Romania-Ukraine program, on the contrary, has increased (from 65 to 81 million euro). 60 million euro were allocated to the separate program Romania-Ukraine<sup>23</sup>.

Depending on the needs of each region, current CBC programs have defined thematic objectives (TO) and priorities that are somewhat different from the 2007-2013 programming period. Thus, the Poland-Belarus-Ukraine program defined four thematic objectives: heritage, accessibility, security and borders. Within the framework of the Hungary-Slovakia-Romania-Ukraine program, there are other thematic objectives, namely culture and heritage, environmental protection, sustainable and climate-proof transport, security and safety. The CBC program Romania-Ukraine provides for the implementation of projects within the following thematic objectives: education, research and innovation, culture and heritage, infrastructure and security.

In terms of its budget, Poland-Belarus-Ukraine program is the largest CBC program on the EU borders. The program allocated 175,7 million euro<sup>24</sup> to the projects aimed at protecting and promoting the border areas' cultural and natural heritage, transport infrastructure of the regions, improving the infrastructure and operation of border crossing points, as well as the development of health services and public safety<sup>25</sup>. The overall goal of the program is to support processes of cross-border development in the border regions of Poland, Belarus and Ukraine.

Within the 1st and 2nd qualifying stages<sup>26</sup> Ukraine was involved in 34 projects that cover 50.4% of the entire program funding (88.6 million euro) (see Fig. 1). This includes both regular and large infrastructure projects (over 5 million euro) of the CBC program Poland-Belarus-Ukraine. Out of these, 30 projects are implemented jointly by Ukraine and

<sup>22</sup> European Commission, *Ex-post Evaluation of 2007-2013 ENPI CBC Programmes. Final report*, Vol. III, Brussels 2015, p. 110, 226, 403

<sup>23</sup> European Commission, *Ex-post Evaluation of 2007-2013 ENPI CBC Programmes. Final report*, Vol. III, Brussels 2015, p. 196/

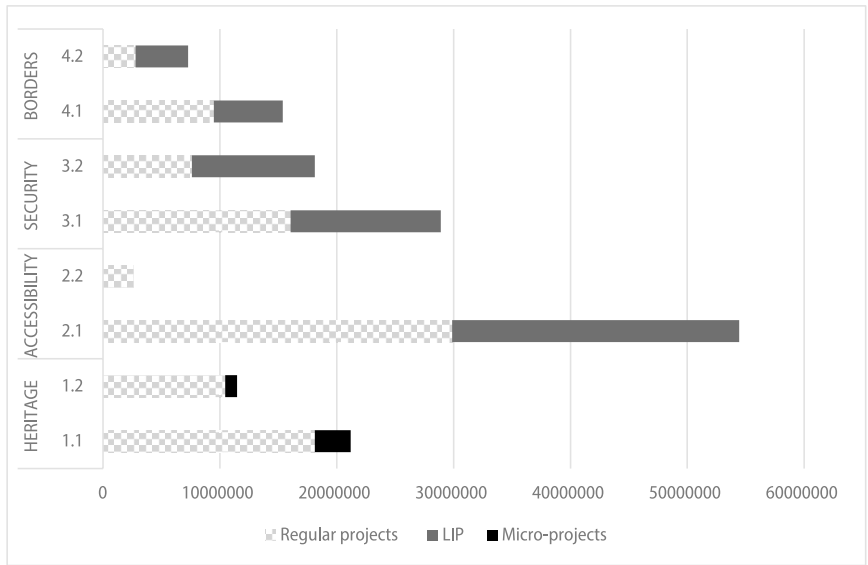
<sup>24</sup> Programming of the European Neighbourhood Instrument (ENI) - 2014-2020, *Programming document for EU support to ENI Cross-Border Cooperation (2014-2020)*, URL [http://ec.europa.eu/archives/docs/enp/pdf/financing-the-enp/cbc\\_2014-2020\\_programming\\_document\\_en.pdf](http://ec.europa.eu/archives/docs/enp/pdf/financing-the-enp/cbc_2014-2020_programming_document_en.pdf) [odczyt: 22.01.2021].

<sup>25</sup> Cross-border Cooperation Programme Poland-Belarus-Ukraine 2014-2020, URL <https://www.pbu2020.eu/ua/projects2020> [odczyt: 22.01.2021].

<sup>26</sup> These are large infrastructure projects (10 projects) and regular projects (64 projects). The third selection phase covers 67 micro-projects still lasting up to 12 months.

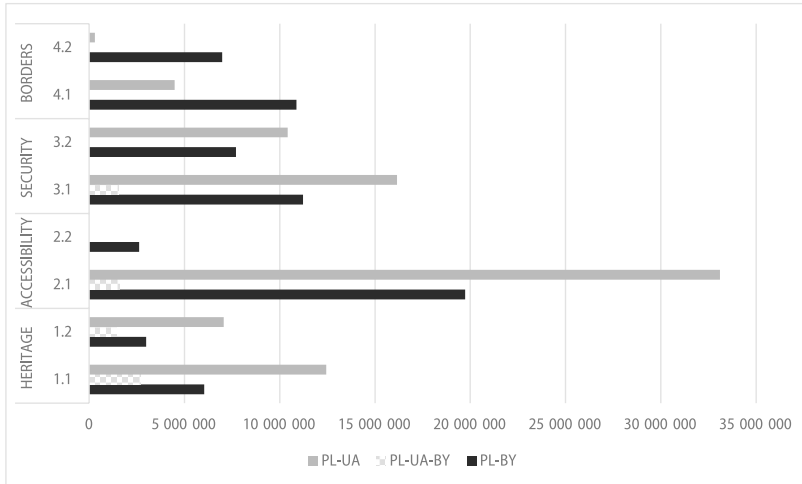
Poland, and four by Ukraine, Poland and Belarus. It should be noted that Polish companies or authorities are the main beneficiaries in most projects (for instance, Ukraine is the main beneficiary in four out of the 26 regular projects). In large infrastructure projects, Ukraine acts as the main beneficiary in three out of six projects. However, it should be noted that compared to the 2007-2013 program period, the number of regular projects decreased (from 108 projects in 2007-2013 to 64 projects in 2014-2020). On the other hand, in the program period 2014-2020, 67 micro-projects are being implemented, which was not the case in the previous program period.

**Fig. 1.** Distribution of funding by types of projects in Poland-Belarus-Ukraine CBC program in 2014-2020, in euros



Source: compiled by the authors based on data of Cross-border Cooperation Programme Poland-Belarus-Ukraine 2014-2020, URL <https://www.pbu2020.eu>[odczyt: 22.01.2021].

Among the projects of the 1st and the 2nd qualifying stages involving Ukraine, the largest share (48.5%) is allocated to the thematic objective Accessibility (priority 2.1. Development of the information and communication technologies (ICT) infrastructure) (see Fig. 2). Suggested enterprises under priority 2.1 include joint initiatives to develop and improve the quality of the existing ICT infrastructure; joint projects for feasibility studies concerning the creation of broadband access networks; the creation of broadband networks; joint initiatives in creating digital resources and data exchange; joint initiatives to ensure interoperability of ICT infrastructure. Within this priority, three major infrastructure projects were financed with the participation of Volyn and Lviv regional state administrations (with the Polish side as the main beneficiary).

**Fig. 2.** Costs of the projects of Poland-Belarus-Ukraine CBC Program 2014-2020, in thousand euro

Source: compiled by the authors based on data of Cross-border Cooperation Programme Poland-Belarus-Ukraine 2014-2020, URL [https://www.pbu2020.eu\[odczyt: 22.01.2021\]](https://www.pbu2020.eu[odczyt: 22.01.2021]).

In terms of funding, the second-largest thematic objective is safety. The project with participants from the Ukrainian side get nearly 30% of the funding. This objective has two priorities: priority 3.1 Support to the development of health protection and social services, and 3.2 Addressing common security challenges. The two largest projects of the priority 3.1 are “The project for reducing the risk of tuberculosis epidemic in the border regions of Ukraine and Poland” (Health Department of the Regional State Administration of Transcarpathian Region is the main beneficiary of the project) and “The project for the environmental improvement of the Natural Park “Lakes of Shatsk” (with Shatsk Regional State Administration as the main beneficiary). The large infrastructure project “For establishing the system of dynamic response to information of crimes or other events in Lviv” is the largest project within the priority 3.2 (with Lviv Regional Board of Administration of the National Police as the main beneficiary). It should be noted that in the 2014-2020 program period, there are six major projects, whereas, in 2007-2013, there were four. Thus, we can conclude that continuation of the cooperation between border regions of Poland and Ukraine has a positive effect.

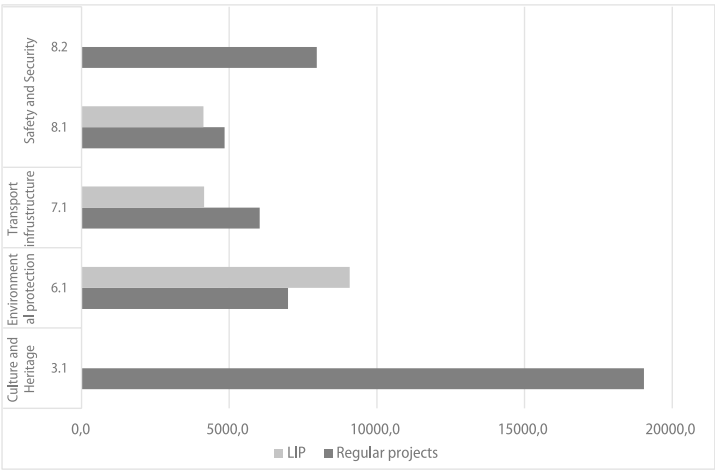
The rest of the financing (21.5%) covers the TO Heritage and TO Borders. It is also worth noting that the funds for Belarusian projects are distributed more equally. In particular, in Polish-Belarusian projects, 25% is allocated to financing TO Borders (Priority 4.1 Promoting border efficiency and security, and Priority 4.2 Improving borders management, customs and visa procedures).

The second-largest budget of the funding program within the ENP is the Hungary-Slovakia-Romania-Ukraine CBC program, which received 81 million euro from the European

Neighborhood Instrument<sup>27</sup> and the European Regional Development Fund. The main goal of the program is to strengthen cooperation in the context of sustainable development of the environment, economy and social sphere between Transcarpathian, Ivano-Frankivsk and Chernivtsi regions of Ukraine and adjacent areas of Hungary, Romania and Slovakia. The first stage of this CBC program was opened specifically for Large Infrastructure Projects where the budget share of at least 2.5 million euro (as for the beginning of March there are three LIPs on the stage of implementation). The second stage of the program envisages the implementation of 30 projects with Ukraine involved (projects end in 2021 or 2022) and the total EU funding is 22 million euro)<sup>28</sup>. The qualification for the third stage was completed in February 2020 (the funding amounts to 17.3 million euro).

In contrast to the previous Ukraine-Poland-Belarus CBC program, funding of the projects of Hungary-Slovakia-Romania-Ukraine CBC program is much smaller (from 250,000 euro for regular projects to 3,732 million euro for LIP). However, the Ukrainian side acts more often as the main beneficiary of the projects (9 out of 30 projects). It concerns the implementation of projects for security, culture and historical heritage, environment and transport. Most projects implemented per priority 3.1 (Promoting local culture and historical heritage along with tourism functions) and priority 8.2 (Support to the development of health) (see Fig. 3).

**Fig. 3.** Target costs for projects in the framework of Hungary-Slovakia-Romania-Ukraine CBC Program 2014-2020, in thousand euro



Source: compiled by the authors based on data of Hungary-Slovakia-Romania-Ukraine ENI CBC Programme 2014-2020, Financed Projects Database, URL <https://huskroua-cbc.eu/projects/financed-projects-database> [odczyt: 24.01.2021]

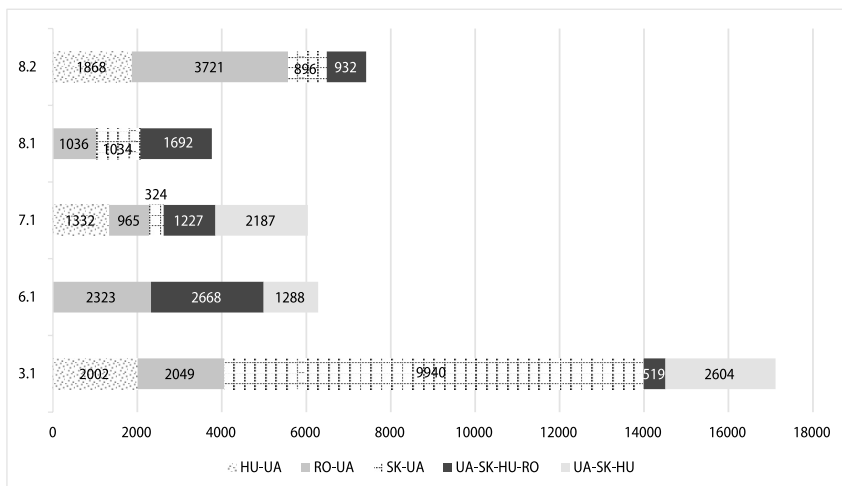
<sup>27</sup> Programming of the European Neighbourhood Instrument (ENI) - 2014-2020, *Programming document for EU support to ENI Cross-Border Cooperation (2014-2020)*, URL [http://ceas.europa.eu/archives/docs/enp/pdf/financing-the-enp/cbc\\_2014-2020\\_programming\\_document\\_en.pdf](http://ceas.europa.eu/archives/docs/enp/pdf/financing-the-enp/cbc_2014-2020_programming_document_en.pdf) [odczyt: 22.01.2021].

<sup>28</sup> The Hungary-Slovakia-Romania-Ukraine ENI CBC Programme 2014-2020, *Financed Projects Database*, URL <https://huskroua-cbc.eu/projects/financed-projects-database> [odczyt: 24.01.2021]

At the same time, large infrastructure projects are implemented in three priorities such as: 6.1 (Sustainable use of the environment in the cross border area - preservation of natural resources, actions to reduce GHG emission and pollution of rivers), 7.1 (Development of transport infrastructure to improve the mobility of persons and goods), and 8.1 (Support to joint activities for the prevention of natural and man-made disasters as well as joint action during emergency situations). Ukraine is lead partner in two of them: “Strengthening of cross-border safety by joint measures aimed at flood and inland water prevention in the interfluvies of Tisza-Tur rivers” (pr. 8.1) and “Roads to Healthy Forests: Resilient, Adaptive, Diverse and Sustainable Forests in Cross-border Region of Ukraine and Slovakia” (pr. 6.1). In comparison, in the previous programming period 2007-2013, major LIPs were implemented within only one priority - Priority 3: Increase border efficiency.

Most regular projects in terms of funding are implemented jointly by Ukraine and Slovakia (8 projects worth 12.1 million euro) (Fig. 4). Among them, participants from Ukraine are the main beneficiaries in three projects, in particular in one large infrastructure project. Ukrainian-Romanian projects (12 projects worth 10.1 million euro) are on the second place, while Ukrainian-Hungarian projects (6 projects worth 5.2 million euro) are on the third. It is also worth noting that under the Hungary-Slovakia-Romania-Ukraine CBC program, a quarter of regular projects are implemented jointly by representatives of all participating countries (10 projects worth 7 million euro). Generally, Ukraine acts as the main beneficiary in 15 projects, including 2 infrastructure projects.

**Fig. 4.** Target costs for regular projects by participants within the Hungary-Slovakia-Romania-Ukraine CBC program in 2014–2020, in thousands euro

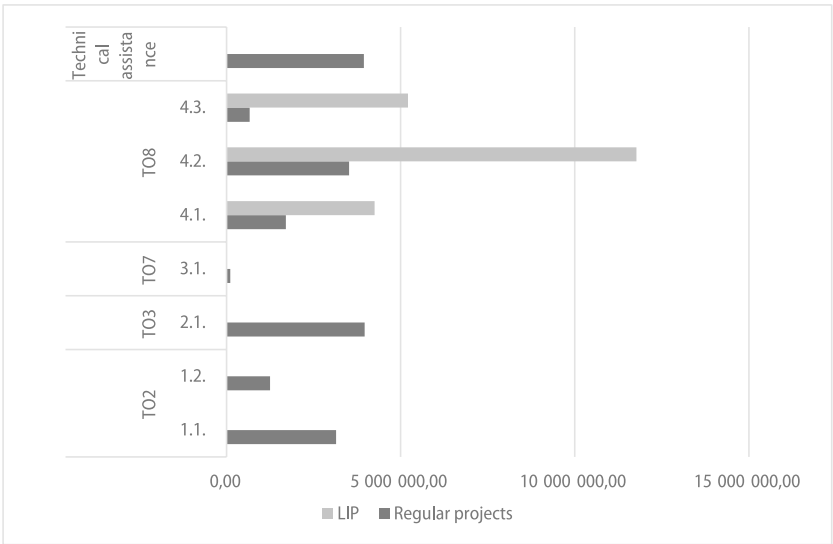


Source: compiled by the authors based on data of Hungary-Slovakia-Romania-Ukraine ENI CBC Programme 2014–2020, Financed Projects Database, URL <https://huskroua-cbc.eu/projects/financed-projects-database> [odczyt: 25.01.2021].

Ukraine-Romania CBC program takes the third place per funding and the number of projects. It received 60 million euro for the 2014-2020 period<sup>29</sup>. The main goal of the program is to boost economic development and improve quality of life through joint investments in education, economic development, culture, infrastructure, health and safety of the citizens of the two countries.

Within the framework of the program, almost 4 million euro were allocated to three projects for technical assistance. These projects aim to support the functioning of the CBC program Romania-Ukraine and include facilitating preparation, management, monitoring, evaluation, informing, resolving complaints, monitoring and audit activities related to the program implementation. In addition, Ukraine-Romania CBC program has four major infrastructure projects for safety, health and environmental protection (at a total of 21.2 million EUR or 28%) (fig. 5). During the 2007-2013 program period, there were five major projects (at a total of 13.2 million euro).

**Fig. 5.** Target costs for projects in the framework Romania-Ukraine CBC Program 2014-2020, in thousand euro



Source: compiled by the authors based on data of Romania-Ukraine ENI CBC Programme 2014-2020 (2020), URL <http://ro-ua.net/en/> [odczyt: 25.01.2021].

At the same time within Ukraine-Romania CBC program, as of July 2020, 40 regular projects are under implementation (EU funding ranges from 98,000 euro to 946,300 euro). The projects are performed in the following thematic goals: TO 2. Support to education, research, technological development & innovation (11% of total funding), TO 3. Promotion of local culture and preservation of historical heritage (10%), TO 7. Improvement of accessibility to

<sup>29</sup> Romania-Ukraine ENI CBC Programme 2014-2020 (2020), URL <http://ro-ua.net/en/> [odczyt: 25.01.2021].

the regions, development of transport and common networks and systems (0,3%), and TO 8. Common challenges in the field of safety and security (15%). The biggest financing got the projects in the TO Security (Priority 4.2 – Support to joint activities for the prevention of natural and man-made disasters as well as joint actions during emergency situations). For example, nearly 500,000 euro have been allocated to a project aimed at preventing natural and man made disasters; 491,000 euro were granted to the project aimed at creation of an emergency warning system in the delta of Danube. However, the lead partner of these projects is situated in Romania.

Within the framework of TO 8. Common challenges in the field of safety and security, four large infrastructure projects in three priorities are being implemented – 4.1. Support to the development of health services and access to health; 4.2. Support to joint activities for the prevention of natural and man-made disasters as well as joint action during emergency situations; 4.3. Prevention and fight against organized crime and police cooperation.

The Joint Operational Program Black Sea Basin 2014-2020 is the smallest CBC program in terms of funding (the program includes eight countries: Bulgaria, Armenia, Georgia, Greece, Moldova, Romania, Turkey and Ukraine)<sup>30</sup>. The EU funding for this program amounts to 49 million EUR. The program includes two thematic objectives. The first “Supporting business and entrepreneurship” includes two priorities: 1.1. Joint support for business and entrepreneurship in tourism and culture and 1.2. Increasing cross-border trade opportunities and modernization of agriculture and allied sectors.

Thematic objective 2 “Supporting coordination in the sphere of environmental protection and joint action to reduce marine pollution in the Black Sea basin” includes the following priorities:

- strengthening joint monitoring of the environment;
- promoting joint actions to raise awareness and reduce river and sea pollution. The total sum for those priorities is about 10 million EUR or 24% of the total funding.

There are 23 projects within the Black Sea Basin Program, with Ukraine participating in 12 of them (10.4 million euro or 22% of total funding). Most projects are carried out within TO 1 – “Supporting business and entrepreneurship” (four projects for 1.1 and 1.2 each). However, in all projects, Ukraine acts as a partner country, not the main beneficiary.

Therefore, after analyzing all existing CBC programs with Ukraine involved, we can conclude that unlike the previous programs of 2007-2013 that were aimed at economic development (in particular, at supporting the development of small and medium enterprises), the 2014-2020 programs focus on the health sector development, cultural heritage protection, infrastructure projects and security (except for several projects that support SMEs under the Black

<sup>30</sup> Black Sea Basin ENI CBC Programme 2014-2020 (2020), URL <https://blacksea-cbc.net/black-sea-basin-2014-2020/jop/> [odczyt: 27.01.2021].

Sea Basin Program). Just like in the previous program period, Poland and Romania are the main beneficiaries of the projects (the only exception is the Hungary-Slovakia-Romania-Ukraine CBC program, where Ukraine acts as the main beneficiary in one third of the currently implemented projects). However, given that the ENP CBC program for the 2014-2020 period is still in the implementation, we cannot conduct a full comparative analysis (in particular, to compare two program periods per number of implemented projects).

Article 447 of the Association Agreement<sup>31</sup> confirms this necessity while stating that “parties have to support and strengthen the involvement of local and regional authorities of cross-border and regional cooperation and appropriate governance structures to achieve the following goals: 1) to increase cooperation via creating a favorable legislative framework; 2) to support and facilitate development; 3) to strengthen cross-border and regional economic relations and business partnership”.

However, significant differences in the level and pace of economic development of Ukraine and EU countries, as well as fiscal and customs barriers act as a serious socio-economic barrier to the development of cross-border partnerships. The state policy of Ukraine regarding the development of cross-border cooperation should promote the transfer of most managerial powers on cross-border cooperation to the local level of self-government bodies. Nowadays it must become a priority.

Another obstacle in researching CBC is the lack of statistical information on CBC, for it makes it impossible to conduct an in-depth analysis of the impact on the border regions' development.

**Conclusions.** As a new phenomenon for the countries of the former socialist system, cross-border cooperation faces several fundamental challenges. The problem lies not in the interaction but in the particular need to combine strategic policies of the bordering States with the interests and peculiarities of the border regions. Therefore, the greatest complications occur due to the lack of the required normative-legal base, when the administrative-territorial units cooperate without indications of the international law subjects.

Ukraine is being Europeanized through cross-border cooperation. In particular, through the adaptation of EU legislation in the Public Finance sphere per the EU regulations. The implementation of the EU standards to the domestic law and practice mean greater decentralization of this process. Undoubtedly, the development of two-sided cooperation between Ukraine and the EU within cross-border and regional cooperation will boost economic activity in border regions and create a favorable business climate for the development of existing businesses and establishing new businesses in support of such regions.

However, basing on the conducted analysis, we can conclude that there are significant disparities in CBC between Ukraine and the EU, especially in the case of the

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<sup>31</sup> Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, “Official Journal of the European Union”, L 161.



Poland-Belarus-Ukraine program, where Poland is the main beneficiary of 70% of the projects. In addition, the EU is the sole decision-making authority in project selection. Thus, Ukraine, just like other member states of the European neighborhood policy, cannot be an active participant in the CBC programs.

During the 2014-2020 programming period, the emphasis was on the development of infrastructure and cultural projects, which had a relatively indirect impact on the economic development of the border regions. Such a situation could have been altered by the budget allocation to co-financing projects supported by the European Commission. In addition, researchers have repeatedly emphasized the need to concentrate the efforts of local authorities and local self-government, the academic and business environment on the practical implementation of investment, science, technology and innovation projects within cross-border cooperation. The introduction of national cross-border statistics compilation and processing per Eurostat recommendations should be one of the priority measures of Ukraine, as it would allow a more detailed and objective assessment of the effectiveness of cross-border cooperation between Ukraine and the EU.

The analysis of spatial projects of border specialization, determining the cause and effect relationships between the specifics of the socio-economic development of the region and the level of border specialization, identifying factors that affect the intensity of border specialization are promising areas of research.

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## CONDITIONALITY, ESSENCE AND PARAMETERS OF THE RESEARCH OF INFORMAL POLITICAL INSTITUTIONS

The article is devoted to considering the problems of conditionality, essence and parameters of the research of informal political institutions. It is stated that informal political institutions are quite important in structuring the political process and cover many issues that are not in the field of the operationalization by formal political institutions. The author argued that informal political institutions are characterized by different causes of conditionality, different sources of institutional change, different mechanisms of changes and modification (in the framework of formation and functioning) and variable rates of change. As a result, it is proved that various causes of conditionality, evolution and development, as well as the causes and mechanisms of formation of informal political institutions, determine the heterogeneity of the latter, and therefore they can be structured.

**Keywords:** *institution, political institution, formal political institution, informal political institution, political systems, political actors.*

W artykule omówiono problematykę uwarunkowań, istoty i parametrów badań formalnych instytucji politycznych. Stwierdzono, że nieformalne instytucje polityczne są ważne w strukturyzacji procesu politycznego i obejmują wiele zagadnień, które nie mieszczą się w zakresie operacjonalizacji formalnych instytucji politycznych. Argumentuje się, że nieformalne instytucje polityczne charakteryzują się różnymi przyczynami predestynacji, różnymi źródłami zmian instytucjonalnych, różnymi mechanizmami modyfikacji (w ramach tworzenia i funkcjonowania) oraz zmiennymi tempami zmian. W rezultacie udowodniono, że różne przyczyny uwarunkowań, ewolucji i rozwoju, a także przyczyny i mechanizmy tworzenia nieformalnych instytucji politycznych, z góry determinują heterogeniczność tych ostatnich, a zatem nieformalne instytucje polityczne mogą podlegać strukturyzacji.

**Słowa kluczowe:** *instytucje, instytucje polityczne, formalne instytucje polityczne, nieformalne instytucje polityczne, systemy polityczne, aktorzy polityczni.*

## ЗУМОВЛЕНІСТЬ, СУТНІСТЬ ТА ПАРАМЕТРИ ДОСЛІДЖЕННЯ НЕФОРМАЛЬНИХ ПОЛІТИЧНИХ ІНСТИТУТІВ

У статті розглянуто проблематику зумовленості, сутності та параметрів дослідження неформальних політичних інститутів. Констатовано, що неформальні політичні інститути є доволі важливими у структуруванні політичного процесу і охоплюють чимало питань, які не є в полі операціоналізації формальних політичних інститутів. Аргументовано, що неформальні політичні інститути характеризуються різними причинами зумовленості, різними джерелами інституційних змін, різними механізмами модифікацій (у рамках становлення і функціонування) та варіативними темпами змін. У підсумку доведено, що різні причини зумовленості, еволюції та розвитку, а також причини і механізми формування неформальних політичних інститутів, зумовлюють гетерогенність останніх, а тому неформальні політичні інститути можуть бути піддані структуризації.

*Ключові слова:* інститут, політичний інститут, формальний політичний інститут, неформальний політичний інститут, політична систем, політичні актори.

Modern political science, especially comparative political science, is methodologically mostly neo-institutional. This means that it operates traditional political or other research institutions, predominantly formal and legally regulated. However, political practice shows that focusing exclusively on formal political and other institutions is insufficient, as it cannot identify and cover the entire dynamics of politics and the political process. The fact is that the real political process is inevitable, and regardless of the type of political regime – democratic or autocratic – is composed of both formal and informal interactions, many of which are institutionalized and appear political institutions. That is why the coverage of political science with exclusively formal political and other institutions is insufficient and does not guarantee an exhaustive assessment of certain phenomena and processes. All this inevitably actualizes the expediency of posing research problems of informal political institutions, including their essence, conditionality and parameters of research in political science.

This research focus is far from new in political science, as the issues of informal political institutions have been considered at different times by both representatives of neo-institutionalism and critics of this methodological direction, in particular criticizing the ubiquity of institutions as such. Accordingly, it is possible to single out such researchers who at least partially appealed to the essence and phenomenon of informal political institutions, as C.

Boussard<sup>1</sup>, D. Brinks<sup>2</sup>, R. Calvert<sup>3</sup>, F. Freidenberg and S. Levitsky<sup>4</sup>, G. Helmke and S. Levitsky<sup>5</sup>, J. Knight<sup>6</sup>, H.-J. Lauth<sup>7</sup>, C. Mereshon<sup>8</sup>, D. North<sup>9</sup>, S. Pejovich<sup>10</sup>, D. Porta and A. Vannucci<sup>11</sup> and some others.

At the same time, however, it should be noted that informal political institutions have almost never been a central component of analytical attention for these or most of these researchers, even though they occur in virtually all types and cases of political systems in all regions of the world. Accordingly, the proposed study is aimed at scientific understanding and theorizing of the phenomenon of informal political institutions, in particular their essence, the causes of the features of research in modern political science.

Appealing to the scientific achievements of the above and other researchers, and mainly neo-institutionalists, it can be confirmed that the latest political science really cannot be imagined without institutional analysis or without analysis of political institutions and inter-institutional relations. Nevertheless, the consideration and comparison of informal political and other institutions in political science has always occupied and even still occupies an openly peripheral position. The main explanation for this state of affairs is due to the position of neo-institutional scientists that "the motives and expectations of actors are determined first or even purely by formal rules"<sup>12</sup>. However, as it is evidenced mainly by the practice of the political process, the analysis of purely formal institutions, including political, leads to a number of problems and deprives the research environment of deep and multidimensional comparative analysis, which is appropriate to explain complex facts and political phenomena. Accordingly, even though, at first glance, the formation and functioning of informal political institutions may seem largely secondary, the study of these components of the political system is still necessary for a holistic apprehension of the activities of political actors. After all, informal political institutions, usually on a par with formal ones, have a direct or indirect influence on the behavior of various political actors, and in certain periods of time may even dominate formal political institutions and be leading in structuring the political process. D. Porta considers Italy to be a vivid example of this

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<sup>11</sup> Porta D., Vannucci A., Corrupt exchanges: Actors, resources, and mechanisms of political corruption, Wyd. Aldine de Gruyter 1999.

<sup>12</sup> Helmke G., Levitsky S., Informal Institutions and Comparative Politics, "Perspectives on Politics" 2004, vol. 2, nr. 4, s. 725

in the period after World War II, in which the norms of corruption (as an informal political institution) were “more serious than state laws: the latter could be violated with impunity, while those who dared to challenge the conditions of the illegal market punishment, in one form or another”<sup>13</sup>. A similar situation exists today in a number of countries, especially with hybrid political regimes, in which corruption has already become institutionalized, even though they are formally trying to “eradicate” it with relevant legislation.

At the same time, the study of the formation and functioning of informal institutions is also necessary for the analysis of the consequences of inter-institutional relations. After all, informal rules and regulations can certainly affect formal institutions. On the one hand, informal norms help to regulate the relationship between the legislative and executive branches of government, which is not always possible to do exclusively with formally institutionalized constitutional actions and instruments. For example, various neo-patrimonial norms that allow unlimited or almost unlimited presidential control over other state institutions in various countries, traditionally lead to an increase in the concentration of power of the executive branch, which goes far beyond the presidential powers defined by the constitutions<sup>14</sup>. Instead, on the other hand, informal political institutions may have some deterrent effect, including limiting the power of the president or parliament. A striking example is the various republics in which presidents, despite their declarative powers, have in fact sooner or later do not use up completely their constitutional prerogatives through the existence of informal political institutions that encourage consultation and distribution of presidential powers<sup>15</sup>. Similarly, informal rules determine and adjust the consequences of the functioning of formal political institutions in such areas as the electoral process<sup>16</sup>, the legislature and politics<sup>17</sup>, the judiciary<sup>18</sup>, the establishment and operation of political parties<sup>19</sup>, party financing and election campaigns<sup>20</sup>, change of political regimes<sup>21</sup>, federalism<sup>22</sup>, and state and constitutional engineering<sup>23</sup>, etc.

Nevertheless, despite the practical palette of the importance of informal political institutions, the question of the origin and functioning of informal political institutions is currently

<sup>13</sup> Porta D., Vannucci A., *Corrupt exchanges: Actors, resources, and mechanisms of political corruption*, Wyd. Aldine de Gruyter 1999, s. 10.

<sup>14</sup> O'Donnell G., *Delegative democracy*, “*Journal of Democracy*” 1994, vol. 5, nr. 1, s. 57.

<sup>15</sup> O'Donnell G., *Delegative democracy*, “*Journal of Democracy*” 1994, vol. 5, nr. 1, s. 59.

<sup>16</sup> Merston C., *Expectations and informal rules in coalition formation*, “*Comparative Political Studies*” 1994, vol. 27, nr. 1, s. 43.

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<sup>21</sup> Way L., *The dilemmas of reform in weak states: The case of post-Soviet fiscal decentralization*, “*Politics and Society*” 2002, vol. 30, s. 580.

<sup>22</sup> Hamilton-Hart N., *The Singapore state revisited*, “*Pacific Review*” 2000, vol. 13, nr. 2, s. 199.

<sup>23</sup> Grzymala-Busse A., Pauline L., *Reconceptualizing the state: Lessons from postcommunism*, “*Politics and Society*” 2002, vol. 30, nr. 4, s. 537.

largely unexplored, at least in political science. That is why under the timing and comparative analysis of such widespread informal institutions as clientelism and patrimonialism, their emergence is increasingly explained by historical tribute or, conversely, considered as part of cultural design and landscape, without focusing on the root causes of these informal institutions<sup>24</sup>.

That is why the transformations and adaptations of informal political institutions often remain unexplored and highly descriptive. Moreover, even those studies that are available today often fall into the common trap of early functionalist descriptions of informal institutions. After all, in this case, the emergence and functioning of informal institutions, including political ones, are explained mostly in terms of the goal set for researchers (for example, improving their functioning or the functioning of the political system as a whole), but without defining the mechanisms by which they were created. that is why they still exist<sup>25</sup>.

Accordingly, in answering the question of “why and how informal institutions arose”, we will first focus on why, in the presence of formal rules and mechanisms, different political actors still create and use informal rules, which often overshadow formal political institutions. Accordingly, we can specify three main explanatory motives, which are defined by different researchers. First, political actors create and develop informal rules and regulations due to the inadequacy of the provision, regulation and functioning of formal institutions<sup>26</sup>. After all, formal rules and regulations generate general parameters of the environment, but do not take into account all possible configurations. Accordingly, political actors operating in, for example, bureaucratic institutions and agencies are simply forced to create new rules and procedures to simplify and optimize their activities, which are not typically enshrined in formal rules and regulations<sup>27</sup>. Second, informal institutions, including political ones, can be used as a “reserve” strategy for the behavior of political actors, especially if the latter prefer formal institutional decisions and norms, but may not always be able to use them in practice and effectively enough. In some cases, political actors simply lack the power to change established formal rules, a clear example of which was once the Soviet Union, in which workers and leaders used profitable connections, in part because they could not reform or abandon state institutions altogether<sup>28</sup>.

Detailed definitions of this motivation for the behavior of political actors belong to K. Merzhon, who explains that political actors create informal political institutions when they consider this process less resource-intensive than the creation of similar formal political institutions<sup>29</sup>. For example, the researcher continues, the leaders of the “Christian Democrats” in postwar Italy, in particular to prevent communists and neo-fascists from coming to power, once decided that it would be easier to develop a kind of informal “formula” that would politically exclude these parties from possible ruling

<sup>24</sup> Helmke G., Levitsky S., *Informal Institutions and Comparative Politics*, “Perspectives on Politics” 2004, vol. 2, nr. 4, s. 730.

<sup>25</sup> Shepsle K., Weingast B., *Structure induced equilibrium and legislative choice*, “Public Choice” 1981, vol. 37, nr. 3, s. 505.

<sup>26</sup> Johnson J., *Opening questions*, [w:] *Informal Institutions and Politics in the Developing World*, Wyd. Weatherhead Center for International Affairs 2002.

<sup>27</sup> Weingast B., Marshall W., *The industrial organization of Congress; or, Why legislatures, like firms, are not organized as markets?*, “Journal of Political Economy” 1988, vol. 96, nr. 1, s. 136.

<sup>28</sup> Helmke G., Levitsky S., *Informal Institutions and Comparative Politics*, “Perspectives on Politics” 2004, vol. 2, nr. 4, s. 731.

<sup>29</sup> Merzhon C., *Expectations and informal rules in coalition formation*, “Comparative Political Studies” 1994, vol. 27, nr. 1, s. 48.

/ government or even the legislative coalition, rather than lobbying in parliament for a special law on a possible change in the electoral system to increase the influence and power of large and mainstream political parties<sup>30</sup>. Similarly, the creation of informal political institutions can be a fallback option when formal political institutions exist exclusively nominally and are completely or relatively ineffective in political practice. For example, in the case of informal substitute political institutions, political actors create them not because they oppose formal rules, but because formal rules and procedures for their creation and influence have no authority<sup>31</sup>. Finally, and thirdly, the motive for creating informal political institutions may be the efforts of political actors to achieve goals and objectives that are not considered acceptable by civil society. Due to their relative invisibility, informal political institutions allow political actors to act in the same way. There are various tools of influence and pressure – from unpopular to illegal. However, even in situations where corruption, patrimonialism and vote buying are prevalent, the norms of universalism, which have a greater advantage and support among the population, prevent the legalization of such informal rules and procedures<sup>32</sup>. Similarly, the case of conditionality of informal, including political, institutions in the format of so-called “norms of indulgence”<sup>33</sup> is relatively common. In particular, prostitution, soft drugs and euthanasia are formally banned in some countries, but no one is fighting them. A similar mechanism can be used to explain informal procedures that allow extrajudicial executions in some countries around the world<sup>34</sup>.

However, the apprehension of the reasons for the emergence and functioning of informal political institutions does not give us a complete picture of the process of their creation. The fact is that incorrect and incomplete rules and regulations do not explain the main thing, in particular, how the need for additional rules and regulations still leads to their emergence or why informal rather than formal rules and norms of political or political-legal practice are adopted. Accordingly, if informal political institutions are a fallback strategy, why can those political actors who lack the resources to change formal norms and rules still set informal political rules?<sup>35</sup> To answer these questions, we will consider in more detail the mechanisms for creating informal political institutions.

We insist that the design and implementation of informal political institutions is strikingly different from a similar process in the analysis of formal political or political-legal rules. The fact is that if formal political institutions are implemented exclusively on a clear and defined official / regulated vertical (because the decision taken by the parliament or the executive is still implemented by public authorities) and control over the implementation of such rules is exercised by public authorities (in particular, the police and the courts), then, in contrast, in informal political institutions their rules and norms are disseminated and implemented not always or not quite publicly, and sometimes even

<sup>30</sup> Mershon C., Expectations and informal rules in coalition formation, “Comparative Political Studies” 1994, vol. 27, nr. 1, s. 50.

<sup>31</sup> Helmke G., Levitsky S., Informal Institutions and Comparative Politics, “Perspectives on Politics” 2004, vol. 2, nr. 4, s. 730.

<sup>32</sup> Mershon C., Expectations and informal rules in coalition formation, “Comparative Political Studies” 1994, vol. 27, nr. 1, s. 50.

<sup>33</sup> Van Oenen G., Citizenship and “informal rule of law”. How lax enforcement can sustain the rule of law, Presented at Annual Meeting of Latin American Studies Association, 2001.

<sup>34</sup> Brinks D., Informal institutions and the rule of law: The judicial response to state killings in Buenos Aires and São Paulo in the 1990s, “Comparative Politics” 2003, vol. 36, nr. 1, s. 12.

<sup>35</sup> Helmke G., Levitsky S., Informal Institutions and Comparative Politics, “Perspectives on Politics” 2004, vol. 2, nr. 4, s. 731.



informally. In addition, for the phenomenon of informal political institutions, the nominal (public) refusal of political actors to declare their participation is just as common. The difficulty of identifying the emergence of new informal political institutions and understanding the mechanisms of their formation and possible institutionalization follows from all of these things. It is on the basis of such a marked fundamental difference in the mechanisms of origin and functioning of these rules that it is first necessary to investigate and identify the political actors, coalitions and interests behind their (political institutions) origin<sup>36</sup>. Thus, when analyzing informal political institutions, attention should be paid to their internal component, which may include coercive confrontations, instead of perceiving informal political institutions solely as those based on collaboration and cooperation<sup>37</sup>.

At the same time, as G. Helmke points out, the process of emergence of informal political institutions can have several dimensions. Sometimes, as in formal political institutions, there is a clear mechanism of hierarchy "from the top to the bottom." Thus, informal rules and their consolidation in society can be implemented primarily by the political elite. However, in addition, they may arise as a result of strategic interaction of political actors at the level of the same political elites. However, in contrast, informal political institutions such as political corruption and bribery also emerge in a decentralized environment with a large number of political actors<sup>38</sup>.

Similarly, the possibility that one or another informal political institution was or is being created as a result of a specific historical process and as a result of the need to react to new realities and thus the search for compromise cannot be ruled out. Bright cases of such "historical coincidence" can be various informal systems of social relations within the framework of formally-institutionalized political and legal norms. Therefore, even if some informal political and other institutions eventually begin to perform functions that have a positive impact on society, this is not always directly related to the reasons for their emergence. Finally, as to how informal rules are accustomed to, implemented and, consequently, how information is disseminated, this process is also related to the conditions in which informal political institutions emerge. In some cases, the dissemination of information about informal political institutions is the coverage of the results of political actors. For example, those post-war Italian prime ministers who violated an informal rule that allowed parties to appoint specific people to government remained in office for a relatively short time. Therefore, their successors, in particular from the mid-1950s, no longer violated these norms and "the rule of decision-making through negotiations between the leaders of parties and factions was finally established"<sup>39</sup>. This is complemented by the fact that the procedure for familiarizing with informal political rules is also carried out through social ties and parties. So, sometimes informal norms are spread through communication in the field of cooperation between universities, public authorities and private corporations, which is typical for the countries of Northern Europe. Parties, in turn, can also be a source of disseminating information

<sup>36</sup> Knight J., *Institutions and social conflict*, Wyd. Cambridge University Press 1995.

<sup>37</sup> Cook K., *Whom Can We Trust?: How Groups, Networks, and Institutions Make Trust Possible*, Wyd. Russell Sage 2009, s. 137.

<sup>38</sup> Helmke G., Levitsky S., *Informal Institutions and Comparative Politics*, "Perspectives on Politics" 2004, vol. 2, nr. 4, s. 731.

<sup>39</sup> Merelson C., *Expectations and informal rules in coalition formation*, "Comparative Political Studies" 1994, vol. 27, nr. 1, s. 67

and bringing it to the public<sup>40</sup>. Thus, as demonstrated above, it is political and surrounding political actors and conditions that have the primary influence on the creation, development and implementation of informal rules and norms that can become informal political institutions in a given country.

It is important to add here that one of the main characteristics that define most informal political and other institutions is their resistance to change and great adaptive potential for “survival” and stability<sup>41</sup>. Of course, changes and dynamics in the work and delineation of informal political institutions are present, but their pace is slow, and instead is characterized by gradualness.

Therefore, according to the researchers, due to the fact that informal rules do not have a center that would coordinate their work, changes in the activities and perceptions of informal political institutions is an “extremely long” process<sup>42</sup>. However, this is not decisive for all types of informal political or political-legal rules, as some of them may change sufficiently or relatively rapidly<sup>43</sup>. If to talk about the impulses to change informal political institutions, they also have several sources. First of all, direct changes in formal political institutions are an important source of modifications. However, given the above-mentioned resistance of informal political institutions, the role of changes in formal rules should not be overestimated, as many informal institutions, including political corruption, have not disappeared even after a large number of administrative changes and reforms. The role of change in the formal component is rather better seen as a catalyst for change for informal political institutions. Therefore, changes in formal institutions should be considered primarily in two dimensions both as changes in the structure and changes in the effectiveness of formal institutions.

As a result of changes in the structure of formal political institutions, the configuration of the influence of certain political actors of informal political institutions, who manipulate and use the imperfection of formal norms, is also changing. Thus, all this forces political institutions to adapt to new conditions. For example, in the case of complementary informal political institutions, a change in formal rules may eliminate the functional necessity of informal political or political-legal norms that complemented these formal rules, what inevitably leads either to the abandonment of these informal political institutions or to their transformation. According to D. North, an example is the “Bill on the Rights of Subcommittees” in the US House of Representatives, which was adopted in 1974 and led to drastic changes in the structure of formal rules, as a result of which the informal structures of parliamentary committees were destroyed<sup>44</sup>. If to talk about a change in the strength or effectiveness of formal political institutions, then in the case of these changes, modifications occur primarily for those political actors who use informal political or political-legal norms that compete with or replace the old

<sup>40</sup> Porta D., Vannucci A., *Corrupt exchanges: Actors, resources, and mechanisms of political corruption*, Wyd. Aldine de Gruyter 1999, s. 92.

<sup>41</sup> North D., *Institutions, institutional change, and economic performance*, Wyd. Cambridge University Press 1990.

<sup>42</sup> H.-J., *Informal institutions and democracy*, “Democratization” 2000, vol. 7, nr. 1, s. 21–50.

<sup>43</sup> Mackie G., *Ending footbinding and infibulation: A convention account*, “American Sociological Review” 1996, vol. 61, s. 999–1017.

<sup>44</sup> North D., *Institutions, institutional change, and economic performance*, Wyd. Cambridge University Press 1990, s. 80.

formal political norms. For example, as D. Porta points out, the strengthening of the judiciary as a result of the "Clean Hands" campaign once weakened corruption networks in Italy, while the introduction of civil rights legislation by the US federal government shook the position of the so-called "Jim Crow laws" in the southern states of this country<sup>45</sup>.

This is complemented by the fact that changes in the effectiveness of formal political institutions also affect the change in the authority of formal political and political and legal rules and norms. After all, under the conditions of effective formal norms, political actors are increasingly abandoning similar informal political norms, which again lead either to the adaptation or to the disappearance of such informal political institutions. For example, according to T. Eisenstadt, the increase in the authority of elected courts in Mexico during the 1990s significantly weakened the desire of opposition leaders to work through so-called informal "concentraciones"<sup>46</sup>.

However, it is not only formal rules and norms that affect informal political institutions. After all, according to those researchers who consider formal political institutions primarily a product of culture, informal political institutional changes depend on the evolution of social values<sup>47</sup>. But as the system of social or socio-political values changes very slowly and gradually, the corresponding informal institutional changes in policy are also slow. This approach helps to explain the "erosion" of family mechanisms and inter-institutional relations based on family ties, particularly in Europe<sup>48</sup>. Informal political institutions can also change depending on the change in the status quo, which ensures their existence against the background of inter-institutional relations and within the political system. The evolution of the external environment and its elements can change both the configuration of the distribution of power and the available resources within a particular society and political system, including strengthening those political actors who want to change the status quo and weakening those who do not have time or does not want to adapt to political or socio-political changes. For example, in some Western European countries, after a long period of declining class and religious identity, including nationally oriented ones, the power of new political parties has significantly increased, criticizing the "old" consociation rules of the game and forcing "old" political parties to abandon or at least to start giving them up. In addition, the growing share of the middle class, which has the right to vote, at one time began to destroy the foundation of clientelism, reducing the dependence of the electorate on the distribution of material goods by the state.

In such cases, modifications in informal political institutions are slow, and therefore the reorientation of political actors appears relatively gradual.

<sup>45</sup> Porta D., Vannucci A., *Corrupt exchanges: Actors, resources, and mechanisms of political corruption*, Wyd. Aldine de Gruyter 1999.

<sup>46</sup> Eisenstadt T., *Trust but verify: How Mexico's opposition force electoral dispute resolution from bargaining tables to courtrooms and lived to tell about it*, [w:] *Informal Institutions and Politics in the Developing World*, Wyd. Weatherhead Center for International Affairs 2002.

<sup>47</sup> Pejovich S., *The effects of the interaction of formal and informal institutions on social stability and economic development*, "Journal of Markets and Morality" 1999, vol. 2, nr. 2, s. 167.

<sup>48</sup> Pejovich S., *The effects of the interaction of formal and informal institutions on social stability and economic development*, "Journal of Markets and Morality" 1999, vol. 2, nr. 2, s. 169.

However, in the political environment, there are still informal political institutions that are changing quite rapidly. Even so rapidly that it is necessary or expedient to use comparative analysis using the “swing” model to explain such changes. The basic principle of this model is that if a large enough number of political actors is convinced that there is a new and better institutional alternative and that there is communication between them, the transition from one institutional norm to another will take place rapidly enough<sup>49</sup>.

In general, summarizing all the possible and listed causes of conditionality, evolution and development, as well as the causes and mechanisms of informal political institutions, we can state that they are quite heterogeneous and therefore can be structured (although this is not the subject of our study). On the one hand, informal political institutions can be characterized by various sources of institutional change, including changes in formal institutions, changes in informal institutions, cultural evolution, changes in the distribution of power and resources, as well as changes and renewal of views and coordination of power and interinstitutional relations. On the other hand, the mechanisms of modifications in the framework of the formation and functioning of informal political institutions, among which it is expedient to single out changes in the structure of formal institutions, changes in the effectiveness of formal institutions, changes in social values, changes in the configuration of forces and influence among actors, as well as the “swing” model. Finally, all this means that the very pace of change of informal political institutions is variable, because the themes of change can be relatively fast, very slow, as well as both fast and slow. All this means that some informal political institutions are more sensitive to changes in the structure of formal rules and norms, while some are less dependent on changes in the effectiveness of formal institutions and so on<sup>50</sup>.

And it is in this context to understand the essence of informal political institutions, , in particular, in the framework of their possible changes and taking into account the parameters of formation and development, it is necessary to define the theoretical-methodological and definitive boundary between formal and informal, which will be useful for qualitative analysis of political institutions in general and their variety as informal political institutions. This is important primarily because the idea and category of “informal” and therefore informal political institutions has never been and still is not at the center of political science research, including neo-institutional scientists, and therefore today, as before, there are many attempts and approaches to understanding this phenomenon, although they still remain unconsolidated. The main reason that there are many manifestations of informality in politics is that informal political institutions include such phenomena and facts as clientelism, political corruption, mafia, industrial-oligarchic groups, financial-industrial groups, cultural traditions, various political and political and legal norms – from legislative to bureaucratic, – as well as even the phenomenon of civil society. Accordingly, on the one hand, the understanding of informal political institutions is both negative and positive. On the other hand, the definition of informal political institutions should be meaningful at the same time, including as many informal rules as possible, but specific enough not to

<sup>49</sup> Mackie G., Ending footbinding and infibulation: A convention account, “*American Sociological Review*” 1996, vol. 61, s. 999–1017.

<sup>50</sup> Helmke G., Levitsky S., Informal Institutions and Comparative Politics, “*Perspectives on Politics*” 2004, vol. 2, nr. 4, s. 733.

confuse informal norms with non-institutional informal phenomena that do not deserve to be defined by political institutions<sup>51</sup>.

The complexity of the situation is complemented by the variability of approaches to the definition of informal political institutions or their separation from formal political institutions. One approach simply emphasizes that institutions are "rules and procedures (formal and informal) that structure social interaction, creating space for actors and defining its boundaries"<sup>52</sup>. In a slightly different approach, researchers identify informal institutions and cultural traditions<sup>53</sup>. Still other researchers classify all institutions of state power and state-established rules and norms as formal political institutions, while everything within civil society is classified as informal (but not necessarily political) institutions<sup>54</sup>. Finally, one of the approaches states that informal are rules and norms that are set by themselves, and formal are those that are imposed "from outside"<sup>55</sup>. However, against this background, a more consolidated and qualitative definition has recently been proposed, according to which informal institutions are "accepted by society, usually unwritten, rules that are created, become known and implanted through informal channels of communication." In contrast, formal institutions are "rules and procedures that are created, made known, and enforced through channels that are generally recognized as official"<sup>56</sup>.

By the same logic, formal institutions include, first of all, state institutions and norms and rules established by the state, as well as certain organizational rules, i.e. official rules followed by corporations, industrial and financial groups, political parties, and so on<sup>57</sup>. And everything else, in turn, is a manifestation and example of informal institutions, including political ones. But there is a certain feature here too, because not everything that is not a formal institution automatically appears as an informal institution. Thus, it is not expedient to consider political behavior (even repetitive), very weak formal institutions (including abuse of power, which may be a manifestation of non-institutional behavior<sup>58</sup>), informal practices and patterns of politics and political behavior<sup>59</sup>, informal organizations<sup>60</sup> etc.

Thus, today the main problem for modern researchers is the search for the optimal algorithm for identifying and distinguishing informal political institutions and understanding their conditionality. This is complicated by the fact that the problem of researching the informal dimension of the political process and political environment has led to a situation

<sup>51</sup> Helmke G., Levitsky S., *Informal Institutions and Comparative Politics*, "Perspectives on Politics" 2004, vol. 2, nr. 4, s. 728.

<sup>52</sup> North D., *Institutions, institutional change, and economic performance*, Wyd. Cambridge University Press 1990.

<sup>53</sup> Pejovich S., The effects of the interaction of formal and informal institutions on social stability and economic development, "Journal of Markets and Morality" 1999, vol. 2, nr. 2, s. 166.

<sup>54</sup> Boussard C., *Democratic consolidation: The role of informal institutions. Illustrations from Central America*, Presented at 22nd International Congress of the Latin American Studies Association, 2000.

<sup>55</sup> Calvert R., The rational choice theory of social institutions: Cooperation, coordination, and communication, [w:] Calvert R. (ed.), *Modern political economy: Old topics, new directions*, Wyd. Cambridge University Press 1995, s. 216–267.

<sup>56</sup> Helmke G., Levitsky S., *Informal Institutions and Comparative Politics*, "Perspectives on Politics" 2004, vol. 2, nr. 4, s. 730.

<sup>57</sup> Ellickson R., *Order without law: How neighbors settle disputes*, Wyd. Harvard University Press 1991, s. 31.

<sup>58</sup> O'Donnell G., *Delegative democracy*, "Journal of Democracy" 1994, vol. 5, nr. 1, s. 55–69.

<sup>59</sup> Brinks D., *Informal institutions and the rule of law: The judicial response to state killings in Buenos Aires and São Paulo in the 1990s*, "Comparative Politics" 2003, vol. 36, nr. 1, s. 1–19.

<sup>60</sup> North D., *Institutions, institutional change, and economic performance*, Wyd. Cambridge University Press 1990.

where “informal” and informal political institutions are seen as too complex with many hidden details, or when informal is perceived as always destructive and ineffective, and therefore should be optimized and formalized by formal institutions.

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## **FORMATION AND EFFECTS OF THE POLITICS OF MULTICULTURALISM'S DEVELOPMENT: HISTORIOGRAPHICAL CONTEXT ON THE EUROPEAN BACKGROUND**

The article observes the parameters of formation, evolution and effects of the development of the politics of multiculturalism in Europe in the historiographical context. The author found that the doctrine and politics of multiculturalism in Europe and its countries had gone through several stages of development. Initially (in the 50s and 60s of the XXI century) the discourse on minorities concerned «color», later (in the 60s and 80s of the XXI century) «race», far along (in the 90s of the XXI century) «ethnicity», and finally currently (since the beginning of the XXI century) «religion». That is why European multiculturalism has always been an extraordinary phenomenon, which is better described as a negotiating order with a certain room for maneuver and a dynamic interaction between group, state and person. Although historiographically there are at least three groups of researchers and practitioners, including those who believe that: a) multiculturalism has never existed; b) multiculturalism is currently «dead» or gradually is declining; c) multiculturalism is more flexible today than ever before.

*Keywords: minority, multiculturalism, identity, Europe.*

## **KSZTAŁCENIE I SKUTKI ROZWOJU POLITYKI WIELOKULTUROWOŚCI: KONTEKST HISTORYCZNY NA TLE EUROPEJSKIM**

Artykuł analizuje parametry kształtowania się, ewolucji i skutków polityki wielokulturowości w Europie w kontekście historiograficznym. Udowodniono, że filozofia i polityka wielokulturowości w Europie i jej poszczególnych krajach przeszły przez kilka etapów rozwoju. Początkowo (w latach 50. i 60. XX w.) dyskurs o mniejszościach dotyczył „koloru”, później (w latach 60. i 80. XX w.) „rasy”, dalej (w latach 90. XX w.) „etniczności”, a wreszcie, obecnie, (od początku XXI wieku) „religii”. Dlatego europejska wielokulturowość zawsze była zjawiskiem niezwykłym, które najlepiej można scharakteryzować jako wynegocjowany porządek z pewnym polem manewru i dynamiczną interakcją między grupą, państwem a osobą. Chociaż historiograficznie istnieją co najmniej trzy grupy badaczy i praktyków, w tym tacy, którzy uważają, że: a) wielokulturowość nigdy nie istniała; b) obecnie wielokulturowość jest „martwą” lub stopniowo zanika; c) wielokulturowość jest dziś bardziej elastyczna niż kiedykolwiek wcześniej.

*Słowa kluczowe: mniejszość, wielokulturowość, tożsamość, Europa.*



Temat i polityka wielokulturowości były centralne dla problemów politycznych wielu krajów europejskich (oraz innych krajów świata) od 1945 roku. Jednak wielokulturowość jako oficjalna polityka, zjawisko i kategoria badawcza obejmuje szereg różnych zagadnień i problemów, a zatem definicja tego, który z nich przeważa, zmienia się wraz z różnymi okolicznościami politycznymi/społeczno-politycznymi, które de-facto były podstawą separacji i pozostają warunkiem obecnego stanu, perspektyw i problemów wielokulturowości w Europie i na świecie<sup>1</sup>. Tak więc na początku polityka wielokulturowości skupiała się głównie na obawach związanych z imigracją i sposobami, w jakie imigranci osiedlali się w Europie w latach 50. i 80. XX wieku. Po upadku reżimów komunistycznych i „realnego socjalizmu” oraz częściowym odrodzeniu etnicznego nacjonalizmu, wielokulturowość koncentrowała się na przekazywaniu władzy z rządów centralnych/krajowych do grup regionalnych lub subnarodowych oraz na możliwości podziału władzy w centrum. Później, na początku XXI wieku i teraz, wielokulturowość musiała radzić sobie z rosnącą liczbą uchodźców politycznych i ubiegających się o azyl, zwłaszcza w Europie Zachodniej. Wreszcie, ostatnio, szczególnie w wyniku ataków terrorystycznych w Stanach Zjednoczonych i niektórych krajach europejskich, multikulturalizm jako teoria i praktyka polityczna uległa zwolnieniu i była krytykowana za obawy związane z niebezpieczeństwami stwarzanymi przez niezasymilowane grupy imigrantów. Dlatego filozofia i polityka wielokulturowości, przede wszystkim w Europie, a zwłaszcza w niektórych krajach europejskich, przeszły kilka etapów rozwoju, które należy wziąć pod uwagę, w tym stan obecny, perspektywy i problemy.

Zagadnienia te zostały przedstawione w pracach ogromnej liczby badaczy, wśród których za istotne uważam m.in. C. Anderson<sup>2</sup>, K. Banting i W. Kymlicka<sup>3</sup>, B. Barry<sup>4</sup>, P. Bevelander i R. Taras<sup>5</sup>, R. Day<sup>6</sup>, J. Eekelaar<sup>7</sup>, R. Grillo<sup>8</sup>, U. Hedetoft<sup>9</sup>, T. Modood i N. Meer<sup>10</sup>, B. Parekh<sup>11</sup>,

<sup>1</sup> Rex J., Singh G., Multiculturalism and Political Integration in Modern Nation-States – Thematic Introduction, *“International Journal on Multicultural Societies”* 2003, vol. 5, nr. 1, s. 3-19.

<sup>2</sup> Anderson C., *The adaptive qualities of Canadian multiculturalism*, Paper for presentation at the International Studies Association's Annual Convention “Power, Principles and Participation in the Global Information Age”, San Diego, 1-4 April 2012.

<sup>3</sup> Banting K., Kymlicka W., *Multiculturalism and the Welfare State: Recognition and Redistribution in Contemporary Democracies*, Wyd. Oxford University Press 2006.; Kymlicka W., *Multicultural Citizenship*, Wyd. Oxford University Press 1995.

<sup>4</sup> Barry B., *Culture and Equality: An Egalitarian Critique of Multiculturalism*, Wyd. Polity Press 1999.

<sup>5</sup> Bevelander P., Taras R., *The Twilight of Multiculturalism? Findings from across Europe*, [w:] Taras R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Wyd. Edinburgh University Press, s. 3-24.; Bevelander P., *Immigrant Employment Integration and Structural Change in Sweden, 1970-1995*, Wyd. Almqvist & Wiksell International 2000.

<sup>6</sup> Day R., *Multiculturalism and the History of Canadian Diversity*, Wyd. University of Toronto Press 2000.

<sup>7</sup> Eekelaar J., From Multiculturalism to Cultural Voluntarism: A Family-based Approach, *“The Political Quarterly”* 2010, vol. 81, nr. 3, s. 344-355.

<sup>8</sup> Grillo R., Contesting Diversity in Europe: Alternative Regimes and Moral Orders, *“MMG Working Paper”* 2010, nr. 10-02.; Grillo R., *Artistic Licence, Free Speech and Religious Sensibilities in a Multicultural Society*, [w:] Shah P. (ed.), *Law and Ethnic Plurality: Socio-Legal Perspectives*, Wyd. Brill/Martinus Nijhoff 2007, s. 107-125.; Grillo R., *Reflections on British Multiculturalism, 1967-2014*, Wyd. University of Sussex 2015.

<sup>9</sup> Hedetoft U., *Multiculturalism: Symptom, Cause or Solution?*, [w:] Taras R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Wyd. Edinburgh University Press, s. 319-333.

<sup>10</sup> Modood T., *Multiculturalism*, Wyd. Polity Press 2007.; Modood T., *Multicultural Politics: Racism, Ethnicity and Muslims in Britain*, Wyd. Edinburgh University Press 2005.; Triandafyllidou A., Modood T., Meer N., *European Multiculturalisms: Cultural, Religious and Ethnic Challenges*, Wyd. Edinburgh University Press 2012.

<sup>11</sup> Parekh B., *Rethinking Multiculturalism: Cultural Diversity and Political Theory*, Wyd. Harvard University Press 2000.

J. Rex<sup>12</sup>, C.-U. Schierup i A. Alund<sup>13</sup>, A. Shachar<sup>14</sup>, A. Silj<sup>15</sup>, S. Vertovec i S. Wessendorf<sup>16</sup>, M. Walzer i D. Miller<sup>17</sup>. Mimo to poszukiwany temat nie jest w pełni usystematyzowany, ponieważ badacze reprezentują tylko niektóre aspekty lub poglądy teorii i polityki wielokulturowości w Europie. Więc zadaniem naszego artykułu jest próba usystematyzowania zagadnień kształtowania się, ewolucji i skutków polityki wielokulturowości nie tylko w kontekście przeglądowym i proceduralnym, a również w kontekście historiograficznym na tle europejskim.

Odnosząc się do prac powyższych badaczy, a także do faktów z historii politycznej okresu po II wojnie światowej, można stwierdzić, że początkowo i do niedawna w popularnym dyskursie medialnym i politycznym było nie zbyt dużo terminów, które byłyby używane szerzej niż wielokulturowość. Właśnie dlatego wielokulturowość była tradycyjnie przedstawiana jako pozytywna cecha narodowych społeczności i miast, a politycy, teoretycy i praktycy często twierdzili, iż „żyjemy teraz w wielokulturowym społeczeństwie” i możemy „pochwalić się naszym kosmopolityzmem”<sup>18</sup>. Jednak ostatnio, zwłaszcza po konfliktach etnicznych, gdy stare społeczeństwa rozpadły się i doszło do tzw. czystek etnicznych (jak np. w byłej Jugosławii) lub po gwałtownych konfliktach etnicznych w różnych krajach i miastach (gdzie takie konflikty były niemal powszechne), wielokulturowość zaczęła być postrzegana w bardziej negatywnym świetle. Sytuacja w Wielkiej Brytanii, Holandii lub Szwecji nie jest wyjątkiem, kiedy zamieszki związane z gwałtownymi konfliktami między ludnością azjatycką a rdzenną ludnością tych państw zaczęły nabierać kształtu i manifestować się. Konflikty te zostały zdiagnozowane poprzez pryzmat konsekwencji i skutków. Dlatego na początku XXI wieku i obecnie imigranci oraz uchodźcy ekonomiczni i polityczni w wielu krajach Europy zaczęli być traktowani jako zagrożający jednoci społeczeństw tych państw. I to było szczególnie ważne w kontekście transformacji poglądu, że taka jedność jest obecnie postrzegana jako konieczny warunek ochrony przed wielokulturowością.

W tym kontekście należy stwierdzić, że pochodne etymologicznie wywodzące się od terminu „wielokulturowość” ukształtowały się w politologii i praktyce jako odmienne w znaczeniu, percepcji i skutkach, ponieważ samo pojęcie „wielokulturowości” jest tradycyjnie określane jako paradoksalne (zarówno pozytywne i negatywne), natomiast jego przymiotnik „wielokulturowy” jest typowo pozytywny. Główną przyczyną takiego stanu rzeczy jest to, że wielokulturowość od momentu jej wynalezienia i aprobaty oznaczała politykę, dyskurs i ideologię, ale

<sup>12</sup> Rex J., Review of Barry, Culture and Equality: An Egalitarian Critique of Multiculturalism, „*Innovation in Social Science*” 2001, vol. 14, nr. 3; Rex J., Singh G., Multiculturalism and Political Integration in Modern Nation-States – Thematic Introduction, „*International Journal on Multicultural Societies*” 2003, vol. 5, nr. 1, s. 3-19; Rex J., Tomlinson S., *Colonial Immigrants in a British City: A Class Analysis*, Wyd. Routledge and Kegan Paul 1979.

<sup>13</sup> Schierup C.-U., Alund A., *Paradoxes of Multiculturalism*, Wyd. Avebury 1990.

<sup>14</sup> Shachar A., *Multicultural Jurisdictions: Cultural Differences and Women's Rights*, Wyd. Cambridge University Press 2001.

<sup>15</sup> Silj A., *European Multiculturalism Revisited*, Wyd. Zed Books 2010.

<sup>16</sup> Vertovec S., Wessendorf S., *The Multiculturalism Backlash: European Discourses, Policies and Practices*, Wyd. Routledge 2010.

<sup>17</sup> Walzer M., Miller D., *Pluralism, Justice and Democracy*, Wyd. Oxford University Press 1995.

<sup>18</sup> Rex J., Singh G., Multiculturalism and Political Integration in Modern Nation-States – Thematic Introduction, „*International Journal on Multicultural Societies*” 2003, vol. 5, nr. 1, s. 3-19.

zawsze ukierunkowane na różnorodność rzeczywistości społecznej i politycznej pod względem kulturowym. Z drugiej strony, zjawisko i praktyka wielokulturowości zawsze były i pozostają zorganizowane w oparciu na określony cel normatywny, który definiuje, kontroluje i zarządza rozwojem różnorodności w określonym kierunku.

Innaczej mówiąc, przymiotnik „wielokulturowy” opisuje społeczeństwo, które składa się z ludzi z różnych grup kulturowych i etnicznych, podczas gdy rzeczownik „wielokulturowość” jest często zjawiskiem administracyjnym i regulacyjnym, ponieważ ma za zadanie oznaczać albo państwo, które jest zaangażowane do społecznego modelu wielokulturowości jako pożądane, albo państwo z „nieprzyjemnymi” i nagannymi motywami<sup>19</sup>. Na przykład imperia zazwyczaj opierają się na ideach i praktykach reżimów różnorodności i politycznych modelach zarządzania jednostkami ekspansywnymi geograficznie. W związku z tym nawet niektóre państwa postimperialne we „wczesnej europejskiej nowoczesności” (tj. po Pokoju Westfalskim w 1648 r.) były w tym sensie w pewnym sensie „wielokulturowe”, „skomponowane” lub „heterogeniczne”, jak np. przypadek Danii, Włoch, Niemiec, Francji i Wielkiej Brytanii. I to mimo tego, że od samego początku państwowości politycznej Europa charakteryzowała się państwem narodowym, które wyrosło z politycznego ideału spójności między kulturą, terytorium, etnicznością i polityką, między państwem a narodem, a także między obywatelstwem, tożsamością, językiem i przynależnością<sup>20</sup>.

Więc państwo narodowe w Europie od dawna opiera się na jednorodności kulturowej i pewnego rodzaju monokulturowości, mimo że rzeczywistość, tak jak poprzednio, często charakteryzuje się różnorodnością kulturową, napięciami między większością a mniejszościami, hierarchią językową, dysproporcjami regionalnymi i konfliktami religijnymi. itp. Nie jest więc zaskakujące, że reakcja na politykę wielokulturowości, zwłaszcza po II wojnie światowej, była i pozostaje sceptyczną i często wrogą, mimo że idee i praktyki wielokulturowości są stosunkowo jakościowo i „logicznie” integrowane w nowe globalne procesy i konteksty, w ramach których są postrzegane całkiem właściwie. To z kolei jest powodem postulowania, że mimo paradoksu pojęciowego i ideologicznego, wielokulturowość z drugiej połowy XX wieku wywarła istotny wpływ na państwa europejskie, ich praktyki polityczne, debaty naukowe, integracyjne i społeczne w Europie i na świecie<sup>21</sup>.

Należy więc argumentować, że najpierw teoretycznie, a później praktycznie wielokulturowość weszła na arenę teorii i praktyki politycznej większości krajów europejskich i stała się przedmiotem zainteresowań naukowych i dyskursu politycznego<sup>22</sup>. Główną tego przyczyną jest fakt, iż przez pewien okres (obecnie dominujący) wielokulturowość oparta na postrzeganiu

<sup>19</sup> Hedetoft U., *Multiculturalism: Symptom, Cause or Solution?*, [w:] Taras R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Wyd. Edinburgh University Press, s. 319-333.

<sup>20</sup> Gellner E., *Nations and Nationalism*, Wyd. Cornell University Press 1983.

<sup>21</sup> Parekh B., *Rethinking Multiculturalism: Cultural Diversity and Political Theory*, Wyd. Harvard University Press 2000.; Vertovec S., Wessendorf S., *The Multiculturalism Backlash: European Discourses, Policies and Practices*, Wyd. Routledge 2010.

<sup>22</sup> Hedetoft U., *Multiculturalism: Symptom, Cause or Solution?*, [w:] Taras R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Wyd. Edinburgh University Press, s. 319-333.

imigrantów, w przeciwieństwie do logiki wielokulturowości opartej na pluralizmie mniejszości narodowych i ludów tubylczych w państwie, która była modelem zachęcającym, umożliwiającym grupom etnicznym, religijnym i kulturowym zachowanie różnic i tożsamości w społeczeństwach przyjmujących (nie-rodzimych)<sup>23</sup>. Jednak początkowo, zwłaszcza do lat 70., teoretyczne i praktyczne zmiany w tej dziedzinie były bardziej zorientowane na przedmiot i koncentrowały się na ekonomicznych, politycznych, społecznych i kulturowych aspektach imigracji. Później, w latach 70. i 80., głównym celem wielokulturowości stali się migranci zarobkowi, a w latach 90. uchodźcy, praktyki łączenia rodzin, a tym samym zmiana polityki migracyjnej w Europie. Jednocześnie cechą analityczną tego procesu zawsze było to, że w badaniach nad imigracją i wielokulturowością pionierami były kraje będące jednocześnie innowatorami modelu wielokulturowości – Wielka Brytania, Belgia, Holandia i Szwecja. Daleko za nimi pozostawały takie kraje jak Dania, Niemcy czy Norwegia, które choć miały aktywne programy badań nad migracją, nie okazały się „pionierami” w teorii i praktyce wielokulturowości. Dość ciekawa była i pozostaje sytuacja we Francji, w której badanie imigracji niezmiennie wiązało się z republikańskim modelem organicznej jedności tego państwa, a także z problematyką rasizmu, ksenofobii i antysemityzmu, które dały początek wielu badaniom naukowym. Pojęciowo i w kontekście historiograficznym ważne jest, że dziesięciolecia teoretycznego i praktycznego rozwoju wielokulturowości w Europie, w szczególności jej klasycznego czy nawet „ortodoksyjnego” formatu, umożliwiły zidentyfikowanie niektórych kluczowych zagadnień i problemów badawczych<sup>24</sup>. Tak więc w filozofii politycznej zagadnienia wielokulturowości zostało próbą zdefiniowania natury jakościowego społeczeństwa liberalnego, które powinno gwarantować prawa nie tylko ludzi, ale także grup społecznych. Zauważamy to w pracach tak znanych badaczy jak R. Babek<sup>25</sup>, M. Volzer i D. Miller<sup>26</sup>, V. Kimlichka<sup>27</sup>, B. Parekh<sup>28</sup>, C. Taylor<sup>29</sup> i wielu innych, którzy mówią o wielokulturowym lub transnarodowym (z narodowym) obywatelstwie, pozytywach wielokulturowości i nalegają na „uznanie” praw ludzi jako członków różnych grup społecznych. W związku z tym badacze stawiają pytanie o możliwość współistnienia i wzajemnego poszanowania (bez dyskryminacji, wyzysku i ucisku) kulturowo zróżnicowanych grup w jednym społeczeństwie i uważają, że jest to nie tylko możliwe, ale także właściwe i pożyteczne, ponieważ dzisiejsza migracja uniemożliwia istnienie społeczności jednolitej<sup>30</sup>. Kontrowersyjne stanowisko w tej

<sup>23</sup> Bevelander P., Taras R., *The Twilight of Multiculturalism? Findings from across Europe*, [w:] Taras R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Wyd. Edinburgh University Press, s. 3-24.

<sup>24</sup> Rex J., Singh G., Multiculturalism and Political Integration in Modern Nation-States – Thematic Introduction, *International Journal on Multicultural Societies* 2003, vol. 5, nr. 1, s. 3-19.

<sup>25</sup> Baubock R., *Transnational Citizenship*, Wyd. Edward Elgar 1992.

<sup>26</sup> Walzer M., Miller D., *Pluralism, Justice and Democracy*, Wyd. Oxford University Press 1995.

<sup>27</sup> Kymlicka W., *Multicultural Citizenship*, Wyd. Oxford University Press 1995.; Banting K., Kymlicka W., *Multiculturalism and the Welfare State: Recognition and Redistribution in Contemporary Democracies*, Wyd. Oxford University Press 2006.

<sup>28</sup> Parekh B., *Rethinking Multiculturalism: Cultural Diversity and Political Theory*, Wyd. Harvard University Press 2000.

<sup>29</sup> Taylor C., *Multiculturalism and the politics of recognition*, [w:] Guttman A. (ed.), *Multiculturalism: Examining the Politics of Recognition*, Wyd. Princeton University Press 1994.

<sup>30</sup> *The Future of Multi-ethnic Britain: The Parekh Report*, Wyd. Runnymede 2000.

sprawie jeszcze w okresie względnego rozwoju polityki i teorii wielokulturowości zajął B. Barry, który ostro krytykował wielokulturowość i twierdził, że to przez niego liberalizm degraduje<sup>31</sup>, w szczególności ze względu na istotne politycznie różnice między przedstawicielami różnych kultur i grup. W wyniku tego w filozofii politycznej, zwłaszcza w pracach J. Rexa<sup>32</sup>, T. Marshalla<sup>33</sup> i S. Tomlinsona<sup>34</sup>, przedstawiono koncepcję, według której może istnieć ograniczona wersja wielokulturowości, która będzie akceptowalna nawet pomimo krytyki podstawowych zasad „ortodoksyjnej” wielokulturowości.

Taki rozbieżny wniosek dotyczący rozumienia polityki wielokulturowości był dość istotny dla Europy w drugiej połowie XX wieku, ponieważ wówczas kraje europejskie miały kilka znanych odpowiedzi na imigrację mniejszości etnicznych, w szczególności w formacie: asymilacja (zwłaszcza we Francji), *gastarbeiter*, systemy pracy gościnnej i zrzeczenie się obywatelstwa politycznego (głównie w krajach niemieckojęzycznych), różne typy wielokulturowości i integracji (zwłaszcza w Szwecji, Holandii i Wielkiej Brytanii)<sup>35</sup>. Innymi słowami, chociaż doświadczenia i reakcje na poziomie różnych krajów europejskich (dotyczące stopnia asymilacji, stanowisk i polityk wielokulturowych) znacznie się różniły, nadal można było zidentyfikować wspólne źródła, które okazały się u podstaw względnego sukcesu wielokulturowości w Europie (od początku lat 70. XX wieku - do końca pierwszej dekady XXI wieku) i w pewnym stopniu (mniejszym) czynią to dzisiaj. Źródła te obejmują spuściznę II wojny światowej, nowe wzorce imigracji do krajów europejskich oraz pojawienie się zjawiska mniejszości etnicznych walczących o ochronę swoich praw<sup>36</sup>. Wszystko to, zdaniem naukowców, oznacza, że wielokulturowość powinna być postrzegana zarówno jako objaw choroby i jako wyraźny sygnał, że stoimy przed fundamentalnym problemem, który czeka na nowe, gruntowne i przyszłościowe rozwiązania, które pomogą rozwiązać paradoks pojęciowy, a, może, nawet wyprowadzą nas poza granice wielokulturowości.

Nominalnie wielokulturowość, pomimo pewnych teoretycznych i praktycznych odchyśleń od niej wśród wielu europejskich przywódców i obywateli<sup>37</sup>, nadal jest koncepcją normatywną i stabilnym sposobem rozwiązywania wyzwań nowoczesności w kontekście różnorodności we współczesnych państwach narodowych<sup>38</sup>. Jednocześnie w kontekście instytucjonalnym w krajach europejskich zaczęło kształtować się bardziej interdyscyplinarne podejście do badania migracji.

<sup>31</sup> Barry B., *Culture and Equality: An Egalitarian Critique of Multiculturalism*, Wyd. Polity Press 1999.

<sup>32</sup> Rex J., Review of Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalism*, "Innovation in Social Science" 2001, vol. 14, nr. 3.

<sup>33</sup> Marshall T., *Citizenship and Social Class*, Wyd. Cambridge University Press 1951.

<sup>34</sup> Rex J., Tomlinson S., *Colonial Immigrants in a British City: A Class Analysis*, Wyd. Routledge and Kegan Paul 1979.

<sup>35</sup> Rex J., Singh G., Multiculturalism and Political Integration in Modern Nation-States – Thematic Introduction, "International Journal on Multicultural Societies" 2003, vol. 5, nr. 1, s. 3-19; Schierup C.-U., Alund A., *Paradoxes of Multiculturalism*, Wyd. Avebury 1990; Rath J., *Minorsing: De Social Constructe van Etnische Minderheden: Ph.D.*, Wyd. University of Utrecht 1991; Rex J., Tomlinson S., *Colonial Immigrants in a British City: A Class Analysis*, Wyd. Routledge and Kegan Paul 1979.

<sup>36</sup> Hedetoft U., *Multiculturalism: Symptom, Cause or Solution?*, [w:] Taras R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Wyd. Edinburgh University Press, s. 319-333.

<sup>37</sup> Bevelander P., Taras R., *The Twilight of Multiculturalism? Findings from across Europe*, [w:] Taras R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Wyd. Edinburgh University Press, s. 3-24.

<sup>38</sup> Modood T., Meer N., *Framing contemporary citizenship and diversity in Europe*, [w:] Triandafyllidou A., Modood T., Meer N. (eds.), *European Multiculturalisms: Cultural, Religious and Ethnic Challenges*, Wyd. Edinburgh University Press 2012.

Powstało wiele instytutów badawczych, które analizują złożoność oraz interdyscyplinarny charakter wielokulturowości, w tym Instytut Studiów nad Migracją i Etnicznością na Uniwersytecie w Amsterdamie w 1993 roku, Instytut Migracji, Różnorodności i Opieki Społecznej na Uniwersytecie w Malmo w Szwecji, Centrum Polityki Migracyjnej i Bezpieczeństwa na Uniwersytecie Oksfordzkim w Wielkiej Brytanii pod koniec lat 90., a później podobne fundacje powstały w większości krajów europejskich. Następnie uruchomiono organizacje międzynarodowe typu akademickiego, w tym „Metropolia”, „Międzynarodowa migracja, integracja i spójność społeczna”, „Nowe możliwości współpracy” (Agencje finansujące badania naukowe w Europie) itp., które mają na celu zwiększenie wiedzy porównawczej i danych w dziedzinie migracji, integracji, obywatelstwa i wielokulturowości<sup>39</sup>.

Teraz jednak wielokulturowość weszła w okres względnego kryzysu i krytyki, zwłaszcza gdy proces imigracyjny w Europie nasila się i powołuje wątpliwości, czy jest to najlepszy model zarządzania różnorodnością stworzoną przez imigrację<sup>40</sup>, w tym w takich krajach jak Holandia, Szwecja i Wielka Brytania<sup>41</sup> (wyjątkiem w tym kontekście jest wielokulturowość w Kanadzie, gdzie ona nadal odnosi sukcesy<sup>42</sup> i gdzie „nie da się jej zabić”<sup>43</sup>, ale kraj ten nie jest europejski). Stało się to szczególnie widoczne, kiedy prawicowe i skrajnie prawicowe partie polityczne zaczęły krytykować wielokulturowość jako najbardziej niekontrolowany i nieuregulowany aspekt życia społeczno-politycznego w różnych krajach europejskich. Podkreślono, jak słabo wielokulturowy model społeczeństwa integruje imigrantów w społeczeństwach przyjmujących, co prowadzi do coraz bardziej rasistowskich, ksenofobicznych i ekskluzywnych dyskursów. Odgłosy retoryki politycznej w Europie zaczęły brzmieć ostrzej niż wcześniej, o czym świadczy rosnące poparcie wyborcze i wpływy polityczne partii populistycznych. Szczególne znaczenie miało rosnące zaniepokojenie polityków muzułmanami i tym, czy oni są w stanie zintegrować się ze społeczeństwami europejskimi. Wszystko to zaowocowało następnie znaczącymi zmianami w środowisku akademickim, które również zaczęło odczuwać i intensyfikować dyskurs przeciwko ideom wielokulturowości (jako konstrukcje i idee rozpoznawania grupowych różnic w sferach publicznych, takich jak prawo, polityka, dyskurs demokratyczny, obywatelstwo i tożsamość narodowa<sup>44</sup>). Zmiany te są szczególnie widoczne wśród radykalnych teoretyków, którzy przede wszystkim mają własne spory z przesłankami wielokulturowości jako takiej. Jednocześnie w dzisiejszej nauce prezentowane są również miękkie wersje rewizjonizmu europejskiej wielokulturowości.

<sup>39</sup> Bevelander P., Taras R., *The Twilight of Multiculturalism? Findings from across Europe*, [w:] Taras R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Wyd. Edinburgh University Press, s. 3-24.

<sup>40</sup> Bevelander P., Taras R., *The Twilight of Multiculturalism? Findings from across Europe*, [w:] Taras R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Wyd. Edinburgh University Press, s. 3-24.

<sup>41</sup> Bevelander P., *Immigrant Employment Integration and Structural Change in Sweden, 1970-1995*, Wyd. Almqvist & Wiksell International 2000.

<sup>42</sup> Day R., *Multiculturalism and the History of Canadian Diversity*, Wyd. University of Toronto Press 2000.; Mackey E., *The House of Difference: Cultural Politics and National Identity in Canada*, Wyd. University of Toronto Press 2002.

<sup>43</sup> Anderson C., *The adaptive qualities of Canadian multiculturalism*, Paper for presentation at the International Studies Association's Annual Convention "Power, Principles and Participation in the Global Information Age", San Diego, 1-4 April 2012.

<sup>44</sup> Modood T., *Multiculturalism*, Wyd. Polity Press 2007, s. 2.

W szczególności w 2000 roku brytyjski teoretyk B. Parekh opublikował studium „Przemyslenie wielokulturowości”, które stało się stosunkowo wczesnym rewizjonistycznym wyzwaniem dla wielokulturowej ortodoksji. Badacz rozważał kluczowe idee kształtujące wielokulturowość – naturę ludzką, przywiązanie do kultury, tożsamość narodową, formy pluralizmu, monizm moralny, struktury władzy, prawa zbiorowe, równość różnic, religię i życie społeczne – i stanowczo popierał pluralistyczny pogląd na różnorodność kulturową, w której musi zachodzić „twórcza interakcja” trzech elementów - integracji ludzi z kulturą, chęć do różnorodności kulturowej i dialogu międzykulturowego, a także wewnętrznego pluralizmu każdej kultury<sup>45</sup>. Badacz doszedł więc do wniosku, że z wielokulturowego punktu widzenia żadna doktryna polityczna i ideologia nie mogą przedstawiać pełnej prawdy życia, ponieważ wielokulturowe społeczeństwo rodzi kwestie, które nie mają w historii odpowiedników<sup>46</sup>. Nieco później w 2005 roku, inny brytyjski badacz T. Modood w pracy „Polityka wielokulturowa” argumentował, że wielokulturowe społeczeństwo nie ogranicza się do czarno-białego dualizmu, ponieważ wiele innych społeczności etnicznych i religijnych stanowi integralną część wielokulturowości<sup>47</sup>. Naukowiec udowodnił, że kultura jest statyczna lub quasi-naturalna, a „rasizm kulturowy naturalizuje kulturę”, w wyniku czego „kultura jest automatycznie reprodukowana i nie zmienia się w czasie”<sup>48</sup>.

Bardziej radykalne idee w 2010 roku w pracy „Zsuwanie się wielokulturowości”<sup>49</sup> wyrazili S. Vertovec i S. Wessendorf, którzy, z jednej strony, uznali, że polityka wielokulturowości słabnie, ale z drugiej – że nie znika, chociaż jest kojarzona z ideą złych polityk i praktyk. Najwyraźniejszym tego przejawem jest fakt, że lewicowe i prawicowe (a nie centrystowskie) siły polityczne wolą dystansować się od wielokulturowości, mimo że „polityka i programy, które kiedyś były uważane za „wielokulturowe”, nadal trwają”<sup>50</sup>. Uzupełnieniem tego wniosku jest zbiorowa monografia „Europejska wielokulturowość zrewidowana”<sup>51</sup> z 2010 r. pod redakcją A. Silge. Badanie pokazuje jednoznaczny kryzys wielokulturowości w co najmniej sześciu krajach europejskich. Wreszcie sam T. Modood i jego współautorzy A. Triandafyllidou i N. Mir w monografii „Europejska wielokulturowość”<sup>52</sup> z 2012 r. stwierdzili „akt znikania” wielokulturowości, mimo że Europejczyków cechuje „uznanie różnic kulturowych mniejszości jako środek wychowania inkluzji społecznej”<sup>53</sup>.

<sup>45</sup> Parekh B., *Rethinking Multiculturalism: Cultural Diversity and Political Theory*, Wyd. Harvard University Press 2000, s. 338.

<sup>46</sup> Parekh B., *Rethinking Multiculturalism: Cultural Diversity and Political Theory*, Wyd. Harvard University Press 2000, s. 343.

<sup>47</sup> Modood T., *Multicultural Politics: Racism, Ethnicity and Muslims in Britain*, Wyd. Edinburgh University Press 2005.

<sup>48</sup> Modood T., *Multicultural Politics: Racism, Ethnicity and Muslims in Britain*, Wyd. Edinburgh University Press 2005, s. 13.

<sup>49</sup> Vertovec S., Wessendorf S., *The Multiculturalism Backlash: European Discourses, Policies and Practices*, Wyd. Routledge 2010.

<sup>50</sup> Vertovec S., Wessendorf S., *Introduction: assessing the backlash against multiculturalism*, [w:] Vertovec S., Wessendorf S. (eds.), *The Multiculturalism Backlash: European Discourses, Policies and Practices*, Wyd. Routledge 2010, s. 14, 21.

<sup>51</sup> Silj A., *European Multiculturalism Revisited*, Wyd. Zed Books 2010.

<sup>52</sup> Triandafyllidou A., Modood T., Meer N., *European Multiculturalisms: Cultural, Religious and Ethnic Challenges*, Wyd. Edinburgh University Press 2012.

<sup>53</sup> Modood T., Meer N., *Framing contemporary citizenship and diversity in Europe*, [w:] Triandafyllidou A., Modood T., Meer N. (eds.), *European Multiculturalisms: Cultural, Religious and Ethnic Challenges*, Wyd. Edinburgh University Press 2012, s. 10.

Z kolei E. Mackie stwierdził, że krytyka teorii i polityki wielokulturowości wynika z tego, że stały się one „integralną częścią projektu budowania i utrzymywania dominującej władzy oraz umacniania hegemonii Zachodu” na świecie<sup>54</sup>. Podobnie P. Bevelander i R. Taras argumentują, że ogólne lub wspólne granice wielokulturowości polegają na tym, że jest ona projektem postkolonialnym, ponieważ dawni kolonizatorzy i kolonizowani uzgadniają warunki rozjemstwa obowiązującego w dawnej metropolii<sup>55</sup>. Przejawia się to w tym, że krytyka wielokulturowości jest skierowana do ruchomego celu, ponieważ i teoria, i polityka wielokulturowości ze swej natury nie są statyczne, lecz adaptacyjne i elastyczne. Nieco odmiennego zdania jest S. Žižek, który zauważa, że polityka i teoria wielokulturowości – to sposób na „poddawanie kwarantannie” „innych” i jednocześnie „odkofeinowanie ich”. W związku z tym, kontynuuje badacz, efektem końcowym jest to, że dzisiejsza tolerancyjna, liberalna wielokulturowość – to doświadczenie „innego” pozbawionego swojej „inności”, czyli doświadczenie „innego bez kofeiny”<sup>56</sup>. Wreszcie S. Okin ogólnie zauważa, że wielokulturowość po prostu nie widzi kobiet w społeczeństwie, ale ułatwia mężczyznom kontrolę nad kobietami<sup>57</sup>. Inaczej mówiąc, badaczka podkreśla, że w takich warunkach prawa grupowe są potencjalnie, a w wielu przypadkach wręcz antyfeministyczne<sup>58</sup>. Generalnie przedmiotem politycznej i akademickiej krytyki wielokulturowości w różnych okresach było dużo aspektów, w szczególności: łamanie zasad demokracji liberalnej; rozpatrywanie kultury jako statycznego, skończonego, ograniczonego zjawiska etnolingwistycznego; nadanie przywilejów władzom patriarchy; przewaga kwestii kulturowych nad tradycyjnymi problemami społecznymi; odpust, ghettoizacja, komunalny separatyzm i alienacja itp.

Podsumowując, można stwierdzić, że na obecnym etapie rozwoju teorii i polityki wielokulturowości konieczne jest obalenie lub generalne sprawdzenie tezy o „końcu wielokulturowości”<sup>59</sup>. Badaczy tego problemu można podzielić co najmniej na trzy grupy: a) tych, którzy wierzą, że wielokulturowość nigdy tak naprawdę nie istniała w ich krajach; b) tych, którzy są przekonani, że wielokulturowość jest obecnie „martwa” lub stopniowo zanika; c) tych, którzy twierdzą, że wielokulturowość dziś jest bardziej odporna niż kiedykolwiek. A wszystko to odbywa się w ramach weryfikacji wpływu wielokulturowości na wspieranie lub niewspieranie zachodnich tradycji liberalnych, układu demokratycznego, a także efektywnej gospodarki rynkowej jako podstawy europejskich wartości i celów. Jednocześnie współczesna literatura akademicka często nie łączy się z polityczną praktyką wielokulturowości i pozostaje daleko w tyle. Choć jeszcze wcześniej, zwłaszcza do początku XXI wieku, literatura akademicka

<sup>54</sup> Mackey E., *The House of Difference: Cultural Politics and National Identity in Canada*, Wyd. University of Toronto Press 2002, s. 163.

<sup>55</sup> Bevelander P., Taras R., *The Twilight of Multiculturalism? Findings from across Europe*, [w:] Taras R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Wyd. Edinburgh University Press, s. 3-24.

<sup>56</sup> Žižek S., Barbarism with a human face, *“These Times”* 23 November 2010.

<sup>57</sup> Okin S., Is multiculturalism bad for women?, *“Boston Review”* October/November 1997.; Okin S., *Is Multiculturalism Bad for Women?*, Wyd. Princeton University Press 1999.

<sup>58</sup> Okin S., Is multiculturalism bad for women?, *“Boston Review”* October/November 1997.

<sup>59</sup> Bevelander P., Taras R., *The Twilight of Multiculturalism? Findings from across Europe*, [w:] Taras R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Wyd. Edinburgh University Press, s. 3-24.



wręcz przeciwnie, znacznie wyprzedzała polityczną praktykę wielokulturowości, a druga nieustannie dążyła do pierwszej.

Z drugiej strony, można śmiało stwierdzić, że zarówno teoria polityczna, jak i praktyka polityczna wszystkich krajów europejskich (w stosownych przypadkach) zmodyfikowały i złagodziły politykę wielokulturowości pod koniec lat 90. i na początku XXI wieku<sup>60</sup>. Tematyka wielokulturowości również uległa znacznej zmianie, przynajmniej w Wielkiej Brytanii, Szwecji, Belgii i Holandii, ponieważ dyskurs o tak zwanych „mniejszościach rasowych” zmienił się z „koloru” w latach 50. i 60. XX wieku do „rasy” w latach 60. i 80. XX wieku, następnie – do „etniczności” w latach 90. XX wieku, wreszcie do „religii” na początku XXI wieku i obecnie<sup>61</sup>.

Więc to, co wcześniej było rozumiane jako integracja i polityka wielokulturowości w krajach europejskich (zwłaszcza do końca lat 80.), nawet pomimo propagowania jakościowego i adaptacyjnego ukierunkowania na różnice kulturowe, wcale nie oznaczało, że wszystko było do przyjęcia, a granica między tym, co zostało akceptowalne, a tym, co nie zostało, jest stała<sup>62</sup>. Z tego możemy wywnioskować, że europejska wielokulturowość, zarówno teoretycznie, jak i praktycznie, zawsze była zjawiskiem niezwykłym, które najlepiej można scharakteryzować jako „porządek negocjacyjny”<sup>63</sup> z pewnym „polem manewru”<sup>64</sup> i dynamiczną interakcją „pomiędzy grupą, państwem i jednostką”<sup>65</sup>.

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<sup>64</sup> Grillo R., Contesting Diversity in Europe: Alternative Regimes and Moral Orders, *MMG Working Paper* 2010, nr. 10-02.

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## **Policyjna społeczność w strategii działań policyjnych na rzecz zapewnienia bezpieczeństwa publicznego**

Zjawisko przestępczość towarzyszy życiu społecznemu od jego zarania, występując na każdym etapie rozwoju społeczeństwa, niezależnie od jego ustroju, struktury czy okresu historycznego i choć sama przestępczość jest obecna od zawsze się zmienia i ewaluje, zaczyna przybierać nowe - inne, coraz bardziej groźne i skomplikowane formy. Przemiany zachodzące w przestępczości są w oczywisty sposób powiązane z ogólnymi procesami zmiany społecznej, która dotyczy wszystkich społeczeństw i nacji. Problematyka wpływu, procesów ewolucji społecznej na omawiane zjawisko, od dawna jest przedmiotem analiz socjologicznych i kryminologicznych.

Realizując jedno z najważniejszych zadań jakim jest zapobieganie przestępczości zwane również prewencją kryminalną polska Policja, dążąc do osiągnięcia optymalnego poziomu skuteczności podejmowanych działań ocenianych przez pryzmat m.in. oceny społecznej oraz poziomu poczucia bezpieczeństwa obywateli, każda z podejmowanych w tym obszarze inicjatyw opiera na budowanej strategii zapobiegania przestępczości i zjawiskom patologii społecznej, w oparciu o tworzone koalicje na rzecz bezpieczeństwa w skład których wchodzi przedstawiciele administracji rządowej i samorządowej, organizacji pozarządowych i innych podmiotów, a przede wszystkim szeroko zakrojoną współpracę ze społeczeństwem realizowaną w oparciu o ideę community policing.

*Słowa kluczowe: strategia, przestępczość, prewencja, służba, bezpieczeństwo, społeczeństwo.*

## **Community policing in the strategy of policing to ensure public safety**

The phenomenon of crime has been present in social life since its inception, at every stage of the development of society, regardless of its system, structure or historical period, and although the crime itself has always been changing and evolving, it begins to take new - different, more and more dangerous and complicated forms. Changes taking place in crime are clearly linked to the overall processes of social change that affect all societies and nations. The issue of the influence and processes of social evolution on the discussed phenomenon has long been the subject of sociological analyses and criminology.

By implementing one of the most important tasks, which is crime prevention, also known as criminal prevention, the Polish Police, striving to achieve the optimal level of effectiveness of the actions taken, assessed through the prism of, inter alia, social assessment and the level of

citizens' sense of security, each of the initiatives undertaken in this area is based on the strategy of preventing crime and social pathology, based on the created coalitions for security, which include representatives of government and local administration, non-governmental organizations and other entities, and above all wide-ranging cooperation with the society based on the idea of community policing.

**Keywords:** *strategy, crime, prevention, service, security, society, Police.*

Jednym z najbardziej eksponowanych, w przestrzeni publicznej, elementów bezpieczeństwa wewnętrznego państwa<sup>1</sup> jest bezpieczeństwo publiczne. Określane jest ono jako pożądaný stan faktyczny wewnątrz państwa, który niezależnie od negatywnych czynników wywoływanych przez element ludzki, siły natury bądź technikę, umożliwia funkcjonowanie całokształtu organizacji państwowych, społecznych, prywatnych oraz zachowanie życia, zdrowia oraz mienia obywateli. Należy podkreślić, że zwłaszcza ten rodzaj bezpieczeństwa jest pojęciem wieloaspektowym. Dotyczy on każdej sfery ludzkiego życia i nie sposób nie zauważyć, że jest ono kształtowane przez wiele czynników i zależy od sytuacji, w jakiej się znajdujemy. Zdaniem Brunona Hołysta, o poczuciu bezpieczeństwa ludzi nie decydują zazwyczaj duże zbrodnie i ciężkie przestępstwa, ale sytuacje doświadczane na co dzień, tj. wybryki chuligańskie, zaczepki na ulicy i wyzwiska, kradzieże kieszonkowe, zakłócenia ciszy nocnej, ale również pobicia i rozboje<sup>2</sup>. Bezpieczeństwo publiczne jest więc jedną z najważniejszych kategorii dotyczącej funkcjonowania państwa oraz stosunków międzyludzkich.

W literaturze przedmiotu przyjmuje się najczęściej, iż między tymi dwoma pojęciami zachodzi różnica rodzajowa, a porządek publiczny definiowany jest w następujący sposób: „system urządzeń prawno-publicznych i stosunków społecznych powstających i kształtujących się w miejscach publicznych, którego celem i zadaniem jest zwłaszcza ochrona życia, zdrowia, mienia obywateli i mienia społecznego, zapewnienie normalnej działalności instytucji, zakładów, przedsiębiorstw państwowych, społecznych i prywatnych oraz eliminowanie różnego rodzaju uciążliwości niebezpiecznych lub niezgodnych dla społeczeństwa i jednostek”<sup>3</sup>.

Analizując dostępne źródła, należy podkreślić, że jednoznaczna interpretacja i zdefiniowanie pojęcia bezpieczeństwo publiczne jest bardzo trudna czy wręcz niemożliwa, stąd też bardzo wyraźne jest funkcjonowanie wielu interpretacji i określeń przedmiotowego pojęcia. Jednakże, wyniki przeprowadzonych badań społecznych<sup>4</sup>, świadczą tym, że obywatele przywiązują do

<sup>1</sup> Bezpieczeństwo wewnętrzne państwa to taki zakotwiczony w porządku ustrojowym stan stosunków i procesów wewnątrz państwa, który zapewniając skuteczną i harmonijną realizację interesów państwa i jego obywateli jednocześnie tworzy zdolność do sprawnego diagnozowania i reagowania w przypadkach pojawiających się zagrożeń godzących w te interesy, W. Fehler, *Bezpieczeństwo w środowisku lokalnym*, Warszawa 2009, s. 22.

<sup>2</sup> B. Hołyst, *Policja na świecie*, Warszawa 2011, s. 142.

<sup>3</sup> W. Pływaczewski, G. Kędzierska (red.), *Leksykon policyjny*, Szczytno 2001, s. 238.

<sup>4</sup> Por. m.in. A. Nowik, *Współpraca organów administracji rządowej w zapewnieniu bezpieczeństwa, ocena ich funkcjonowania oraz proponowane kierunki zmian*, [w:] *Zarządzanie bezpieczeństwem publicznym*, M. Lisiecki (red.), Warszawa 2010, s. 324-329.

omawianej kwestii dużą wagę. Bezpieczeństwo publiczne sensu largo stanowi ogół warunków i urządzeń społecznych, chroniących obywateli przed zjawiskami groźnymi dla życia i zdrowia oraz groźącymi stratami gospodarczymi, takimi jak: klęski, katastrofy, przestępczość i wiele innych<sup>5</sup>.

W opinii Czesława Marcinkowskiego bezpieczeństwo publiczne to stan, w którym nie są popełniane czyny bezprawne, zwłaszcza przeciwko życiu, zdrowiu i mieniu. W istocie tego pojęcia zawierają się dwa na siebie zachodzące obszary, tj.:

- porządek publiczny – czyli całość niepisanych reguł zachowania poszczególnych osób w społeczności, których uwzględnianie traktowane być musi jako konieczny wymóg uporządkowanego życia społeczeństwa;
- spokój publiczny – niezakłócony stan równowagi psychicznej nieokreślonej liczby osób, przy czym wykroczenia przeciwko spokojowi publicznemu wywołują zakłócenia tego stanu<sup>6</sup>.

Omawiane pojęcia charakteryzowane bywają również jako stan faktyczny wewnątrz państwa, który umożliwia prawidłowe funkcjonowanie jego organizacji wraz z realizacją przez nie celów i interesów, zachowanie mienia, zdrowia i życia obywateli istniejących w tejże organizacji oraz korzystanie przez obywateli z praw i swobód, jakie gwarantuje im ustawa zasadnicza oraz inne przepisy prawa bez narażania ich na różnego rodzaju szkody powodowane przez ludzkie zachowania, a także działanie sił przyrody lub nauki<sup>7</sup>.

Bardzo istotnym, w tym kontekście jest również fakt, iż bezpieczeństwo publiczne rozpatrywane bywa jako przedmiot działalności ochronnej organów państwowej administracji. Dodać przy tym należy, że omawiane pojęcie to zarówno pozytywny, jak i pożądaný stan państwa, gwarantujący jego istnienie i prawidłowy rozwój<sup>8</sup>.

Katalog zadań przewidzianych dla instytucji odpowiedzialnych za bezpieczeństwo i porządek publiczny wskazuje, szereg przedsięwzięć obejmujących zagadnienia, dotyczące przede wszystkim:

- ochrony bezpieczeństwa i porządku publicznego;
- ochrony zdrowia, życia i mienia obywateli;
- zagwarantowania spokoju w miejscach publicznych, w tym w środkach komunikacji miejskiej;
- wykrywania wykroczeń oraz przestępstw, a także ścigania ich sprawców;

<sup>5</sup> M. Lisiecki, *wyd. cyt.*, s.36; A. Misiuk, *Administracja porządku i bezpieczeństwa publicznego, Zagadnienia prawnoustrojowe*, Warszawa 2008, s. 41.

<sup>6</sup> C. Marcinkowski, *Bezpieczeństwo publiczne a projektowanie bezpiecznych przestrzeni*, [w:] *Zarządzanie bezpieczeństwem w Unii Europejskiej wobec globalnych zagrożeń. The EU's Security Management Towards Global Threats*, M. Lisiecki, M. Raczkowska-Lipińska (red.), Józefów 2008, s. 67.

<sup>7</sup> A. Urban, *Bezpieczeństwo społeczności lokalnych*, Warszawa 2009, s. 35.

<sup>8</sup> Tamże, s.36.

- organizacji działań mających na celu przeciwdziałanie popełnianiu przestępstw i wykroczeń;
- egzekwowania przestrzegania obowiązujących przepisów prawa;
- utrzymania porządku na drogach;
- zwalczania i przeciwstawiania się patologiom społecznym<sup>9</sup>.

Podmiotowy i przedmiotowy zakres bezpieczeństwa publicznego jest, jak widać, bardzo obszerny nie mniej jednak zasadnym jest stwierdzenie, że jest on określonym zbiorem zadań ustawowych przypisanych organom administracji państwowej. Ponadto, obejmuje bardzo zróżnicowany katalog dotyczy metod i sposobów działania, dedykowanych szeroko rozumianej ochronie przed działaniami, które są niezgodne z określonymi aktami normatywnymi, wśród których najbardziej uciążliwymi społecznie i najpowszechniej występującymi są przestępstwa<sup>10</sup>.

Zjawisko przestępczość towarzyszy życiu społecznemu od jego zarania, występując na każdym etapie rozwoju społeczeństwa, niezależnie od jego ustroju, struktury czy okresu historycznego i choć sama przestępczość jest obecna od zawsze się zmienia i ewaluje, zaczyna przybierać nowe - inne, coraz bardziej groźne i skomplikowane formy. Przemiany zachodzące w przestępczości są w oczywisty sposób powiązane z ogólnymi procesami zmiany społecznej, która dotyczy wszystkich społeczeństw i nacji. Problematyka wpływu, procesów ewolucji społecznej na omawiane zjawisko, od dawna jest przedmiotem analiz socjologicznych i kryminologicznych.

W literaturze przedmiotu już samo precyzyjne i jednolite zdefiniowanie terminu, przestępstwa jest trudne i okazuje się problemem postrzeganym raczej w szerszej wieloaspektowej perspektywie. Według B. Hołysta przestępczość należy to zbiór czynów zabronionych przez ustawę pod groźbą kary, które to zostały dokonane w określonym przedziale czasowym na obszarze danej jednostki terytorialnej<sup>11</sup>. Na świecie panuje powszechna zgoda co do tego, że przestępstwo to pewna forma zachowania, które może być zdefiniowane przez prawo jako zachowanie niezgodne z obowiązującym w danej kulturze modelem działania.

D. Woźniakowska- Fajst w publikacji na temat kontekstów współczesnej przestępczości, twierdzi, że istnieją trzy elementy, które determinują przestępstwo:

- szkoda, która określana jest poprzez naturę i powagę krzywdy oraz osobę pokrzywdzonego,
- konsensus odnoszący się do społecznej zgody na to, czy dane zdarzenie rzeczywiście w istotny sposób szkodzi ofierze.

<sup>9</sup> A.D. Rotfeld, *Międzynarodowe czynniki bezpieczeństwa Polski*, Warszawa 1986, s. 85.

<sup>10</sup> Przestępstwo – zachowanie się człowieka będące czynem realizującym znamiona określone w ustawie karnej, naruszającym – przy braku jakichkolwiek okoliczności usprawiedliwiających – normę sankcjonowaną (formalnie bezprawnym), społecznie szkodliwym w stopniu wyższym niż znikomy (karygodnym), zawinionym, zagrożonym karą w ustawie, por. art. 1 § 1, art. 115 § 1 ustawy z dnia 6 czerwca 1997 roku *kodeks karny* (Dz.U.2020.1444 tekst jedn.).

<sup>11</sup> B. Hołyst, *Kryminologia*, Warszawa 2016, s. 53.

- formalna reakcja społeczna, czyli istnienie konkretnego przepisu w prawie karnym, który określa w jakich okolicznościach dany czyn czy zachowanie jest uznawane za przestępstwo<sup>12</sup>.

Starając się scharakteryzować zjawisko przestępczości, zasadnym jest szczegółowe odniesienie się i skupienie na wszystkich jego składowych. B. Hołyst twierdzi, że: „uwzględnienie związków między władzą państwową a społeczeństwem staje się współcześnie metodologicznym nakazem wszelkich rozważań nad strukturą i dynamiką przestępczości, jak i nad efektywnością działań wymiaru sprawiedliwości”<sup>13</sup>. Stąd też przestępczość należy rozpatrywać biorąc pod uwagę takie czynniki i zmienne jak jej rozmiar, intensywność, struktura i dynamika.

Przez rozmiar przestępczości rozumie się stosunek ilości zachowań przestępczych do całokształtu działalności członków społeczeństwa. Współczynnik ten jest nie jest wartością jednorodną i może być różny w zależności od charakteru badanego, może to być: przestępczość rzeczywista, ujawniona, stwierdzona czy osądzona. Przy rozmiarze przestępczości problem stanowi tzw. ciemna liczba, w literaturze przedmiotu wskazuje się na kilka jej obszarów. Pierwsze stanowią czyny, o których zaistnieniu organy Policji nie posiadają żadnych informacji. Do drugiego można zaliczyć przypadki przestępstw ujawnionych, których sprawcy nie zostali wykryci. Trzeci rodzaj dotyczy przypadków kiedy to sprawcy zostali wykryci, ale z uwagi na negatywne przesłanki procesowe nie doszło do wniesienia aktu oskarżenia lub nie zapadł wyrok skazujący. Ostatnim z obszarów jest sytuacja dotycząca czynów przestępnych, za które sprawcy zostali skazani, jednakże nie wszystkie czyny były objęte aktem oskarżenia.

Oceny intensywności przestępczości dokonuje się na podstawie podziału wyodrębnionego w drodze rejestracji statystycznej zbioru przestępstw ujawnionych, osądzonych lub stwierdzonych według kryterium zagrożenia przewidzianego w ustawie. Jeśli chodzi o strukturę przestępczości to można ją odnieść proporcjonalnie do skali wzrastającego społecznego niebezpieczeństwa. Skalę taką wyznacza wymiar kary, która zagrożony jest dany czyn przestępny. Uzyskuje się wówczas klasyfikację przestępstw według tzw. ciężaru gatunkowego. Natomiast, terminem „dynamika przestępczości” określa się tempo i kierunek zmian podstawowych cech zbioru czynów przestępnych. Także podział administracyjny, jest odbiciem przestrzennego zróżnicowania nasilenia przestępczości.

„Jednym z najtrudniejszych zadań w analizie danych uzyskiwanych w kryminologicznych badaniach empirycznych jest ustalenie związków przyczynowo - skutkowych. Trudności pojawiają się szczególnie przy próbie określenia psychospołecznych determinantów zjawisk przestępczych”<sup>14</sup>. Przeważająca część zachowań ludzkich znajduje swe źródło nie w jednym czynniku czy też w określonej ich grupie, lecz powodowana jest praktycznie nieograniczonym kompleksem

<sup>12</sup> D. Woźniakowska-Fajst, *Společno-polityczne konteksty współczesnej przestępczości w Polsce*, Warszawa 2013, s.22.

<sup>13</sup> B. Hołyst, *Kryminologia*, wyd. cyt., s.53.

<sup>14</sup> Tamże, s. 438.



równorzędnych sekwencji czynnikowych. Nie jest możliwym sprowadzenie tego zjawiska do jednej czy dwóch przyczyn. Działania przestępcze są wynikiem oddziaływania wielu alternatywnie zbieżnych czynników, których natura i kombinacje różnić mogą wyraźnie jedną jednostkę od drugiej. Zarówno kryminogenność sytuacji, jak i podmiotu nie są pojęciami, których treść da się sformułować w taki sposób, aby jednoznacznie określone dostały ich desygnaty<sup>15</sup>.

Wpływ rozwoju społeczno - ekonomicznego na przestępczość jest przedmiotem zainteresowania kryminologii od wielu lat, głównie w kontekście kryminogennych skutków postępu cywilizacyjnego, postrzeganych poprzez pryzmat urbanizacji i industrializacji. Według badań wynika, że przestępczość w mieście jest większa i wskazuje większą dynamikę niż przestępczość na wsi. Stwierdza się także, że współczynnik przestępczości w państwach wysoko uprzemysłowionych jest wyższy niż w krajach znajdujących się dopiero w początkowej fazie uprzemysłowienia. Kolejnym czynnikiem wpływającym na zjawisko przestępczości jest bezrobocie. Można przyjąć, iż wzrost kradzieży, rozbojów, a nawet zabójstw jest spowodowany w dużym stopniu ogólnym obniżeniem się stopy życiowej wielu grup społecznych, wynikających z bezrobocia. Nie dopuszczalnym byłoby także pominiecie takich czynników jak np. ogólna sytuacja ekonomiczna kraju, długość okresu bezrobocia, perspektywy uzyskania pracy czy wiek osoby pozbawionej pracy. Dopiero łączna analiza wszystkich wymienionych elementów może pozwolić na sformułowanie odpowiednio uzasadnionych wniosków. W tym momencie warto również wspomnieć o istotnej w kontekście prowadzonych rozważań, nie mniej jednak kontrowersyjnej, kwestii kryminogenny charakter środków masowego przekazu - „gdy mówimy o kryminogennym charakterze środków masowego przekazu, mamy na myśli pewne ujemne treści, które mogą być przez nie przekazywane, i ewentualny wpływ tych ujemnych treści na odbiorcę<sup>16</sup>”. Chodzi tu w szczególności o treści uznawane za szkodliwe zawierające przemoc, ukazujące „a nawet często promujące, negatywne zachowania niezgodne z ogólnie przyjętymi normami moralnymi i etycznymi, które mogą zachęcać odbiorcę – widza/czytelnika do popełnienia czynu bezprawnego, wpłynąć na wytworzenie się negatywnego systemu norm i wartości.

Postrzegając problem występowania przestępczości jako najbardziej jaskrawą formę nieprzystosowania społecznego, prawdopodobnie prawie każdy czyn przestępny świadczyć będzie o wadliwie przebiegającym procesie socjalizacji sprawcy. W literaturze przedmiotu obejmującej nauki kryminologiczne, socjologiczne czy też psychologiczne, podkreśla się także związek pomiędzy wadliwą strukturą funkcjonowania szkoły a przestępczością nieletnich. Szkole jako środowisku najbliższemu, tuż po rodzinie, przypisuje się zasadniczą rolę w kształtowaniu postaw etyczna - moralnych<sup>17</sup>.

Biorąc pod uwagę powyższe, zasadnym jest sformułowanie tezy, że przestępczość jest jednym z najistotniejszych i najpowszechniej występujących problemów społecznych, a skuteczne

<sup>15</sup> Tamże.

<sup>16</sup> Tamże, s.457.

<sup>17</sup> Tamże.

zapobieganie temu zjawisku jest priorytetem w strategiach bezpieczeństwa wewnętrznego państw demokratycznych – co, mając na uwadze wielowymiarowość tego zjawiska, jest zadaniem niezwykle trudnym, wymagającym zastosowania różnorodnych form i metod działania, które będą adekwatne i proporcjonalne do danego zagrożenia.

Jednym z najważniejszych składowych części organizacji państwa odpowiedzialnej za zapewnienie pożądanego społecznie poziomu bezpieczeństwa publicznego<sup>18</sup> jest Policja - specyficzny rodzajem organizacji, która odpowiadając za bezpieczeństwo obywateli musi swoją działalność podporządkować osiągnięciu konkretnych, określonych ustawowo celów zgodnych jednocześnie z oczekiwaniami społecznymi. Zgodnie z art. 1 ust. 2 ustawy z dnia 6 kwietnia 1990 roku o Policji<sup>19</sup>, do jej podstawowych zadań należą:

- ochrona życia i zdrowia ludzi oraz mienia przed bezprawnymi zamachami naruszającymi te dobra;
- ochrona bezpieczeństwa i porządku publicznego, w tym zapewnienie spokoju w miejscach publicznych oraz w środkach publicznego transportu i komunikacji publicznej, w ruchu drogowym i na wodach przeznaczonych do powszechnego korzystania;
- inicjowanie i organizowanie działań mających na celu zapobieganie popełnianiu przestępstw i wykroczeń oraz zjawiskom kryminogennym i współdziałanie w tym zakresie z organami państwowymi, samorządowymi i organizacjami społecznymi;
- prowadzenie działań kontrterrorystycznych w rozumieniu ustawy z dnia 10 czerwca 2016 roku o działaniach antyterrorystycznych<sup>20</sup>;
- wykrywanie przestępstw i wykroczeń oraz ściganie ich sprawców;
- ochrona obiektów stanowiących siedziby członków Rady Ministrów, z wyłączeniem obiektów służących Ministrowi Obrony Narodowej i Ministrowi Sprawiedliwości, wskazanych przez ministra właściwego do spraw wewnętrznych;
- nadzór nad specjalistycznymi uzbrojonymi formacjami ochronnymi w zakresie określonym w odrębnych przepisach;
- kontrola przestrzegania przepisów porządkowych i administracyjnych związanych z działalnością publiczną lub obowiązujących w miejscach publicznych;
- współdziałanie z policjami innych państw oraz ich organizacjami międzynarodowymi, a także z organami i instytucjami Unii Europejskiej na podstawie umów i porozumień międzynarodowych oraz odrębnych przepisów;
- przetwarzanie informacji kryminalnych, w tym danych osobowych;
- prowadzenie zbiorów danych zawierających informacje gromadzone przez uprawnione organy o odciskach linii papilarnych osób, niezidentyfikowanych śladach linii

<sup>18</sup> Bezpieczeństwo publiczne to „ogół warunków i instytucji chroniących życie, zdrowie i mienie obywateli oraz majątek ogólnonarodowy, ustrój i suwerenność państwa przed zjawiskami groźnymi dla ładu prawnego”, W. Pływaczewski, G. Kędzierska (red.), wyd.cyt., Szczytno 2001, s. 31.

<sup>19</sup> Dz.U. 1990, nr 30, poz. 179 z późn. zm.

<sup>20</sup> Dz.U. 2016, poz. 904 z późn. zm.

papilarnych z miejsc przestępstw oraz o wynikach analizy kwasu deoksyrybonukleinowego (DNA).

W celu właściwej realizacji wskazanych powyżej zadań, w granicach określonych obowiązującymi przepisami prawa, Policja wykonuje czynności: operacyjno- rozpoznawcze, dochodzeniowo-śledcze i administracyjno-porządkowe, zmierzających do:

- rozpoznawania, zapobiegania i wykrywania przestępstw, przestępstw skarbowych i wykroczeń;
- poszukiwania osób ukrywających się przed organami ścigania lub wymiaru sprawiedliwości, zwanych dalej „osobami poszukiwanymi”;
- poszukiwania osób, które na skutek wystąpienia zdarzenia uniemożliwiającego ustalenie miejsca ich pobytu należy odnaleźć w celu zapewnienia ochrony ich życia, zdrowia lub wolności, zwanych dalej „osobami zaginionymi”<sup>21</sup>.

Zgodnie z przywołanym powyżej przepisem Ustawy z dnia 6 kwietnia 1990 roku o Policji<sup>22</sup> jednym z głównych zadań Policji jest „inicjowanie i organizowanie działań mających na celu zapobieganie popełnianiu przestępstw i wykroczeń oraz zjawiskom kryminogennym i współdziałanie w tym zakresie z organami państwowymi, samorządowymi i organizacjami społecznymi”.

Analizując literaturę przedmiotu, spotyka się różnorodne ujęcia oraz definicje pojęcia zapobiegania przestępczości.

Według Brunona Holysty pod pojęciem zapobiegania przestępczości należy rozumieć „określone działania organów ścigania i wymiaru sprawiedliwości, różnych grup społecznych, samorządów lokalnych, organizacji pozarządowych, a także osób prywatnych ukierunkowane na uniemożliwienie popełnienia pierwszego lub następnego czynu karalnego i łamania prawa lub nastawione na zmniejszenie skutków tych czynów jeszcze przed ich popełnieniem. Na działalność związaną z zapobieganiem przestępczości składają się różnorodne środki, które w sposób uboczny lub pośredni wpływają na usunięcie przyczyn i warunków popełnienia przestępstwa oraz innych objawów dewiacji społecznej”<sup>23</sup>.

Janina Czapska prowadząc rozważania na temat poczucia społecznego zagrożenia przestępczość scharakteryzowała zapobieganie przestępczości jako wszystkie środki, których zastosowanie zmierza do zmniejszenia ciężaru i skali przestępczości poprzez ograniczenie czynników sprzyjających działaniom przestępczym lub przez oddziaływanie zarówno na potencjalnego sprawcę ale także wszystkich członków społeczeństwa<sup>24</sup>.

<sup>21</sup> Dz. U. z 1990 roku Nr 30 poz. 179 z późn. zm., art. 14. ust. 1.

<sup>22</sup> Tamże.

<sup>23</sup> B. Holyst, *Kryminologia*, wyd. cyt., s. 963.

<sup>24</sup> J. Czapska, *Poczucie społecznego zagrożenia przestępczością*, [w:] *Zagrożenie przestępczości*, J. Blachut, J. Czapska, J. Widacki (red.), Warszawa-Kraków 1997, s. 23.

Osobne poglądy w przedmiotowej kwestii wyraża Jerzy Bafia definiując zapobieganie przestępczości mianem systemu, na który składają elementy składowe, do których zalicza się: system środków prawnokarnych, działania państwowe i społeczne, podejmowane w celu resocjalizacji oraz przeciwdziałaniu patologiom<sup>25</sup>. Z kolei Małgorzata Kuć reprezentuje pogląd, że jest to „zespół przedsięwzięć o charakterze naukowym, prawnym, organizacyjnym, których celem jest eliminowanie przestępczości z życia społecznego poprzez likwidację przyczyn przestępczości i/lub redukcję jej skutków”<sup>26</sup>.

Biorąc pod uwagę, przedstawione powyżej poglądy, które są zaledwie reprezentatywnymi przykładami różnych poglądów naukowych na temat pojęcia zapobiegania przestępczości, zasadnym jest sformułowanie tezy, że przedmiotowa kwestia stanowi od wielu lat obiekt zainteresowania szerokich warstw społecznych oraz przedstawicieli administracji państwowej. Ponadto, jest także przedmiotem dyskusji medialnej, a także czy przede wszystkim rozważań naukowych. Realizacja działań w omawianym obszarze przez właściwe w tej materii instytucje przede wszystkim musi być ukierunkowana na:

- współpracę z lokalnymi społecznościami,
- pobudzanie aktywności oraz zaangażowania społeczności lokalnych do działań prowadzonych przez Policję w zakresie poprawy bezpieczeństwa i porządku publicznego,
- zachęcanie obywateli do samodzielnego rozwiązywania problemów,
- budowanie więzi społecznych, partnerstwa z Policją, instytucjami państwowymi i pozarządowymi<sup>27</sup>.

W literaturze przedmiotu, istnieje pogląd, że na podłoże ludzkich zachowań składa się wiele różnorodnych czynników. Dlatego też przedsięwzięcia modelujące konkretne działanie człowieka, w tym przypadku mające na celu zapobieganie przestępczości, nie powinny ograniczać się tylko i wyłącznie do jednowymiarowego schematu. Efektywniejsza realizacja różnego rodzaju inicjatyw w ramach szeroko pojętej prewencji kryminalnej, wymaga od funkcjonariuszy Policji ciągłego poszerzania zasobu wiedzy na temat przyczyn negatywnych zjawisk społecznych, na które może składać się między innymi:

- zjawisko bezrobocia i bezdomności,
- niski status finansowy,
- bark dostatecznej wiedzy na temat możliwości technicznego i fizycznego zabezpieczania obiektów prywatnych,
- zaniedbania obowiązków rodzicielskich w stosunku do swoich dzieci, oraz zbyt mała uwaga ze strony placówek opiekuńczo-wychowawczych,
- brak alternatywnych na pożyteczne spędzanie wolnego czasu,

<sup>25</sup> J. Bafia, *Zapobieganie przestępczości*, [w:] *Zagadnienia patologii społecznej*, A. Podgórecki (red.), Warszawa 1976, s. 517.

<sup>26</sup> M. Kuć, *Leksykon kryminologii 100 podstawowych pojęć*, Warszawa 2015, s.260-261.

<sup>27</sup> J. Czapska, J. Wójcikiewicz, *Policja w społeczeństwie obywatelskim*, Kraków 1999, s.130-131.

- niska świadomość społeczeństwa dotycząca własnego bezpieczeństwa jak i najbliższego otoczenia<sup>28</sup>.

Mając na uwadze przedstawione powyżej treści, zasadnym jest zdefiniowanie pojęcia „zapobiegania przestępczości” jako świadomego działania instytucji i społeczeństwa podjętego w celu eliminacji negatywnych zachowań poprzez analizę ich przyczyn.

Wyróżnia się następujące stadia zapobiegania przestępczości:

- etap działań pierwotnych, czyli wyeliminowanie warunków sprzyjających powstaniu przestępstw poprzez odpowiednią politykę społeczną oraz zachęcanie obywateli do działań kreatywnych,
- etap działań wtórnych, polegający na usuwaniu warunków sprzyjających popełnianiu przestępstw oraz tworzeniu przeszkód w ich popełnieniu,
- etap działań następnych, dotyczący przedsięwzięć prowadzonych przez instytucje wymiaru sprawiedliwości mające na celu zapobieganie ponownemu popełnieniu przestępstwa poprzez resocjalizację sprawcy<sup>29</sup>.

Aby skutecznie i efektywnie zapobiegać przestępczości niezbędnym jest przeprowadzenie szczegółowego rozpoznania i analizy etiologii oraz rozmiarów danego zjawiska celem podjęcia właściwych działań korygujących i zapobiegających. Zapobieganie przestępczości to szereg przedsięwzięć zmierzających do wyeliminowania przestępczości lub jej skutków, na które składają się te podejmowane przed pojawieniem się przestępczości określane mianem profilaktyka uprzedzającej oraz realizowane w związku z istniejącym już niepożądanym zjawiskiem przestępnym mające na celu wyeliminowanie go lub redukcję skutków, tzw. profilaktyka objawowa. Należy także podkreślić, że omawiane działanie zawsze powinno odbywać się w ramach kontroli społecznej, czyli podporządkowania członków społeczeństwa takim regułom, które określają, jakie zachowanie jest nakazane, zakazane bądź uprawnione<sup>30</sup>.

Według S. Śliwy wyróżnia trzy rodzaje oddziaływań profilaktycznych – profilaktykę powstrzymującą, która dotyczy wczesnego powstrzymania sprawcy przed dokonaniem przestępstwa, poprzez eliminację warunków sprzyjających działaniu, odsunięcie od zamiaru, a także samo uniemożliwienie określonego zachowania; profilaktykę eliminującą - objawową która poprzez zastosowanie metod wychowawczo - edukacyjnych wobec potencjalnych sprawców dąży do eliminacji skłonności do popełniania przestępstw oraz profilaktykę eliminującą – uprzedzającą skupiającą się na wykryciu czynników psychicznych, biologicznych, środowiskowych, sytuacyjnych, mogących sprzyjać popełnianiu przestępstw<sup>31</sup>.

<sup>28</sup> Tamże.

<sup>29</sup> K. Bula, P. Czarniak i in., *Kryminologia repetytorium 3*, Warszawa 2003, s. 167.

<sup>30</sup> M. Kuć, *Kryminologia*, Warszawa 2010, s. 158.

<sup>31</sup> S. Śliwa, *Profilaktyka pedagogiczna*, Opole 2015, s. 47-48.

Ponadto, omawiane rodzaje działań dotyczących profilaktyki przestępczości, powinny być podejmowane z uwzględnieniem szerszej perspektywy odnoszącej się do trzech płaszczyzn: sprawcy, ofiary, miejsca, które w środowisku związanym z przedmiotową tematyką określone zostały mianem trójkąta kryminalnego<sup>32</sup>. Najistotniejszą kwestią dla właściwego zrozumienia istoty analizowanego zagrożenia oraz towarzyszących mu uwarunkowań jest jak najdokładniejsze i możliwie jak najszersze zebranie informacji uzyskać na temat każdego z elementów tworzących trójkąt. Efektywne oddziaływanie na przynajmniej dwa z trzech, ustalonych boków doprowadzi do skutecznego rozwiązania problemu<sup>33</sup>.

Realizując jedno z najważniejszych zadań jakim jest zapobieganie przestępczości zwane również prewencją kryminalną polska Policja, dążąc do osiągnięcia optymalnego poziomu skuteczności podejmowanych działań ocenianych przez pryzmat po pierwsze statystyki obejmującej m.in. liczbę oraz dynamikę przestępstw stwierdzonych, wykrytych oraz zatrzymanych sprawców, po drugie oceny społecznej oraz poziomu poczucia bezpieczeństwa obywateli, każdorazowo podejmowanych w tym obszarze inicjatyw opiera na budowanej strategii<sup>34</sup> zapobiegania przestępczości i zjawiskom patologii społecznej.

Strategia zapobiegania przestępczości są to działania o bardzo szerokim spektrum, które już na etapie organizacji i planowania zawierają takie charakterystyczne elementy jak choćby określenie konkretnych celów oraz sposób ich skutecznej realizacji i weryfikacji. Odnosząc się do konkretnie do obszaru bezpieczeństwa i porządku publicznego, na strategię ukierunkowaną na zapobieganie i zwalczanie przestępczości powinny składać się elementy takie jak: planowane działania, ich cele, określony czas realizacji oraz przewidziane efekty, które spodziewane są po zakończeniu działań. Istotne jest, aby wyodrębnić najsukcesowniej działające działania, które będą się wzajemnie uzupełniać, a w rezultacie stworzą spójny i zwarty układ<sup>35</sup>.

Według Andrzeja Urbana każdą strategię powinno cechować pięć niewrażliwych elementów:

- horyzont czasowy - wskazanie przedziałów czasowych do realizacji poszczególnych przedsięwzięć, jak również szacowany czas realizacji założonych celów;
- efekty – określenie stanu pożądanego, momentu osiągnięcia sytuacji docelowej, które zostały osiągnięte w wyniku zrealizowanych działań;
- skupienie wysiłków – polaryzacja konkretnych czynności planowanych do wykonania, które ze względu na zapewnienie optymalnej efektywności powinny być potraktowane jako szczególnie istotne;

<sup>32</sup> Płaszczyzna działania „sprawca” odnosi się do zniechęcenia potencjalnego sprawcy przestępstwa poprzez m.in. odpowiednią penalizację czynu; obszar „ofiara” realizowany jest poprzez pryzmat potencjalnej ofiary w celu do utrudnienia realizacji działania przestępczego na przykład poprzez odpowiednie zastosowanie środków technicznych do zabezpieczenia swojego mienia; płaszczyzna „miejsce” wskazuje na skuteczne zabezpieczenia miejsca szczególnie narażonego na zjawiska przestępcze, por. m.in. K. Łojek, *Metodyka Rozwiązywania problemów kryminalnych*, Szczytno 2008, s. 66 – 67; A. Urban, *Prewencja kryminalna*, Szczytno 2006, s. 9.

<sup>33</sup> A. Urban, *Kształtowanie przestrzeni antyprzestępczej*, Szczytno 2007, s.122.

<sup>34</sup> Strategia to sposób postępowania mający doprowadzić do określonego celu, E. Dereń, T. Nowak, E. Polański (red.), *Słownik języka polskiego*, Warszawa 2005, s.405.

<sup>35</sup> T.Walek, *Lokalne programy prewencyjne w Polsce, Kultura Bezpieczeństwa. Nauka-Praktyka-Releksje* Nr 19, Kraków 2015, s.250.

- układ decyzji – wypracowanie na potrzeby realizacji określonej strategii harmonogramu poszczególnych działań, wskazującego właściwe merytorycznie podmioty, które w określonym czasie i miejscu odpowiedzialne będą za podjęcie określonych decyzji dotyczących realizowanych przedsięwzięć, tworząc jednocześnie zwarty i wzajemnie uzupełniający się model kompetencyjno – decyzyjny;
- wszechobecność – strategia odnosi się do wszystkich członków oraz całej struktury danej organizacji, bez względu na charakter przedsięwzięć podejmowanych w ramach przyjętej strategii<sup>36</sup>.

W literaturze przedmiotu najczęściej wymienia się dwa rodzaje strategii działań zapobiegawczych destruktywna i kreatywna<sup>37</sup>.

Strategia destruktywna cechuje się tym, że podjęte działanie skierowane jest przeciwko zwalczanym zjawiskom, a jego celem jest ich redukcja, a w efekcie finalnym całkowita eliminacja. Polega na zwalczaniu i eliminowaniu negatywnych zjawisk kryminogennych, w jej realizacji wykorzystywane są środki represyjne, takie jak np. izolowanie przestępców w zakładach karnych, ponadto osiągnięcie założonego celu odbywa się przy zastosowaniu przymusu. Strategia destruktywna jest krótkofalową inicjatywą będącą odpowiedzią reakcją na zaistniałe zjawisko i z reguły uważana jest za mniej skuteczną w porównaniu do strategii kreatywnej. Wśród metod wykorzystywanych w celu osiągnięcia założonego celu wykorzystuje się w tym przypadku:

- uniemożliwianie (utrudnianie) określonego działania niezgodnego z normą prawną,
- wytłumienie, polegające na stosowaniu sankcji w odpowiedzi na zachowanie przestępne (np. grzywna),
- zagrożanie, czyli uprzedzenie o karze grożącej za dokonanie określonego czynu bezprawnego<sup>38</sup>.

Drugi rodzaj strategii, czyli kreatywna nadaje kierunek działaniom człowieka na tworzenie zjawisk pożądanых oraz propagowanie oraz promowanie działań pozytywnych i zgodnych z prawem, w taki sposób żeby wypierały sytuacje a także zdarzenia uznane za niepożądane. Do najistotniejszych cech omawianego rodzaju strategii należy zaliczyć: wykorzystanie w działaniu metod nierepresyjnych; podejmowanie pozytywnych działań o charakterze konstruktywnym; u podstawy pożądanых zachowań leży zachęta; podkreśla wagę działania zgodnego z obowiązującą literą prawa; podjęcie określonej inicjatywy następuje wyprzedzająco w stosunku do potencjalnych zjawisk przestępczych, realizowana w perspektywie długofalowej. W szerokim wachlarzu metod wykorzystywanych do skutecznej realizacji omawianego rodzaju działania należy zaliczyć: szkolenie czyli przekazywanie wiedzy i umiejętności w określonych dziedzinach;

<sup>36</sup> A. Urban, *Kształtowanie przestrzeni antyprzestępczej*, wyd. cyt., s. 10 - 11.

<sup>37</sup> Szerzej: tamże, s. 11 - 13; J. Blachut, A. Gaberle, K. Krajewski, *Kryminologia*, Gdańsk 1999, s. 471.

<sup>38</sup> M. Kuć, *Kryminologia*, wyd. cyt., s. 158-161.

przekonywanie – wskazanie korzyści płynących z określonego zachowania; informowanie – przekazywanie wiadomości uzupełniających; propaganda – wpływ na zachowanie człowieka, który odwołuje się do jego emocji i działa na podświadomość; przetwarzanie – działania na rzecz dokonania zmiany w środowisku skutkującej poprawą zachowania<sup>39</sup>.

W opiniach autorytetów w dziedzinie szeroko pojętej prewencji kryminalnej i profilaktyki społecznej strategia kreatywna uznawana jest za bardziej efektywną w porównaniu do strategii destruktywnej.

Ciekawy pogląd na temat klasyfikacji i podziału strategii działań zapobiegawczych, przedstawił Krzysztof Łojek w publikacji poświęconej rozważaniom na temat metodyki rozwiązywania problemów kryminalnych, gdzie oprócz dwóch wyżej opisanych rodzajów wskazał dodatkowy obszar dotyczący działań pośrednich, których nie da się w sposób jednoznaczny przyporządkować do zbioru przedsięwzięć niszczących dane zjawisko negatywne lub rozwijających działanie w pożądanym kierunku, określając je mianem strategii neutralizującej. Przedmiotem jej działania jest bezpośrednie oddziaływanie na zjawisko niepożądane – czyli element charakterystyczny dla strategii destruktywnej, natomiast stosowane metody są właściwe strategii kreatywnej<sup>40</sup>.

Porównując wszystkie z funkcjonujących rodzajów omówionych powyżej działań w literaturze przedmiotu można spotykać się bardzo interesujące ich obrazowe opisy, i tak strategię kreatywną określono jako „dbałość o to, aby żyto zagłuszyło chwast”, strategię destruktywną: „aby chwasty nie zagłuszyły żyta”, a neutralizującą stosowaną są „by chwasty nie przeszkadzały żytu”<sup>41</sup>.

Nie możliwym jest kategoryczne i jednoznaczne wskazanie, który rodzaj realizowanych działań w danej strategii jest skuteczniejszy. Jednak z całą stanowczością należy stwierdzić i podkreślić fakt, że w praktyce, zwłaszcza z perspektywy policyjnej pragmatyki służbowej, istnieje absolutna konieczność organizacji przedsięwzięć w obszarze zapobiegania przestępczości i eliminowania innych zachowań społecznych, opartych na wymiennym stosowaniu wszystkich rodzajów strategii. Według H.J. Schneidera na przestrzeni ostatnich kilkudziesięciu lat „know – how” na temat efektywnej organizacji i prowadzenia działań policyjnych na rzecz zapobiegania negatywnym zjawiskom społecznym oraz wpływającym na zwiększenie poczucia bezpieczeństwa obywateli rozwinęła się najpełniej w Stanach Zjednoczonych Ameryki, Kanadzie, Wielkiej Brytanii a także Holandii, Australii i Afryce Południowej<sup>42</sup>.

Na szczególną uwagę w tym obszarze, zasługują osiągnięcia amerykańskich funkcjonariuszy, biorąc pod uwagę znaczące spadki poziomu dynamiki przestępczości odnotowane w USA w latach 90 XX wieku, zwłaszcza w kategorii czynów z użyciem przemocy. Sukcesy te, kojarzone są wprost z realizacją założeń filozofii działań policyjnych określonych jako *community policing*<sup>43</sup>. Pojęcie to definiowane jest jako polityka, a zarazem strategia ukierunkowana na osiągnięcie celu

<sup>39</sup> K. Bular, wyd. cyt., s. 163.

<sup>40</sup> K. Łojek, wyd. cyt., s. 98 – 99.

<sup>41</sup> Tamże, s. 102.

<sup>42</sup> A. Urban, wyd. cyt., s. 37.

<sup>43</sup> J. Fiebig, W. Pływaczewski, A. Tyburska, *Policyjne strategie działań zapobiegawczych*, Szczytno 2004, s. 119.



zdefiniowanego jako skuteczna kontrola przestępczości, poprawienie jakości życia, poprawa efektywności służby policyjnej przy jednoczesnym podniesieniu autorytetu formacji poprzez aktywne wykorzystanie środków społecznych do modyfikacji czynników leżących u podstawy określonych działań przestępnych<sup>44</sup>. Ponadto, do elementów definiujących przedmiotową koncepcję można zaliczyć także zwiększenie rzetelności i odpowiedzialności w pracy Policji oraz większe zaangażowanie członków lokalnej społeczności w proces decyzyjny dotyczący projektowanych rozwiązań na rzecz zapobiegania i zwalczania zjawisk niepożądanych, a także dołożenie wszelkich starań w egzekwowaniu przestrzegania praw i swobód obywatelskich<sup>45</sup>.

Rola społeczności lokalnych jest bardzo ważna w systemie zapobiegania przestępczości. Udział obywateli w profilaktyce przestępczości polega na kontroli społecznej wszystkich negatywnych zjawisk, które mają miejsce na obszarze jej zamieszkania. Poczucie wspólnoty oraz odpowiedzialności osób zamieszkujących dany obszar sprawia, że te osoby jako pierwsze widzą pojawiające się zagrożenie bezpieczeństwa. Dlatego najszybciej mogą przeciwdziałać lub zawiadomić o tym zjawisku odpowiednie służby. Filozofia *community policing* uznawana jest za wyjątkową formę prewencyjnego zwalczania przestępczości. Określając zasięg działań zasadnym jest eksponowanie: po pierwsze rosnącego znaczenia małych, lokalnych wspólnot społecznych, akcentując znaczenie aktywności i zaangażowania społecznego w realizacji przedsięwzięć policyjnych na rzecz zapewnienia optymalnego poziomu bezpieczeństwa i eliminacji z życia społecznego zjawisk o charakterze kryminogennym; po drugie promocji aktywności obywateli obejmującej zaangażowanie oraz aktywny w działaniach na rzecz rozwiązywania problemów<sup>46</sup>; po trzecie zorientowania na budowanie koalicji na rzecz bezpieczeństwa pomiędzy lokalną Policją, przedstawicielami terenowych organów administracji rządowych samorządowych i innych podmiotów (np. organizacje pozarządowe, fundacje, stowarzyszenia, związki wyznaniowe,) z obywatelami, w celu stworzenia systemu wzajemnego wsparcia, współdziałania oraz przede wszystkim komunikacji, które spowodują, że możliwym stanie się skuteczne rozpoznawanie problemów, analiza przyczyn ich powstawania oraz poszukiwanie rozwiązań; po czwarte zapobiegania na poziomie lokalnym, co korzystnie wpływa na skuteczność prowadzonych działań ukierunkowanych na zapobieganie izolacji społecznej oraz licznych form karalnych dewiacji poprzez m.in. zacieśnianie stosunków pomiędzy jednostką, a systemami społecznymi oraz naukę identyfikacji z obowiązującymi normami i wartościami społecznymi<sup>47</sup>.

Biorąc pod uwagę powyższe, należy wskazać dwa fundamentalne elementy składające się na ideę *community policing*:

- *community partnership* – czyli długoterminowa, permanentna, oparta na partnerstwie współpraca Policji z członkami lokalnej społeczności;

<sup>44</sup> A. Urban, wyd. cyt., s. 37.

<sup>45</sup> Szerzej: B. Holyst, *Kontrola społeczna przestępczości. Community policing*, [w:] *Policja w społeczeństwie obywatelskim. Studia i materiały*, M. Róg (red.), Szczytno 1995, s. 112.

<sup>46</sup> T.J. Ortmairer, *Cechy dobrego policjanta – kierownika, Raport z badań*, Policyjny Biuletyn Szkoleniowy, nr 3 – 4, Szczytno 1998, s. 73.

<sup>47</sup> J. Fiebig, W. Pływaczewski, A. Tyburska, wyd. cyt., s. 120.

- problem solving – działanie ukierunkowane na rozwiązywaniu konkretnych problemów oparta na aktywnej kooperacji pomiędzy Policją, a właściwymi merytorycznie oraz terytorialnie przedstawicielami administracji samorządowej<sup>48</sup>.

Jak słusznie stwierdził J. Blachut „(...) dewastacja środowiska, w którym żyje społeczność lokalna, jeżeli nie napotka na przeciwdziałanie, prowadzi do niszczenia więzi łączących tę społeczność, czyli do dewastacji środowiska społecznego<sup>49</sup>”, stąd też koncepcja wykorzystania członków społeczności lokalnych w walce z negatywnymi zjawiskami występującymi w miejscu ich codziennego funkcjonowania. Tego typu rozwiązanie korzystnie wpływa na zwiększenie poziomu skuteczności działań inicjowanych przez Policję w ramach przyjętej strategii zwalczania i zapobiegania przestępczości.

Obywatelomogą efektywnie reagować na wszelkie przejawy naruszania ładu i porządku na terenie który traktują jako „swój”, a także na różnego rodzaju zjawiska kryminogenne takie jak np. wandalizm, włóczęgostwo, spożywanie alkoholu, które pozostawione bez właściwej reakcji mogą przerodzić się w przestępczość, jest to tzw. syndrom „rozbitych szyb”. Określenie to w literaturze na temat community policing, używane jest w sytuacji braku reakcji ludzi na dewastację środowiska oraz działania społecznych dewiantów. Wywoływane lęk, strach i towarzyszące temu inne negatywne emocje wpływają na osłabienie kontroli społecznej. Przeciwdziałanie drobnej przestępczości i dewastacji środowiska może zapobiec wystąpieniu przestępstw poważniejszych, o większej społecznej szkodliwości. Zniszczone środowisko sprzyja powstawaniu zjawisk kryminalnych - jedna zbita szyba w budynku, prowokuje do zbitia następnej, co w dalszej kolejności może doprowadzić do reakcji łańcuchowej w wyniku której dokonywane są inne czyny bezprawne. Dlatego też reagowanie na przejawy dewastacji, na drobną przestępczość mogą zapobiec tworzeniu się środowiska patologicznego<sup>50</sup>. Stopień aktywności społeczeństwa w zapobieganiu przestępczości jest zależny od rodzaju i kategorii zjawisk, szkodliwości społecznej oraz stopnia akceptacji społecznej. Efektywność tych działań musi być odpowiednio synchronizowana z przedsięwzięciami podejmowanymi przez organy państwowe, stojące na straży bezpieczeństwa publicznego.

Tak jak już wspomniano w niniejszym opracowaniu, skuteczna prewencja policyjna jest możliwa przede wszystkim dzięki rzetelnej analizie zagrożeń oraz dostosowaniu form i metod działania adekwatnie do skali, charakteru zjawiska a także potrzeb społecznych. Aktywność, przejawiana inicjatywa, zaangażowanie obywateli jest nieodzownym czynnikiem warunkującym efektywniejsze zapobieganie przestępczości. Podstawą uspołecznienia pracy Policji jest współpraca z członkami lokalnych społeczności. Na proces uspołeczniania działań policyjnych

<sup>48</sup> Z. Żaroń, *Prewencja kryminalna*, Legionowo 2003, s. 10.

<sup>49</sup> J. Blachut, A. Gaberle, K. Krajewski, wyd. cyt., s. 495.

<sup>50</sup> Tamże, s. 497.

składają się dwa podstawowe elementy: społeczne zapobieganie przestępczości oraz społeczne działanie Policji.

Społecznym zapobieganiem przestępczości są inicjatywy podejmowane przez społeczności lokalne opierające się na ograniczaniu i zapobieganiu zjawiskom kryminogennym oraz eliminowaniu ich przyczyn. Najskuteczniejszymi wśród nich są rozwiązania systemowe oparte na utworzeniu struktur wewnętrznych w danej wspólnocie. Natomiast społeczne działanie Policji opiera się na analizie uwarunkowań ekonomicznych i socjalnych danej zbiorowości, w celu oceny poziom zagrożenia zjawiskami sprzecznymi z prawem, a następnie przygotowaniu odpowiednich strategii zapobiegawczych<sup>51</sup>.

Biorąc pod uwagę powyższe rozważania, a także wyniki wieloletnich badań i analiz zasadnym jest określenie głównych cech charakteryzujących community policing:

- konsultacje - prowadzenie systematycznych badań naukowych bądź permanentnego rozpoznania i analizy potrzeb mieszkańców w obszarze bezpieczeństwa oraz powiązanych z tym oczekiwań wobec Policji;
- adaptacja – modyfikacja procesu dowodzenia i organizacji służby funkcjonariuszy Policji ukierunkowana na umożliwienie, w najmniejszych, lokalnych jednostkach Policji podejmowania decyzji o dynamicznej dyslokacji sił i środków policyjnych adekwatnie do bieżącej analizy stanu bezpieczeństwa i zagrożeń w celu zaspokojenia oczekiwań określonych grup obywateli tworzących lokalne społeczności;
- mobilizacja – aktywny udział obywateli oraz podmiotów administracji państwowej, organizacji pozarządowych i innych podmiotów poza policyjnych w realizacji inicjatyw w ramach szeroko pojętej prewencji kryminalnej;
- rozwiązywanie problemów - eliminowanie wszelkich czynników, wpływających na powstawanie przestępczości oraz wzbudzających strach obywateli, poprzez organizację i realizację działań prewencyjnych w skali lokalnej, ze szczególnym uwzględnieniem analizy i wykorzystania danych na temat genezy powstawania określonych czynów<sup>52</sup>.

Bardzo interesujący pogląd odnośnie cech charakterystycznych dla realizacji omawianego zagadnienia, zaprezentował M. Sokołowski, który w swoich rozważaniach wskazał, że to strategie za pomocą których realizuje się ideę community policing, mają fundamentalne znaczenie, zalicza się do nich:

- strategię kontaktu z obywatelem – polegająca na tym, iż funkcjonariusz ma przekonania, że to obywatel jest najważniejszy jeżeli zachodzi taka potrzeba obligatoryjnie, w każdej sytuacji, służy mu pomocą. Poza tym, nie bez znaczenia pozostaje tutaj także

<sup>51</sup> Z. Żaróń, wyd. cyt., s. 10.

<sup>52</sup> J. Czapska, J. Wójcikiewicz, wyd. cyt., s. 138 - 139.

kwestia tzw. personalizacji, która podkreśla znaczenie inicjatywy własnej policjanta (najczęściej dzielnicowego) działającego w konkretnej społeczności lokalnej, podejmowanej celu jak najlepszego poznania mieszkańców, a także, co jest niemniej istotne, być samemu jak najbardziej rozpoznawalny;

- strategię konsultacji ze społecznościami lokalnymi – dotyczy regularnej organizacji przez przedstawicieli lokalnej Policji, spotkań z obywatelami, na których omawiane są problemy dotyczące bezpieczeństwa w szczególności odnoszące się do przestępczości i zagrożeń występujących lub mogących wystąpić w danym regionie, a także oczekiwania wobec funkcjonariuszy; najistotniejszą zaletą tej strategii i jest stworzenie sprzyjających warunków do budowania partnerskich stosunków pomiędzy Policją a lokalną społecznością, a także zacieśnianie już istniejących;
- strategia aktywizacji społeczności – Policja prezentuje członkom lokalnej społeczności możliwości działania, przedstawia najskuteczniejsze formy możliwej współpracy i jednocześnie do niej zachęca. Obywatele włączając się do określonej inicjatywy stają się istotnym elementem systemu kontroli bezpieczeństwa;
- strategia szerokiego podejścia do rozwiązywanych problemów – polega na redukcji a wreszcie eliminacji czynników wpływających na występowania określonych czynów zabronionych, przy czym najistotniejszym akcentem podjętych przedsięwzięć nie jest ustalenie sprawcy, lecz wdrożenie skutecznych przedsięwzięć działań zapobiegawczych<sup>53</sup>.

W kontekście inicjatyw i przedsięwzięć realizowanych na przestrzeni kilkunastu ostatnich lat w Polsce, z całą stanowczością należy stwierdzić, że wypełnianie przez resort spraw wewnętrznych, a w szczególności Policję swojej funkcji poprzez położenie nacisku na współpracę ze społecznościami lokalnymi ma bardzo szerokie i powszechne zastosowanie. Doskonałym przykładem potwierdzającym powyższą tezę jest program „Policijny program zapobiegania przestępczości i innym zjawiskom patologii społecznej DEBATY SPOŁECZNE” realizowany od 2012 roku na terenie działania Komendy Stołecznej Policji oraz Mazowieckiej Komendy Wojewódzkiej Policji z siedzibą w Radomiu.

Głównym założeniem projektu jest organizacja spotkań ze społeczeństwem, z udziałem przedstawicieli administracji rządowej i samorządowej, Policji, instytucji pomocowych, organizacji pozarządowych, przedstawicieli spółdzielni mieszkaniowych, itd. Debaty społeczne mają na celu zdiagnozowanie potrzeb i oczekiwań lokalnych w zakresie poprawy bezpieczeństwa. Pozwalają także na wymianę informacji między Policją, a mieszkańcami o istniejących zagrożeniach, co pozwala na wypracowanie właściwych metod ich eliminacji.

<sup>53</sup> M. Sokolowski, *Community policing – nowa filozofia działania Policji*, [w:] *Policje Unii Europejskiej*, A. Misiuk, A. Letkiewicz, M. Sokolowski (red.), Warszawa 2011, s. 176–177.

Cele główne debat społecznych:

- ograniczenie zjawisk oraz zachowań, które budzą powszechny sprzeciw i poczucie zagrożenia;
- badanie oczekiwań społecznych w zakresie zapewnienia bezpieczeństwa i porządku publicznego;
- włączenie obywateli w wypracowanie propozycji rozwiązań mających na celu wzrost poczucia bezpieczeństwa mieszkańców w środowisku lokalnym.

Cele szczegółowe debat społecznych:

- zdiagnozowanie potrzeb i oczekiwań społecznych w zakresie poprawy bezpieczeństwa,
- wymiana informacji o istniejących zagrożeniach;
- wypracowanie wspólnych metod działania oraz przedsięwzięć zmierzających
- do ograniczenia występujących zagrożeń;
- zaktywizowanie społeczności do tworzenia lokalnych koalicji na rzecz poprawy bezpieczeństwa;
- poprawienie wizerunku Policji w społeczeństwie.

Zakres tematyczny debat dotyczy zagrożenia przestępczością, z uwzględnieniem:

- kategorii przestępstw najbardziej uciążliwych społecznie;
- zapobiegania przemocy w rodzinie;
- poczucia bezpieczeństwa w miejscu zamieszkania i w miejscach publicznych;
- bezpieczeństwo uczestników ruchu drogowego.

Podstawowym elementem realizacji programu jest organizowanie debat w powtarzalnych cyklach, w sposób który umożliwi zweryfikowanie skuteczności działań podjętych przez instytucje, w związku ze złożonymi przez społeczeństwo wnioskami oraz przyjęcie nowych postulatów do realizacji.

Debaty odbywają się w szerokim gremium przy współudziale przedstawicieli różnych grup i środowisk działających na rzecz zwiększenia poczucia bezpieczeństwa, w szczególności:

- mieszkańcy powiatów i dzielnic;
- wojewoda, wicewojewoda;
- Komendant Stołeczny Policji/ Mazowiecki Komendant Wojewódzki Policji,
- starostowie, wójtowie, sołtysi;
- przedstawiciele władz samorządowych;
- prokuratorzy;
- Komendanci Rejonowi/Powiatowi Policji;
- przedstawiciele straży miejskich/gminnych.

W celu dotarcia do jak największej liczby obywateli, specjaliści ds. prewencji kryminalnej, służby prasowe oraz bezpośrednio policjanci dzielnicowi poszczególnych jednostek organizacyjnych Policji, prowadzili przed rozpoczęciem debat, akcje promocyjno – edukacyjną mającą na celu upublicznienie informacji o spotkaniach na możliwie wczesnym etapie projektu, polegającą m.in. na: sporządzeniu i kolportażu plakatów informacyjnych; umieszczaniu ogłoszeń w prasie, na tablicach informacyjnych, w kościołach, itd...; umieszczaniu ogłoszeń w instytucjach publicznych; przesłaniu zaproszeń do wybranych osób; nawiązywaniu bezpośredniego kontaktu ze społeczeństwem przez dzielnicowych jako gospodarzy rejonu.

Jeśli chodzi o standardy organizacji debat przyjęto, że w miarę możliwości będą one organizowane w obiektach dostosowanych do potrzeb osób niepełnosprawnych, przy obecności tłumacza języka migowego. Przebieg spotkań każdorazowo, jeżeli warunki techniczne na to pozwalają, jest transmitowany na żywo on-line, z możliwością zadawania pytań na żywo przy użyciu komunikatora internetowego. W celu zapewnienia jak najlepszej jakości przebiegu debat każde spotkanie moderuje ta sama osoba (funkcjonariusz Policji).

Ponadto, w celu ułatwienia społeczeństwu załatwienia spraw typowo indywidualnych, wykraczających poza obszar tematyczny debaty organizowane są punkty promocyjno – informacyjne. W tego typu punktach usytuowani są funkcjonariusze Policji, strażnicy miejscy oraz pracownicy wydziałów obsługi mieszkańców urzędów miast i gmin. Każdorazowo prowadzone są również badania ankietowe dotyczące oceny organizacji przedsięwzięcia.

Ustalając ramowy scenariusz debaty, twórcy programu mieli przede wszystkim na uwadze poznanie opinii lokalnej społeczności na temat bezpieczeństwa, stąd też ograniczenie wystąpień panelistów do niezbędnego minimum – czas trwania debaty przyjęto na 2 godziny z czego co najmniej 90 minut stanowi właściwa debata. W celu zapewnienia optymalnej realizacji wniosków i postulatów zgłaszanych w trakcie debat społecznych przeprowadzonych na terenie garnizonu stołecznego utworzone zostały tzw. zespoły ewaluacyjne, w skład których weszli przedstawiciele organów administracji rządowej i samorządowej, Policji, jednostek straży miejskich. W wyniku pracy zespołów ewaluacyjnych ujednolicono materiał sprawozdawczy i skoordynowano działania podmiotów zaangażowanych w realizację wniosków.

Za opracowanie materiału sprawozdawczego odpowiedzialne są poszczególne jednostki organizacyjne Policji. Sprawozdanie z realizacji wniosków udostępniane jest za pośrednictwem stron internetowych poszczególnych podmiotów zaangażowanych w realizację programu oraz dostępne są w trakcie organizowania kolejnych cykli spotkań. W celu wyeliminowania negatywnych zjawisk społecznych oraz poprawy poczucia bezpieczeństwa wśród członków lokalnych społeczności, biorąc pod uwagę wnioski złożone w trakcie debat, uwzględniono propozycje mieszkańców w zakresie dyslokacji patroli policyjnych.

Również zintensyfikowano oraz wypracowano nowe rodzaje działań mających na celu zapobieganie przestępczości i patologii społecznej, w szczególności skierowanych do młodzieży szkolnej. Ponadto, funkcjonariusze służby ruchu drogowego inicjują działania zmierzające do

zmiany organizacji ruchu drogowego, oświetlenia, oznakowania, infrastruktury publicznej. Podjęto, szereg działań informacyjnych zmierzających do upowszechniania informacji na temat policjantów dzielnicowych w środowiskach lokalnych.

Jednakże najważniejszym działaniem w kontekście diagnozowania potrzeb i oczekiwań społecznych w zakresie poprawy bezpieczeństwa jest organizowanie spotkań z mieszkańcami w węższym gronie, na poziomie bardziej lokalnym (grupy osiedlowe, gminy, ulice, wspólnoty)<sup>54</sup>.

Kolejną inicjatywą, o której należałoby wspomnieć, a która niejako jest naturalną ewaluacją opisanych powyżej działań, doskonale wpisujących się w filozofię community policing jest przedsięwzięcie rozpoczęte w lipcu 2016 roku przez Polską Policję z inicjatywy Ministerstwa Spraw Wewnętrznych i Administracji pn. Krajowa Mapa Zagrożeń Bezpieczeństwa. Jest to interaktywne internetowe narzędzie do wymiany informacji pomiędzy Policją a obywatelami. Wdrożenie do powszechnego użytku narzędzia odbyło się w dwóch etapach -pierwszy, który etap określany jako wdrożeniowy, pilotażowo zrealizowany w trzech jednostkach organizacyjnych Policji szczebla wojewódzkiego: Komendy Wojewódzkiej Policji w Białymstoku, Komendy Wojewódzkiej Policji w Gdańsku i Komendy Stołecznej Policji oraz drugi – obejmujący działania promujące powszechne korzystania przez obywateli z ogólnodostępnej aplikacji.

W ramach podjętych działań przedstawiono funkcjonariuszom założenia funkcjonowania narzędzia, z dwóch perspektyw: drogą służbową (m.in. w ramach lokalnego doskonalenia zawodowego) oraz za pośrednictwem ogólnodostępnych kanałów medialnych. Po zapoznaniu się z informacjami na temat założeń programu oraz funkcjonalności platformy, funkcjonariusze zobligowani byli do promowania tychże treści wśród członków lokalnych społeczności.

Ponadto, oprócz działań promocyjno - edukacyjnych Krajowej Mapie Zagrożeń Bezpieczeństwa, towarzyszył także proces formalizujący jej działanie w systemie norm wewnątrz instytucjonalnych oraz wprowadzanych procedur i algorytmów postępowania. Realizacja tego etapu objęta była bieżącym nadzorem właściwych kierowników komórek i jednostek organizacyjnych Policji merytorycznie odpowiedzialnych za funkcjonowanie służby prewencyjnej.

W chwili gdy narzędzie zostało wdrożone, funkcjonuje i jest ogólnodostępne w skali całego kraju a wszystkie jej funkcjonalności działają bez zarzutu, jednostki organizacyjne Policji na każdym szczeblu zhierarchizowania w dalszym ciągu podejmują działania mające na celu jak najszerze promowanie przedmiotowego projektu. Ponadto, w ramach szeroko pojętego doskonalenia zawodowego kontynuowane są szkolenia tematyczne dla funkcjonariuszy zajmujących się z problematyką mapy. Bardzo istotnym źródłem pozyskiwania informacji, wykorzystywanych następnie na potrzeby zapewnienia możliwie jak najwyższego poziomu realizacji zadań policyjnych są także odprawy służbowe<sup>55</sup>.

<sup>54</sup> Opracowanie własne na podstawie niepublikowanych informacji Komendy Stołecznej Policji na temat realizacji programu „Debaty społeczne”.

<sup>55</sup> Szerzej: M. Mikołajczyk, *Utylitarne aspekty funkcjonowania Krajowej Mapy Zagrożeń Bezpieczeństwa na terenie działania Komendy Stołecznej Policji – analiza przypadku*, Policja Kwartalnik Kadry Kierowniczej 1/2020, Szczelno 2020, s. 7.

Na czym polega istota funkcjonowania platformy? – Za pośrednictwem dedykowanej strony internetowej każdy użytkownik może wskazać miejsca jego zdaniem niebezpieczne. Informacje te przekazywane są właściwej terytorialnie jednostce Policji i służą planowaniu dyslokacji patroli Policji i innych służb. Ponadto, dzielnicowi, w których rejonie zostają wskazane zagrożenia w ramach prowadzonego rozpoznania terenowego, osobowego, zjawisk i zdarzeń weryfikują prawdziwość zgłoszeń. Jednocześnie narzędzie jest dla nich doskonałym źródłem informacji o tym, co dzieje się w danym rewirze dzielnicowych<sup>56</sup>. Takie informacje wykorzystywane mogą również być na potrzeby innych czynności policyjnych, m.in. operacyjno – rozpoznawczych, wywiadu kryminalnego.

Drugim równie ważnym obszarem jest prowadzenie działań propagandowych, promujących narzędzie na poziomie lokalnym jednakże skierowanym do jak najszerszego grremium odbiorców. Realizacja zadań w omawianym zakresie obejmuje przede wszystkim::

- promocja inicjatywy i zamieszczenia linków oraz odnośników na stronach internetowych jednostek Policji każdej kategorii;
- wyświetlaniu komunikatów na temat mapy na ekranach informacyjnych w środkach komunikacji miejskiej oraz w przestrzeni publicznej;
- publikacji artykułów prasowych w środkach masowego przekazu, w tym między innymi w gazetach lokalnych, biuletynach i tygodnikach;
- umieszczaniu informacji w obiektach użyteczności publicznej, jednostkach administracji państwowej i samorządowej;
- umieszczaniu informacji w obiektach sakralnych oraz kultu religijnego, a także przekazywaniu ich podczas prowadzonych obrzędów;
- prowadzenie akcji informacyjnej w mass – mediach
- druk i dystrybucja plakatów oraz ulotek informacyjnych<sup>57</sup>.

Ponadto, wystąpienia policyjnych profilaktyków na różnego rodzaju imprezach, festynach i spotkaniach są doskonałą okazją do rozpowszechnienia informacji promocyjnych narzędzie Krajowej Mapy Zagrożeń Bezpieczeństwa. Istotną rolę w tym obszarze odgrywają także policjanci dzielnicowi, którzy prezentują nowatorską formę kontaktu na spotkaniach w świetlicach środowiskowych, podczas debat społecznych oraz kontaktów z mieszkańcami w codziennej służbie obchodowej.

Dane generowane przy użyciu omawianego narzędzia są niezwykle cennym źródłem informacji na temat prawdopodobnie występujących na danym obszarze zjawisk niepożądanych, które to następnie zostają faktycznie weryfikowane przez funkcjonariuszy komórek patrolowych bądź dzielnicowych. Sprawy w których Policji nie posiada delegacji ustawowej w ramach posiadanych kompetencji do ich załatwienia, zgodnie z właściwością miejscową i rzeczową zostają

<sup>56</sup> Tamże, s. 6 - 8.

<sup>57</sup> Tamże.



przekazane innym podmiotom takim jak służby, organy administracji samorządowej i rządowej, wspólnoty mieszkaniowe, administratorzy terenu, itp.

Ponadto informacje zgromadzone za pomocą narzędzia są jednym z podstawowych elementów wykorzystywanych w tworzeniu dyslokacji służby zewnętrznej w obrębie właściwości terytorialnej poszczególnych jednostek organizacyjnych Policji. Przede wszystkim dotyczy to sił i środków policyjnych komórek patrolowo – interwencyjnych, wywiadowczych, ruchu drogowego, a także służby kryminalnej ze szczególnym uwzględnieniem prowadzenia działań operacyjno – rozpoznawczych. Proces planowania wsparty jest danymi pochodzącymi z permanentnie prowadzonego policyjnego rozpoznania terenowego, osobowego oraz zjawisk i zdarzeń. Przyjęcie tego typu rozwiązań istotnie wpływa na efektywność identyfikacji nastrojów i oczekiwań członków lokalnych społeczności społecznych i planowanie oraz następnie prowadzenie na tej podstawie przedsięwzięć ukierunkowanych na redukcję a finalnie eliminację nieporządných zjawisk o charakterze kryminogennych wpływających negatywnie na poczucie bezpieczeństwa obywateli.

Jak już wcześniej wspomniano, bardzo istotnym elementem realizacji każdej strategii zapobiegania przestępczości opartej o założenia *community policing* jest policjant - dzielnicowy. Pełniąc rolę funkcjonariusza pierwszego kontaktu, będąc integralną częścią wspólnoty obywateli funkcjonujących na obszarze obejmującym przydzielony rejon służbowy, odgrywa on ogromną rolę w kreowaniu pożądanego stanu bezpieczeństwa, budowaniu poczucia bezpieczeństwa oraz tworzeniu prawidłowych postaw charakterystycznych dla społeczeństwa obywatelskiego<sup>58</sup>.

Zgodnie z obowiązującymi przepisami dzielnicowy realizuje zadania dotyczące przydzielonego mu rejonu, a w szczególności:

- prowadzenie rozpoznania przydzielonego mu rejonu pod względem osobowym, terenowym, zjawisk i zdarzeń mających wpływ na stan bezpieczeństwa i porządku publicznego;
- realizowanie zadań z zakresu profilaktyki społecznej;
- realizowanie zadań z zakresu ścigania sprawców przestępstw i wykroczeń;
- kontrolowanie przestrzegania prawa powszechnie obowiązującego oraz przepisów prawa miejscowego<sup>59</sup>.

Jak słusznie stwierdziła D. Pater w artykule opublikowanym w periodyku Ministerstwa Sprawiedliwości pt. „Probacja” „...dzielnicowi to policjanci utrzymujący bezpośredni kontakt ze społecznościami lokalnymi swoich rejonów, rozpoznający ich potrzeby i oczekiwania w zakresie szeroko pojmowanego bezpieczeństwa, zarówno indywidualnego, jak i publicznego. Dzielnicowi diagnozują wspólnie z mieszkańcami lokalne problemy, ustalają ich przyczyny i pomagają

<sup>58</sup> Szerzej: J. Stawicka, I. Klonowska, *Rola Dzielnicowego w nowoczesnej formacji policyjnej z perspektywy działań edukacyjno – wychowawczych i profilaktycznych w społeczeństwach lokalnych*, Warszawa 2017, s. 15 - 18.

<sup>59</sup> Zarządzenie Komendanta Głównego Policji z dnia 20 czerwca 2016 roku w sprawie metod i form wykonywania zadań przez dzielnicowego i kierownika dzielnicowych (Dz. U. KGP z 2016 poz. 26), § 29 ust. 2.

w poszukiwaniu skutecznych sposobów ich rozwiązania. Inicjując i organizując niezbędne działania, angażują do tego zarówno instytucje publiczne, w tym samorządowe, placówki oświatowe, organizacje pozarządowe, jak i społeczności lokalne. Dzielnicowy nie tylko prowadzi rozpoznanie przydzielonego mu rejonu służbowego pod względem osobowym, terenowym, jak też zjawisk i zdarzeń mających wpływ na stan porządku publicznego, ale realizuje również zadania z zakresu profilaktyki społecznej oraz ścigania sprawców przestępstw i wykroczeń, a także kontroluje przestrzeganie prawa powszechnie obowiązującego oraz przepisów prawa miejscowego. Musi znać stosunki społeczno-ekonomiczne, struktury gospodarcze i środowiskowe, lokalizację rozmiaru i natężenia zjawisk kryminogennych, jak również konflikty społeczne oraz ich genezę. Musi wiedzieć o planowanych doraźnie lub okresowo imprezach, w tym imprezach sportowych, kulturalnych, rozrywkowych i handlowych. Zbiera informacje o osobach zamieszkałych lub przebywających w jego rejonie, które ze względu na swoją przeszłość, aktualny tryb życia i zachowania mogą stwarzać zagrożenie bezpieczeństwa i porządku publicznego, a w szczególności o osobach: karanych oraz korzystających z przepustki lub przerwy w odbywaniu kary, podejrzewanych o prowadzenie działalności przestępczej, uzależnionych od alkoholu lub środków działających podobnie do alkoholu, a także nieletnich zagrożonych demoralizacją i sprawców czynów karalnych. Dzielnicowy kontaktuje się również z osobami – potencjalnymi ofiarami przestępstw i wykroczeń – w celu wskazania im właściwych sposobów unikania zagrożenia<sup>60</sup>.

Wewnątrz policyjne przepisy precyzujące sposób realizacji zadań oraz nadające określony charakter służbie dzielnicowego wskazują także konkretny katalog przedsięwzięć które funkcjonariusz na tym stanowisku, zobowiązany jest realizować w obszarze szeroko pojętej profilaktyki społecznej, a mianowicie:

- diagnozowanie i wskazywanie lokalnych zagrożeń oraz kierunków działań profilaktycznych;
- inspirowanie i współuczestniczenie w przedsięwzięciach z zakresu profilaktyki społecznej we współpracy z innymi policjantami, jednostkami samorządu terytorialnego oraz innymi podmiotami poza policyjnymi;
- realizację akcji i programów profilaktycznych we współpracy z innymi policjantami oraz podmiotami poza policyjnymi;
- informowanie mieszkańców o występujących zagrożeniach i udzielanie instrukcji o sposobach zabezpieczania się, zachowania się w określonych sytuacjach oraz organizowania się w celu poprawy bezpieczeństwa;
- inicjowanie działań pomocowych dla ofiar przestępstw, a także organizowanie doradztwa dla tej grupy osób;
- przeciwdziałanie przemocy w rodzinie<sup>61</sup>.

<sup>60</sup> D. Pater, *Spoleczne wsparcie działań Policji mających na celu zapobieganie popełnianiu przestępstw i wykroczeń oraz zjawiskom kryminogennym*, Probacja 4/2018, Warszawa 2018, s. 125-126.

<sup>61</sup> Zarządzenie nr 5 Komendanta Głównego Policji z dnia 20 czerwca 2016 r. w sprawie metod i form wykonywania zadań przez dzielnicowego..., wyd. cyt., § 36

Realizując założenia strategii uspołeczniania działań policyjnych na rzecz bezpieczeństwa, polska Policja wdrożyła nową filozofię opartej na bardzo sugestywnym przekazie - „chcemy być jak najbliższej ludzi, znać i wspólnie rozwiązywać ich problemy. Społeczeństwo chce mieć Policję u siebie. Tego ludzie oczekują: żeby policjant był z nimi i działał, kiedy komuś dzieje się krzywda. Dzielnicowy musi być wśród ludzi i służyć ludziom” – takie są założenia programu „Dzielnicowy bliżej nas”<sup>62</sup>. Program ten jest to obecnie jednym z podstawowych programów realizowanych w celu zbudowania zaufania pomiędzy służbami a obywatelami.

Policjanci biorący udział w tym programie są odpowiednio przygotowani i przeszkoleni w zakresie podnoszenia poziomu wiedzy zawodowej i kompetencji. W ramach tego programu mają zapewniony dostęp do nowych narzędzi komunikacji społecznej oraz odpowiednie warunki lokalowe i narzędzia pracy. Ważnym elementem programu jest propagowanie właściwych postaw dzielnicowych i społeczności lokalnych w celu uzyskania jak najlepszych efektów. Najważniejszym celem jest uwrażliwienie na potrzeby społeczności lokalnej, oraz zbudowanie zaufania pomiędzy Policją a obywatelami. Kontakt z dzielnicowym ułatwiony jest dzięki aplikacji „Moja Komenda”, dzięki której można uzyskać kontakt z dzielnicowym z danego rejonu. Aplikacja umożliwia również wyszukanie każdego dzielnicowego w Polsce, a także zawiera dane kontaktowe wszystkich komend i komisariatów w Polsce<sup>63</sup>.

Ostatnim przykładem działań które z powodzeniem można określić działaniem Policji społecznej czyli wspólnotowej<sup>64</sup> jest program realizowany przez Komendę Stołeczną Policji oraz Mazowiecką Komendę Wojewódzką Policji pn. Mazowiecka Akademia Seniora. Projekt w swej formie jest prosty i przejrzysty, a przede wszystkim pozwala na wykorzystanie już istniejącej współpracy z podmiotami takimi jak Mazowiecki Urząd Wojewódzki, Komenda Wojewódzka Policji z siedzibą w Radomiu, Komenda Wojewódzka Państwowej Straży Pożarnej w Warszawie, Wojewódzki Inspektorat Inspekcji Handlowej w Warszawie, Wojewódzki Inspektorat Farmaceutyczny w Warszawie, Wojewódzka Stacja Sanitarno – Epidemiologiczna w Warszawie.

Program skierowany jest do seniorów, ale też do wolontariuszy których cechuje aktywność w podejmowaniu działalności na rzecz społeczności lokalnych. Działania projektu ukierunkowane są na osoby starsze, często samotne, które potencjalnie mogą stać się ofiarami działań przestępczych w szczególności oszustw. Osoby w podeszłym wieku z racji swojej otwartości, dobroci i ufności, czy też samotnego zamieszkiwania są częstymi ofiarami przestępców. Jedną z najpopularniejszych metod działania sprawców jest metoda na tzw. „wnuczka”, „krewnego”. Sprawcy tego typu przestępstwa w sposób wyrachowany wykorzystują wymyśloną historię o pilnej potrzebie pożyczki określonej sumy pieniędzy. Ciągłe zmieniające się metody działania

<sup>62</sup> D. Pater, wyd. cyt., s. 127.

<sup>63</sup> Tamże.

<sup>64</sup> Jest ona ukierunkowana na współdziałanie na poziomie lokalnym z obywatelami z wykorzystaniem zróżnicowanych form i metod, takich jak: patrole osobistych, wtapianie funkcjonariuszy w społeczność, wymiana informacji. Uspołecznienie ma na celu aktywizację i koordynację działań społeczeństwa na rzecz poprawy bezpieczeństwa. Rola Policji polega tutaj na osiągnięciu takiego wpływu na organizację życia, by wyeliminować możliwość popełniania przestępstw, Z. Lasocik, *Dzielnicowy w nowoczesnej formacji policyjnej*, Warszawa 2011, s. 117.

sprawców przestępstw generują potrzebę systematycznego przekazywania informacji osobom starszym np. poprzez organizację spotkań z seniorami.

Osoby w podeszłym wieku to też grupa docelowa dla podmiotów handlowych zajmujących się sprzedażą akwizycyjną przedmiotów rehabilitacyjnych, pościeli, wyposażenia kuchni lub sprzętu AGD. Niska świadomość osób starszych na stosowane podczas tego typu sprzedaży metody socjotechniczne powoduje nakłonienie seniorów na zakup często niepotrzebnych przedmiotów po zawyżonych cenach, czasami również na zawarcie niekorzystnej umowy kredytowej ze sprzedawcą. Brak podstawowych informacji na temat praw konsumentów, w tym możliwości i formy odstąpienia od zawartej umowy generuje potrzebę zwiększenia świadomości wśród osób starszych zagadnień prawa konsumenckiego. Bardzo istotnymi obszarami projektu są też zagadnienia związane z pomocą społeczną (zasady przyznawania pomocy, podmioty świadczące całodobową opiekę seniorom i osobom niepełnosprawnym), zdrowiem (badania profilaktyczne, szczepienia ochronne, bezpieczne stosowanie leków), aktywność społeczna.

Przedmiotowa inicjatywa obejmuje działania polegające na organizacji szkoleń dla tzw. „liderów” zgłoszonych na zaproszenia przesłane między innymi do koordynatorów Uniwersytetów Trzeciego Wieku, klubów seniora i innych miejsc skupiających seniorów. „Liderzy” wspólnie z policjantami – koordynatorami projektu odbywają jednodniowe szkolenie przeprowadzone wspólnie z partnerami programu. Po zakończeniu szkolenia „liderzy” zostają zaopatrzeni w „pakiet informacyjny” zawierający dane kontaktowe do osób – koordynatorów projektu z poszczególnych instytucji.

Główną ideą programu jest zaangażowanie seniorów i wolontariuszy do inicjacji spotkań w lokalnym środowisku z osobami starszymi, na które zapraszani są przedstawiciele partnerów programu. „Lider” przy wsparciu policjantów (koordynatorów) organizuje otwarte spotkania dla osób starszych np. w miejscu swojego zamieszkania, klubach seniora, domach pomocy społecznej, klubach parafialnych, związkach wyznaniowych.

Ważną częścią programu jest również zwrócenie uwagi osób starszych na sytuacje stwarzające zagrożenie dla życia i zdrowia własnego lub innych osób w ruchu drogowym. Działania mają na celu uświadomienie seniorom jak często osoby powyżej 60 roku życia stają się ofiarami wypadków drogowych, ale też są okazją do propagowania noszenia elementów odbłaskowych po zmroku, czy też podczas niekorzystnych warunków atmosferycznych.

Zasadniczym celem działań jest ograniczenie zachowań wiktyologicznych i zapobieganie zdarzeniom przestępczym podejmowanym wobec osób w podeszłym wieku, ograniczenie ilości zdarzeń w ruchu drogowych z udziałem osób starszych oraz zwiększenie świadomości prawnej z zakresu praw konsumenta, a także zagadnień związanych z bezpieczeństwem przeciwpożarowym i zatruciem tlenkiem węgla<sup>65</sup>.

Reasumując powyższe rozważania na temat istoty strategii działań policyjnych, na rzecz zapobiegania i zwalczania przestępczości realizowanych w oparciu o założenia filozofii community

<sup>65</sup> Opracowano na podstawie informacji Komendy Stołecznej Policji oraz Mazowieckiego Urzędu Wojewódzkiego.

policing, zasadnym jest stwierdzenie, że coraz częściej, zaczynamy zdawać sobie sprawę z tego, że Policja i społeczeństwo są sobie nawzajem potrzebne. Obie strony zaczynają dostrzegać w sobie partnerów w trosce o bezpieczeństwo publiczne. Określenie nowych stosunków pomiędzy Policją a społeczeństwem oznacza bardziej efektywne zapobieganie przestępczości, mniej obaw i strachu obywateli, z punktu widzenia Policji wpływa na podwyższenie poziomu moralnego i zwiększenie motywacji do działań. Podstawowym założeniem, na którym opiera się uspołecznienie działań policyjnych jest aktywny i skoordynowany udział społeczeństwa w poprawie własnego stanu bezpieczeństwa.

Stworzenie prawdziwego partnerstwa pomiędzy społeczeństwem a Policją, która je ochrania, to cel do jakiego dąży zarówno Policja jak i społeczeństwo. Partnerstwo takie wymaga, aby społeczne działania prewencyjne i społeczne działania Policji były skoordynowane i w rzeczywistości zmierzały do jednego celu. Dopiero wtedy, społeczeństwo stanie się autentycznym partnerem Policji w dziedzinie ochrony bezpieczeństwa publicznego.

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## **HORIZONTAL AND VERTICAL ASPECTS OF POLITICAL ELECTIONS IN UKRAINE**

Horizontal and vertical aspects of political elections and their influence on voting process in Ukraine are analyzed in this article. The basic trends of electoral behavior of the citizens of Ukraine are revealed on the basis of empirical data of election campaigns and politicians' activity. The factors that influence on the democratic nature of the elections of 2014 and 2019, as well as the reasons for citizens' distrust of politicians are studied. These reasons include electoral volatility, which is influenced by the populism of politicians and the citizens' frustration of the elected parties' activity as well as misinformation during electoral campaign.

*Keywords: political elections, electoral system, parties, transitional society, Ukraine*

## **HORYZONTALNE I PIONOWE ASPEKTY WYBORÓW POLITYCZNYCH NA UKRAINIE**

W artykule przeanalizowano horyzontalne i wertykalne aspekty wyborów politycznych i ich wpływ na proces głosowania na Ukrainie. Podstawowe trendy zachowań wyborczych obywateli Ukrainy ujawniają się na podstawie danych empirycznych kampanii wyborczych i aktywności polityków. Badane są czynniki wpływające na demokratyczny charakter wyborów w 2014 i 2019 roku, a także przyczyny nieufności obywateli do polityków. Przyczyny te obejmują zmienność wyborczą, na którą wpływ ma populizm polityków oraz frustracja obywateli wobec działalności wybranych partii, a także dezinformacja podczas kampanii wyborczej.

*Słowa kluczowe: wybory polityczne, system wyborczy, partie, społeczeństwo przejściowe, Ukraina*

## **ГОРИЗОНТАЛЬНІ ТА ВЕРТИКАЛЬНІ АСПЕКТИ ПОЛІТИЧНИХ ВИБОРІВ В УКРАЇНІ**

В статті аналізуються горизонтальні та вертикальні аспекти політичних виборів та їх вплив на виборчий процес в Україні. На основі емпіричних даних виборчих кампаній та діяльності політиків виокремлені основні тенденції електоральної поведінки громадян України. Досліджуються фактори, що впливають на демократичний характер виборів 2014 та 2019 рр., а також причини недовіри громадян до політиків. Серед цих причин

зазначаються: електоральна волатильність, на яку впливають популізм політиків та розчарування в діяльності обраних партійта заангажована інформація.

**Ключові слова:** політичні вибори, виборча система, партії, транзитивне суспільство, Україна

Elections can be considered as important mechanism for the formation of governmental bodies and the realization of the popular sovereignty in democratic countries. It also can be understood as the most common form of civil involvement. Qualitative characteristics are substantial for the transitional societies with an uncertain system of political relations when each electoral cycle significantly affects the strategic vectors of the country development but political forces do not have a common value system and therefore have focus more on confrontation than on cooperation. The difficulties of the electoral process in Ukraine caused by not only the transformational state of the society, but also because of informational war which is being waged by the Russian Federation. One of the components of such an information war is interference in elections by financing pro-Russian publications in Ukraine, discrediting particular candidates, spreading fake news and promoting chaos and disorder. In this situation the problem of responsible attitude to political elections and their consequences as well as the development of culture of critical thinking and analytical approaches are extremely important. The implementation of these tasks requires the cooperation of the state, civil society, experts and scientists.

The elections have often been the subject of political analysis. Particular attention was paid to the specifics of the electoral process in the context of democratization of transitional society. In addition, most authors devoted their attention to the study of political, legal, procedural and technological parameters of the electoral process. At the same time, the problem of political elections such as studies on the results of voting and their impact on the formation of an effective government is still not examined enough.

For this reason, the purpose of the proposed article is to determine the factors that influence the conscious quality of a political choice during electoral process in modern Ukrainian society.

Political elections can be characterized as unique phenomenon because of their ability to combine both direct and representative democracy. On the one hand, citizens can directly form government decision-making bodies. On the other hand, the elected politicians obtain the right to represent the interests of a segment of society. J. Schumpeter noted that democracy is mainly a method of politics, a certain system of institutions for decision-making, in which particular citizens obtain the right to make decisions by competing for the votes of voters.<sup>1</sup> In contrast with democracy, in authoritarian regimes elections become the means of formally legitimizing power, restricting the citizens' political right to "tossing the ballots". In addition,

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<sup>1</sup> Шумпетер Й., *Капіталізм, соціалізм і демократія*, Wyd. Основи, 1995, s. 294-295



this situation was described by G. O'Donnell in his conception of delegative democracy, where the winner of the elections as a president obtains the right to govern the country at his direction without any restrictions excluding the existing power relations and his term.<sup>2</sup> That is why the most significant function of democratic elections is to ensure the effective representation.

In this context, it seems to be important to analyze the democratic features of the electoral process and the problems of their implementation. The criteria for democratic political elections are paid attention to many scholars. For instance, R. Dahl proposed to use following measures such as guarantee of voting rights of all citizens regardless of gender, nationality, race, religion or other beliefs; voting is free and secret; regularity of elections in accordance with the terms which are set in the constitutions and relevant legislation; all social groups have an opportunity to nominate their candidates; conducting a sufficient pre-election period to acquaint voters with the programs of candidates as well as guaranteed equal access of candidates to the media; independent objective control over the vote counting; equal access of candidates to the election results; the winner should head the government.<sup>3</sup>

G. O'Donnell summarized that the main characteristic of democratic political elections is competition which is insured by the fact that choice is free, equal, inclusive and provides real power to the winners.<sup>4</sup> In addition to this opinion, V. Bans and S. Volchik substantiated that the democratic elections are determined by the following characteristics:

1. Elections can be considered as a key factor of democratic progress;
2. Generally elections are defined as one of the most important features of democracy in non-Western countries;
3. Elections open opportunity for political protest.<sup>5</sup>

Ukrainian scientist Yu. Shveda in his works formulates the democratic essence of elections that means "equal and universal right of all citizens to participate in making citizens' political choice; the need to make decisions on the basis of broad public support rather than minority interests; the ability to consider complex alternatives and to choose among them those ones that are supported by relatively stable and long-lasting coalitions".<sup>6</sup>

Thus, the characteristics of elections include equality, competitiveness, transparency and ensuring the rights of all citizens to participate in the government formation. These aspects also can be seen in electoral legislation. For instance, legislative principles of election in Ukraine are declared in the 71 Article of the Constitution of Ukraine, where was stated that "General and local elections are free and are held on the basis of universal, equal and direct suffrage by

<sup>2</sup> О'ДОННЕЛЛ Г. *Делегативная демократия*, *zrodlo*: URL: [http://www.gumer.info/bibliotek\\_Buks/Polit/Article/donn\\_del.php](http://www.gumer.info/bibliotek_Buks/Polit/Article/donn_del.php)

<sup>3</sup> Dahl R.A., *Democracy and its critics*, Wyd. Yale University Press. 1989. s. 397

<sup>4</sup> O'Donnell G., *Democratic theory and comparative politics*, Wyd. University of Notre Dame Kellogg Institute for International Studies. 1999. ss. 18-19

<sup>5</sup> Bunce V. J., Sharon L. Wolchik. Defeating Dictators: Electoral Change and Stability in Competitive Authoritarian Regimes, *World Politics*, 2010, vol. 62, nr. 1, January 2010, pp. 438-49

<sup>6</sup> Шведа Ю., *Вибори та виборчі системи. Європейські стандарти та досвід для утвердження демократії в Україні*. Wyd. Львів, 2010. s. 135

secret ballot”<sup>7</sup>. Mentioned principles are also declared in such laws as “On Elections of People’s Deputy of Ukraine”, “On Elections of the President of Ukraine” and “On Local Elections”. The analysis of the electoral situation in Ukraine also shows that despite the declaration of democratic principles in legislation, most of these principles are implemented with certain restrictions. According to the human right organization Freedom House, the index of electoral process in Ukraine since 2009 has remained at about the same level in the range from 4.0 to 3.5 (where the best index is 1 and the worst one is 6).<sup>8</sup> The report of the PACE Delegation’s visit to Ukraine in March 2019 stated that situation in the country was favorable for democratic elections, the Central Election Commission acted professionally and the Ukrainian legislative was sufficient for democratic elections. Undoubtedly there are some shortcomings such as meaningless electoral rhetoric of many candidates; discrepancy between campaign promises and real policy; using an administrative resource and bribing the voters. As a result, mentioned factors complicate the citizens’ rational choice. At the same time, it was generally concluded that these violations were unsystematic and elections in Ukraine would take place in accordance with the requirements of national and EU legislation.<sup>9</sup>

Most of above-mentioned characteristics of democratic elections relate to the value reflection of politics in the horizontal dimension but we need to consider elections not only as opportunity for discussion, free expression of opinions, etc. They are also understood as a mechanism for formation of a government which must be effective. Furthermore G. Sartori argued that the democracy of political choice in itself does not guarantee its effectiveness. The scientist emphasized the significant gap between “horizontal” (equality) and “vertical” (efficiency) dimensions of democracy. The basic ideals of democracy appeal to its direct forms but representation remains insufficiently substantiated in the terms of value but the definition of “election” is always understood differently. From the very beginning, the definitions “voting” and “elections” meant the evaluation of the candidates and their quality selection. But in modern society G. Sartori noted that meaning of “elections” is unjustifiably simplified to a simple act of voting, so candidates’ qualitative characteristics often stay in the background. This situation leads to decline effectiveness of a democratic government because the vertical democracy value system is related to the values of political choice. Thus, in democracy candidates should be selected on the basis of their professional qualities and objective achievements<sup>10</sup>.

R. Dahl proposed the similar opinion, substantiating the importance of high level of the citizens’ political competence for the viability of a democratic political model. The forming of political competence is ensured by the necessary level of knowledge providing by media

<sup>7</sup> Конституція України. Wyd. ЦНА, 2019, стаття 71.

<sup>8</sup> Freedom in the World 2018, Freedom House. *zrodlo*: URL: <https://freedomhouse.org/report/freedom-world/2018/ukraine-translation>

<sup>9</sup> «Загальне середовище в Україні має передбачати проведення демократичних виборів», - говорить передвиборна делегація ПАРЕ. *zrodlo*: URL: <http://www.assembly.coe.int/nw/xml/News/News-ViewEN.asp?newsid=7399&lang=2&cat=31>

<sup>10</sup> Sartori G., *The Theory of Democracy Revised*, Wyd. Chatham House Publishers, Inc., Chatham House, N.J., 1987. *Part One The Contemporary Debate*. XIV, 253 s.; *Part Two. The Classical Issues*. 542 s.

which proposes open, reliable and accessible information. Competing for the votes, candidates should provide voters with information about parties' programs and goals as well as their achievements, professional and moral qualities. This information would be sufficient for voters to make an informed choice.<sup>11</sup>

Basing on the analysis of the modern researches, S. Dahlberg identifies the components of the model of democratic elections which characterize both the parties' and voters' activity:

1. There should be at least two competing parties with different programs;
2. Political parties should be internally cohesive and disciplined in order to be able to pursue their policies after election;
3. Voters are expected to vote rationally. That means that the voters would cast their votes for the party's program that is closer to their preferences.
4. Voters should have political preferences and be aware of the main differences between the positions of different electoral participants. Their perception of political positions should be adequate and accurate.<sup>12</sup>

An important aspect that determinates qualitative characteristics of political choice is the dynamics of electoral preferences from elections to elections which is called the index of electoral volatility<sup>13</sup> or the index of electoral variability or electoral instability<sup>14</sup> (these concepts are used in some researches by Ukrainian scientists). The high level of variability of electoral preferences for certain political forces can be an indicator of the alienation between voters and candidates. This situation leads to inefficient representation and general distrust in effectiveness of a democratic government. The rapid growth of electoral uncertainty and decline of the traditional relations between political parties and voters has been noted in many studies. The increase of the role of short-term cognitive and heuristic factors in electoral behavior, in particular political sophistication which is interpreted as the accumulation of necessary knowledge in certain field of action is also determined.<sup>15</sup>

These trends are largely evident in Ukrainian society, where the level of electoral variability significantly exceeds threshold values. According to A. Romaniuk, the analysis of electoral volatility at the national level during the parliamentary elections of 2012/2014 and 2014/2019 shows that the instability of electoral preferences is connected with the disappointment of voters in the activity of political parties which were elected in recent elections and differences in the geopolitical and value orientations of voters in different regions of Ukraine. Also, the

<sup>11</sup> Далай П.А., *Проблемы гражданской компетентности*, *izrodlo*: URL: <http://www.politnauka.org/library/teoria/dahl.php>

<sup>12</sup> Dahlberg S., *Voters' Perceptions of Party Politics - A Multilevel Approach*. Wyd. Department of Political Science University of Gothenburg, 2009.s. 168

<sup>13</sup> Pedersen, M., The dynamics of European party systems: changing patterns of electoral volatility. *European Journal of Political Research* 1979, vol.7, issue 1, ss. 1–26.

<sup>14</sup> Балашова О., Електоральна волатильність як характеристика партійної системи України. *Науковий вісник Міжнародного гуманітарного університету. Сер.: Історія, Філософія, Політологія* 2020, № 19. ss. 84–88.s. 85

<sup>15</sup> Fiske S. T., Lau R. R. and Smith R. A., On the Varieties and Utilities of Political Expertise, *Social Cognition* 1990, vol. 8(1), ss. 31–48.

psychological attitude to the rapid success of newly elected parties has an effect on formation new populist party projects.<sup>16</sup>

To our mind, the conditions for quality selection of the candidates are both professional competencies of politicians (that means the ability to rule the country effectively) and the competencies of citizens who try to make informed choice based on the analysis of politicians' experience and information about them. Therefore, in addition to the horizontal conditions of elections which focus on ensuring equal and fair expression of people's will, the vertical conditions, which are related to the political institutions' effectiveness, are extremely important. In short, elections must not only meet democratic norms but also contribute to the society. As T.I. Kis noted, the effective elections should promote the formation of an effective government; ensuring fair representation; respect of minority rights; to create a system of politicians' responsibility to the citizens.<sup>17</sup>

As a result, the problem is to create a system of opportunities and conditions for citizens to make the informed choices during electoral process. It is necessary to analyze the indicators which contribute to the rational assessment of candidates during the election. The citizens' trust can be considered as universal criterion for this assessment because it is based on the socio-political situation in a country. Unfortunately, this criterion is a clear failure for Ukrainian politicians. Regularly conducted sociological surveys in Ukraine show the political distrust much more often than trust. To illustrate, 38% of respondents trust the Chairman of the Verkhovna Rada of Ukraine D. Razumkov but do not trust 48% of respondents. The President of Ukraine V. Zelensky's trust is at 31%, but distrust is at 63%. Mayor of Kyiv V. Klychko is trusted by 29% of respondents, but distrusted by 62%. The most distrusted politics are V. Medvechuk (78% of distrust while 13% of respondents trust him), V. Rabinovych (76.5% and 14% respectively), M. Saakashvili (74% and 15% respectively), P. Poroshenko (73% and 22% respectively), D. Smygal (72% and 16% respectively), A. Avakov (72% and 19% respectively), Yu. Tymoshenko (72% and 20.5% respectively), Yu. Boyko (71.5% and 21.5% respectively).<sup>18</sup>

The question is, what are the main motives for Ukrainians to make their political choices? In general, prevailing motives for Ukrainians to cast their votes for certain candidates are the personal qualities of the candidates (57% of respondents), the results of candidates' previous political activity (43%), their political programs (40%), personal appeal (36%) and the proximity of their ideas and proposals (36%).<sup>19</sup> That means that voters are often guided by subjective motives regardless of objective indicators as achievements of candidates' previous activity. The

<sup>16</sup> Romanyuk A., Features of electoral volatility at the regional level in Ukraine according to the results of the parliamentary elections of 2012/2014 and 2014/2019. *Studium Europaei et Orientalis* 2020. NR 13 CZERWIEC 2020. cc. 6-15. s. 15

<sup>17</sup> Kis T., Вибірчі системи та їхні політичні наслідки, *"Нова політика"* 1996. №2-4. cc. 2233. s. 28

<sup>18</sup> Оцінка ситуації в країні, довіра до інститутів суспільства та політиків, електоральні орієнтації громадян (березень 2021 р.). Дослідження Центру імені Олександра Разумкова. *zrodlo: URL: <https://razumkov.org.ua/napriamky/sotsiologichni-doslidzhennia/otsinka-sytuatsii-v-kraini-dovira-do-instytutiv-suspilstva-ta-politykiv-elektoralni-orientatsii-gromadian-berezen-2021r>*

<sup>19</sup> За півроку до виборів. *zrodlo: URL: <https://dif.org.ua/article/za-pivroku-do-viboriv-reytingi-kandidativ-i-partiy-motivatsii-viboru-ochikuvannya-gromadyan>*

most common information sources about politicians and their programs are the media, Internet and personal contacts. According to the research, the most common sources of information are central TV channels which are in the first place (78.6% of respondents), the next ones are news websites (35%), the information from private sources such as relatives, colleagues etc. (11%), social media (9.3%), local TV channels (9%), central print media (6.2%) and radio (3.1%).<sup>20</sup>

For the qualitative candidates' estimating voters should analyze candidates' election program, draw conclusions about the relevance of their promises and real activities. S. Dahlberg, analyzing the quality of the political representation provided as a result of election, emphasized the importance of voters' awareness of the political positions of the parties. In his opinion, without such an idea a responsible political choice would turn into a "random noise".<sup>21</sup>

The study of the previous election campaign in Ukraine shows the dominance of the similar subjects for the vast majority of any political parties namely: the fight against corruption and oligarchs; the support for small and medium-sized businesses; European integration of Ukraine; lifting parliamentary immunity and social promises. At the same time, citizens of Ukraine are most interested in the following problems such as peace in the Donbass and the return of the occupied territories (44% of respondents); country development program (41%); living standards growth (35%); fight against corruption (33%).<sup>22</sup>

To O. Koshel's mind, the head of the Committee of Voters of Ukraine, "there is a huge problem in Ukrainian politics. It is the lack of quality election programs from local to national elections. Parties come to power literally empty-handed, with a set of slogans which are difficult to implement as the legislative steps".<sup>23</sup> According to the Committee of Voters of Ukraine, the programs of the candidate in the 2019 presidential elections were often populist and unmeaning. For instance, 50% of program promises do not relate to president's authority, 20% of them are general slogans and excerpts from candidates' biographies. Relevant to the society topics do not draw much attention to the candidates. In particular, only 19 of 44 candidates stand for the European integration of Ukraine and almost half of them avoid talking about NATO or give negative assessment of Euro-Atlantic integration of Ukraine.<sup>24</sup>

One of the criteria for evaluating the politician's activity is his speeches, as well as underlying messages and their ratio between truth and falsehood. For instance, political speeches of those who were seeking for presidential post were analyzed by the VoxUkraine public organization. Within this project 1952 politicians' statements on most important issues were analyzed.

<sup>20</sup> Суспільно-політичні настрої населення України: січень-лютий 2019 року. . źródło: URL: <http://www.kiis.com.ua/?lang=ukr&cat=reports&id=823&page=1>

<sup>21</sup> Dahlberg S., *Voters' Perceptions of Party Politics - A Multilevel Approach*. Wyd. Department of Political Science University of Gothenburg, 2009. s. 162

<sup>22</sup> За півроку до виборів. źródło: URL: <https://dif.org.ua/article/za-pivroku-do-vivoriv-reytingi-kandidativ-i-partiy-motivatsii-viborov-ochikuvannya-gromadyan>

<sup>23</sup> Вибори та гасла: як політики грають обіцянками та які найчастіше невиконують. źródło: URL: [https://24tv.ua/vibori\\_i\\_gasla\\_yak\\_politiki\\_grayut\\_obitsyankami\\_i\\_yaki\\_nauchastishe\\_ne\\_vikonuyut\\_n1065671](https://24tv.ua/vibori_i_gasla_yak_politiki_grayut_obitsyankami_i_yaki_nauchastishe_ne_vikonuyut_n1065671)

<sup>24</sup> Росія кинула сотні мільйонів доларів, щоб зірвати вибори в Україні (огляд преси) / Радіо Свобода. 15 березня 2019. źródło: URL: <https://www.radiosvoboda.org/a/29822036.html>

The most prominent topics were regarding economic development, strengthening the army, anti-corruption actions, reforming medical service, education, pensions, etc. According to the general conclusion, more than 50% of the studied statements turned out to be untrue or were openly manipulative. The leaders of such a kind of anti-rating of liars in 2018 were Yu. Tymoshenko, V. Rabinovych and O. Lyashko.<sup>25</sup>

Unfortunately, widely used manipulations and information distortion are peculiar to many Ukrainian politicians. The following table shows a more detailed structuring of the Ukrainian politicians' statements.

**Table 1.** The structure of Ukrainian politicians and opinion leaders' statements<sup>26</sup>

Politician	True %	False%	Manipulation%	Exaggeration%
Yu. Tymoshenko	32	33	27	8
V. Rabinovych	32	40	24	4
O. Lyashko	41	31	17	11
Yu. Boiko	45	24	19	12
P. Poroshenko	56	17	15	12
O. Tyagnibok	66	17	7	10
A. Gritsenko	68	15	8	9
W. Groysman	69	10	13	8
A. Sadovy	73	12	2	13

The analysis of achievements and miscalculations, truth and false in the activity and statements of political leaders seems to be interesting for voters to make an informed political choice. Thus, analyzing V. Zelensky's activity during his first two years as President of Ukraine, experts identified his victories as shutting down three pro-Russian TV channels, imposing sanctions on deputies V. Medvedchuk and T. Kozak for financing terrorism, and accusing them of high treason. The establishment of the Disinformation Centers for the systematic fight against disinformation, which was launched by the National Security and Defense Council of Ukraine and the Ministry of Culture of Ukraine, can also be considered as a real achievement. The reduction of Ukraine's interaction with the IMF and the conflict of the President with the judges of the Constitutional Court of Ukraine are thought to be one of the biggest failures of newly elected government.<sup>27</sup> Monitoring of V. Zelensky's statements during his presidency can show that he has told the truth in 37.2% of recorded factual quotations, 15.1% of verified statements have

<sup>25</sup> Антологія брехні. VoxUkraine. źródło: URL: <https://voxukraine.org/uk/voxukraine-zapustila-onlajn-bazu-nepravda-org-de-vikladeni-1952-perevireni-tverdzhennya-politikiv/>

<sup>26</sup> The table was created by the authors according to VoxUkraine and the fact-checking project VoxCheck. URL: <https://voxukraine.org/uk/voxukraine-zapustila-onlajn-bazu-nepravda-org-de-vikladeni-1952-perevireni-tverdzhennya-politikiv/>

<sup>27</sup> Політичний квартал: перша чверть 2021 року. Експертне опитування Фонду «Демократичні ініціативи» імені Ілька Кучеріва квітень-травень 2021 року. źródło: URL: <https://dif.org.ua/article/politichniy-kvartal-persha-chvert-2021-roku>

been exaggerations, and 17.4% of his statements have been manipulations, and in 18.6% of cases they have been false.<sup>28</sup>

Such projects as the fact-checking project VoxCheck can be considered as an effective means of analyzing and remembering the promises of politicians, and, accordingly, having control over their activities. The possession of substantiated information complicates manipulation and creates favorable conditions for rational assessment of the candidates during elections.

An analytical approach to study pre-election politicians' statements allows to reveal contradictory and voluntaristic positions in them. For example, the statements of O. Lyashko in the presidential election of 2014: "I will return Crimea to Ukraine!" or Yu. Tymoshenko's statement about her intention to adopt the New Constitution of Ukraine after winning the parliament elections in 2019: "... in parliament, if we win, there will be 20 people in total, 20 deputies. That is why our task is not to shuffle of the parliament at once, our task is to immediately adopt the new Constitution through by initiating the all-Ukrainian referendum".<sup>29</sup> It seems to be desired to think about the possibility to trust the country to the person who concerns the Constitution of the state as a simple tool to strengthen own power resources and appoint necessary personnel to a post.

One of the evidences of the way in which politicians deal with their professional responsibilities and programs can be their voting during Verkhovna Rada of Ukraine sitting. It is required to turn to the results of a study by previously mentioned Vox Ukraine, which has been monitoring the work of the members of the Ukrainian parliament since 2017 using the Reform Support Index. This index demonstrates parliamentarians' contribution to the adoption of the reform laws. The general conclusion is that the most effective work was shown by "young" deputies who have recently joined the Verkhovna Rada of Ukraine.

The analysis of the effectiveness of 16 members of Ukrainian parliament with presidential ambitions displays that during 9 sessions they were present at 2/3 of the sittings and took part in only 29% of the voting (in contrast, average deputies during this period of time were present at 84% of sittings and their voting was at 50%). The highest discrepancy between attendance in the session hall and direct voting was found in Yu. Boyko's activity. He attended 95% of the parliament sittings and used the opportunity to vote only by 4%. That means that the legislative activity of the president post seekers in parliament is much lower than the average.<sup>30</sup>

The quality of voting during the Verkhovna Rada of Ukraine sessions can also help citizens to evaluate the level of politician's responsibility for their election promises. For example, according to the monitoring of the activity of deputies of Verkhovna Rada of Ukraine of the

<sup>28</sup> Сліпченко С., Степанюк В., Дука Е. Другий рік Зеленського. Аналіз брехні, обіцянок і риторики президента від VoxCheck. URL: [https://voxukraine.org/drugiy-rik-zelenskogo-analiz-brekhni-obitsyanok-i-rytoryky-prezydenta-vid-voxcheck/#\\_ftref2](https://voxukraine.org/drugiy-rik-zelenskogo-analiz-brekhni-obitsyanok-i-rytoryky-prezydenta-vid-voxcheck/#_ftref2)

<sup>29</sup> Баркар Д. Вчинки кандидатів у президенти: Порошенко, Тимошенко, Зеленський та інші / Радіо Свобода. 9 березня 2019. URL: <https://www.radiosvoboda.org/a/vybory-kandydyat-ohliad-tyzhnia/29811275.html>

<sup>30</sup> Хто з кандидатів у президенти найкраще голосував за реформи протягом дев'ятої сесії Верховної Ради? URL: <https://voxukraine.org/uk/to-z-kandidativ-u-prezidenti-najkrashe-golosuvav-za-reformi-protyagom-dev-yatoi-sesii-verhovnoyi-radi/>

8<sup>th</sup> convocation, deputies elected by the majority system are particularly irresponsible for the implementation of their programs. They mostly use their promises to “enter” parliament and do not focus their efforts on fulfilling them. Regarding to political party factions, the Popular Front and The Bloc of Petro Poroshenko have become more responsible for the implementation their programs. The Popular Front faction fully or partially fulfilled 9 out of 13 its election promises, and the Bloc of Petro Poroshenko faction implemented four of the seven promises of its election program. The most populist programs were found in the programs of such political parties as the Oleg Lyashko’s Radical Party and the Opposition Bloc, whose promises do not often relate to deputy’s authority.<sup>31</sup>

The imbalance between the horizontal and vertical dimensions of political elections as well as ignoring the qualitative factors of the candidates’ selection for government occupations lead to the growth of populism and the destruction of the democratic system. Using unfounded, irresponsible promises as a form of electoral mobilization and means of gaining power, populists tend to form a general frustration in democracy, its effectiveness for the development of the society and the solution of pressing issues. These trends reinforce the authoritarian nostalgia for the “strong hand” and the people’s paternalistic expectations. Furthermore, populists often destroy the political and legal foundations of the democratic electoral process, trying to adapt the laws to their own tasks and using them as electoral technology and means of ensuring victory. The Atlantic magazine found that 50% of populists rewrote or changed their country’s constitution when they came to power, in order to lift presidential restrictions and reduce the checks and balances of the executive branch. It has also been found that populist rule reduces freedom of speech by an average of 7%, civil liberties by 8%, and political rights by 13%.<sup>32</sup>

G. Zelenko stated about the quality of the selection of Ukrainian political elites as usage “a specific mechanism of co-optation new members into power, when the criterion of effectiveness is personal devotion, willingness to play by rules which are imposed by clan-oligarchic system”.<sup>33</sup> In consequence it leads to “significant restrictions of the instrumental possibilities of democracy and the establishment of political absenteeism”.<sup>34</sup>

It can be seen that this situation objectively reduces the possibilities for making a quality rational choice and forms a so-called protest vote, when a person votes not “for” but “against”, accurately imagining who the voter does not want to see as a winner. As a result, a positive alternative is often chosen spontaneously and unconsciously. In consequence, for the real electoral capital the voter receives an unknown political “product”, whose professional competences would be clarified only later.

<sup>31</sup> «Хвороба популізму»: активісти перевірили, як депутати виконують обіцянки. URL: <http://surl.li/vgmb>

<sup>32</sup> What Populists Do to Democracies? The Atlantic. DEC. 26. 2018. URL: <https://www.theatlantic.com/ideas/archive/2018/12/hard-data-populism-bolsonaro-trump/578878/>

<sup>33</sup> Зеленько Г., Довіра до суспільно-політичних інститутів в Україні і наслідки їх дефіциту для країни, “*Studia Politologica Ucraino-Polona*” 2018, Випуск 8. ss. 108-118. s. 111

<sup>34</sup> Ibid. s. 111



All things considered, this study allows us to draw the following conclusions:

1. Equality and competitiveness of political elections should not only demonstrate the country's democratic affiliation, but also serve to create an effective system of government which is capable of ensuring the performance of functions that are adequate to the requirements of modern socio-political development. To do this, it is important to make responsible rational choices based on the analysis of the objective qualities and achievements of candidates, which is not reduced to a formal act of voting. For this reason, it is important to make responsible rational choice based on the analysis of the objective qualities and achievements of candidates and do not reduce it to a formal act of voting.
2. Ensuring the quality of political choice depends on the activity and consciousness of civil society, which does not only form the representatives of the new political elite. It also acts as an active organizer of information and educational environment, which helps citizens receive special information on the politicians' practical activities and their responsibilities for their election promises. The positive role is demonstrated by information projects of public organizations, which become a real tool in the fight against manipulation and populism.
3. Ensuring a balance between the horizontal and vertical aspects of elections also depends on the responsibility of the media for information flows in the pre-election period as well as the reduction of the level of misinformation and supporting specific politicians.
4. Ignoring the qualitative components of political choice objectively leads to a decrease in the capacity of the elected government and the development of populism, which, mobilizing the population through unfounded promises, destroys the democratic foundations of public life, forms despair, apathy and paternalism.

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## **Decentralization processes in Poland and Hungary as a reference point for Ukraine**

Decentralization tends to expand the local self-government, it activates the population to meet their own needs and interests, and it narrows the sphere of state influence on society. Each country has its own history of establishing the principles of building and developing specific self-governing bodies, their interaction with central authorities, and enshrines them in constitutions and relevant laws on local self-government.

Poland actively launched administrative reform in relation to the functioning of the institute of local self-government after the fall of the communist regime, which resulted in a decentralized system of governance. Territorial self-government bodies can directly cooperate with the central government and, accordingly, influence it in the interests of society. In parallel with the implementation of the Decentralization Reform in 1997, the Constitutional Reform of local self-government also took place.

The reform of Hungary's local self-government system lasted from 1990 to 2011, and despite significant success, it still cannot be called complete. The main principle of this reform is that local governments should solve exclusively local issues and provide services of local significance, while other issues should be resolved only under the supervision of the central government. This does not quite correspond to the principle of decentralization of government bodies.

In Ukraine, drastic changes in the system of local self-government began in 2014 with the change of government and the adoption by the Cabinet of Ministers of Ukraine of the Concept of reforming local self-government. The process of decentralization of power in Ukraine is multidimensional and covers the reorganization of the administrative-territorial structure of the state, changes in the system of public authorities, the distribution of functions and powers between them. On this path, it is important to rely not only on our own experience and traditions, but also to analyze decentralization reforms and regulations on the activities of local self-government bodies in neighboring countries and adapt to our realities what is already effective and mentally close to us.

Keywords: decentralization, administrative and territorial reform, institute of local self-government, territorial communities.

## **Procesy decentralizacji w Polsce i na Węgrzech jako punkt odniesienia dla Ukrainy**

Decentralizacja umożliwia rozszerzenie samorządu terytorialnego, aktywizację ludności do zaspokajania własnych potrzeb i interesów oraz zawężenie sfery wpływów państwa na

społeczeństwo. Każdy kraj ma swoją historię kształtowania się zasad budowy i rozwoju poszczególnych organów samorządowych, ich współdziałania z władzami centralnymi, zapisuje ich w konstytucjach i odpowiednich ustawach o samorządzie terytorialnym.

Polska aktywnie rozpoczęła reformę administracyjną funkcjonowania instytutu samorządu terytorialnego od upadku reżimu komunistycznego, skutkiem czego powstał decentralizowany system rządów. Organy samorządu terytorialnego mogą bezpośrednio współpracować z władzami centralnymi i odpowiednio na nie wpływać w interesie wspólnoty terytorialnej. Równoległe z reformą decentralizacyjną w 1997 r. miała miejsce reforma konstytucyjna samorządu terytorialnego.

Reforma samorządu terytorialnego na Węgrzech trwała od 1990 do 2011 roku i mimo znacznych postępów nadal nie można jej nazwać kompletną. Główną zasadą tej reformy jest to, że samorządy powinny zajmować się tylko sprawami lokalnymi i świadczyć usługi o znaczeniu lokalnym, pozostałe sprawy powinny być rozstrzygane wyłącznie pod nadzorem władz centralnych. Nie jest to w pełni zgodne z zasadą decentralizacji organów władzy.

Na Ukrainie radykalne zmiany w systemie samorządu terytorialnego rozpoczęto w 2014 r. wraz ze zmianą rządu i przyjęciem przez Gabinet Ministrów Ukrainy Koncepcji reformy samorządu terytorialnego. Proces decentralizacji władzy na Ukrainie jest wieloaspektowy i obejmuje reorganizację administracyjno-terytorialnej struktury państwa, zmiany w systemie organów władzy publicznej, podział funkcji i kompetencji między nimi. W ten sposób ważne jest, aby opierać się nie tylko na własnym doświadczeniu i tradycjach, ale także analizować reformy decentralizacyjne i regulacje prawne dotyczące samorządu terytorialnego w krajach ościennych oraz dostosować do naszych realiów to, co już skutecznie działa i jest dla nas mentalnie bliskie.

*Słowa kluczowe: decentralizacja, reforma administracyjno-terytorialna, instytut samorządu terytorialnego, wspólnoty terytorialne.*

## **Процеси децентралізації в Польщі та Угорщині як орієнтир для України**

Децентралізація дає змогу розширити місцеве самоврядування, активізувати населення для забезпечення власних потреб та інтересів, звузити сферу впливу держави на суспільство. Кожна країна має свою власну історію становлення принципів побудови та розвитку конкретних самоврядних органів, їх взаємодію із органами центральної влади, закріплює їх у конституціях і відповідних законах про місцеве самоврядування.

Польща щодо функціонування інституту місцевого самоврядування активнорозпочала адміністративну реформу після падіння комуністичного режиму, результатом чого є децентралізована система управління. Органи територіального самоврядування можуть

напрямку співпрацювати з центральною владою і відповідно впливати на неї в інтересах громади. Паралельно з проведенням реформи децентралізації в 1997 році відбулось й Конституційне реформування місцевого самоврядування.

Реформування система місцевого самоврядування Угорщини тривало з 1990 р по 2011 р. та попри значні успіхи, його й досі не можна назвати завершеним. Головним принципом цієї реформи є те, що органи місцевого управління повинні вирішувати виключно місцеві питання та надавати послуги місцевого значення, інші питання повинні вирішуватись тільки під наглядом центрального уряду. Це не зовсім відповідає принципу децентралізації органів влади.

В Україні кардинальні зміни системи місцевого самоврядування розпочалися у 2014 році зі зміною уряду та прийняттям Кабінетом Міністрів України Концепції реформування місцевого самоврядування. Процес децентралізації влади в Україні є багатоаспектним та охоплює реорганізацію адміністративно-територіального устрою держави, зміни в системі органів публічної влади, розподіл функцій та повноважень між ними. На цьому шляху важливо спиратись не лише на власний досвід та традиції, а аналізувати реформи децентралізації та нормативні акти щодо діяльності органів місцевого самоврядування у країнах – сусідах та адаптувати до наших реалій те, що уже ефективно діє і ментально є близьким для нас.

**Ключові слова:** децентралізація, адміністративно-територіальна реформа, інститут місцевого самоврядування, територіальні громади.

Decentralization is one of the forms of development of democracy, which allows, while maintaining the unity of the state and its institutions, to expand local self-government, activate the population to meet their own needs and interests, and narrow the sphere of influence of the state on society. Decentralization makes it possible, by replacing this influence on the part of state institutions with self-regulation mechanisms developed by society itself, to reduce the costs of the state and taxpayers for the maintenance of the state apparatus.

Freedom and powers of local self-government are one of the key criteria that allows us to draw conclusions about the level of a democratic country. The threat of usurpation of power in the state is unlikely precisely under the condition of effective self-government of the population.

As we know, each country has its own history of establishing the principles of building local self-government, developing specific self-governing bodies, and interacting with central authorities. These features and traditions are enshrined in the constitutions of countries and relevant laws on local self-government. The optimal model of the relationship between the powers of the state and local authorities can be obtained by combining the traditions and requirements of the time. However, we are convinced that for more effective reforms, we should take into account world experience. First of all – the experience of neighbors.



Today, Ukraine is on the verge of amendments to the Constitution. These changes relate to the issue of decentralization – an aspect of governance related specifically to the powers of the central government and local self-government. The process of decentralization of power in Ukraine is multidimensional and covers the reorganization of the administrative-territorial structure of the state, changes in the system of public authorities, the distribution of functions and powers between them. That is why it is important to analyze the decentralization reforms and regulations that regulate the activities of local self-government bodies in neighboring countries, compare these processes with those that are taking place in Ukraine, and adopt and implement in practice what is already effective and mentally close to us.

In our opinion, it would be most appropriate to study, compare and analyze the Decentralization Reform and the relevant sections of the Constitution and laws in such Central and Eastern European countries as Poland and Hungary. We have chosen these states for several reasons:

first, these are neighboring states, parts of the territory of which at one time were part of Austria-Hungary;

secondly, all these countries had a common experience of the communist past, which reflected the socialist essence of the functioning of the institution of local self-government;

third, both Poland and Hungary have undergone decentralization processes, the results of which can serve as a certain guide for transformations in Ukraine, in particular in the aspect of local self-government.

Decentralization as a complex process contributes to the formation and development of effective and democratic forms of local government. The Preamble of the European Charter of local self-government states that «...local self-government bodies are one of the main foundations of any democratic regime»<sup>1</sup>.

In recent decades, European countries have implemented large-scale reforms to modernize the structure of Public Administration. New approaches to the organization of the management system have emerged, which have updated the processes of self-organization and self-government of social systems.

While implementing the decentralization of authority, European states faced the problem of reforming the administrative-territorial structure. Many countries that implemented community decentralization were characterized by the lack of sufficient territorial and material resources for local authorities to provide an appropriate level of public services. Therefore, numerous reforms began with the consolidation of administrative-territorial units.

The formation and functioning of the Institute of local self-government in Poland has a rather long history. The administrative reform carried out in 1970 led to significant changes in the structure of local authorities - 300 counties were eliminated, the number of voivodeships increased from 17 to 49, instead of the former communities, the number of which before the

<sup>1</sup> European Charter of Local Self-Government of 15 October 1985, Strasbourg, Database «Legislation Of Ukraine, URL: [https://zakon.rada.gov.ua/laws/show/994\\_036#Text](https://zakon.rada.gov.ua/laws/show/994_036#Text) [accessed 3.06. 2021]

Reform reached 4313, 2394 significantly larger units were created, including 247 cities, 26 urban districts, 1546 rural gminas and 575 mixed entities<sup>2</sup>. The result of this reform was not only the strengthening of the influence of the central government on territorial units and the organizational dispersion of management.

After the fall of the communist regime in Poland, a new administrative reform was carried out, which became one of the priorities of the post-communist government established in September 1989. This reform in the public administration system took place in two stages: the 1st - political, associated with the formation of institutional conditions for the democratization of this sphere, the 2nd - administrative, aimed at restructuring its structural elements<sup>3</sup>. First, there was a return to local self-government in the classical sense of this institution, or in other words, the revival of gmin self-government by the law of March 8, 1990 "On territorial self-government" (which since 1999 will be called "On self-government in gmin"). This reform introduced elected governments only at the municipal level (gminas), while the highest levels of territorial structure remained under the control of the state local administration.

The next stage was the reform of the administrative-territorial structure, which provided for: three-level division and the creation of self-government bodies at the county and Voivodeship levels. Full decentralization was achieved through the formation of county government structures<sup>4</sup>.

As a result of the county reform that took place from 1993 to 1998, 373 county units were formed in Poland, including 308 counties and 65 cities with county status. In 1998-1999, the Voivodeship reform was carried out, according to which the country's territory was divided into 16 voivodeships<sup>5</sup>. The purpose of the administrative-territorial reform was to adapt the territorial structure of Poland to pan-European standards on the eve of joining the EU, decentralize power and transfer a significant part of local authority to local governments.

Thus, a decentralized governance system was formed in Poland. As a result, three levels of administrative and territorial structure of the state are represented by territorial self-government bodies: gminas and counties – by local self-government bodies, voivodeships – by regional self-government bodies, instead of a two-stage (gmina-Voivodeship). As a result of the reform that led to the consolidation of territorial units, since January 1, 1999, Poland has established a three-stage structure of territorial self-government: I level – gmin self-government; II level – county self-government; III level – Voivodeship self-government. As of today,

<sup>2</sup> System administracji publicznej w Polsce, [w:] Materiały Ministerstwa Administracji i Cyfryzacji «System administracji publicznej w Polsce», Warszawa, lipiec 2014 r. URL: <https://docplayer.pl/8606970-System-administracji-publicznej-w-polsce.html> [accessed 5.06.2021]

<sup>3</sup> T. Alonchik, Administratyvna reforma Polshchi. Napriamy zmin i rezultaty, yak pozytyvnyi pryklad dlia Ukrainy, URL: [https://ela.kpi.ua/bitstream/123456789/3298/1/20\\_aponchik\\_tm\\_administrative\\_reform\\_%20poland.pdf](https://ela.kpi.ua/bitstream/123456789/3298/1/20_aponchik_tm_administrative_reform_%20poland.pdf) [accessed 7.06.2021]

<sup>4</sup> L. Prokopenko, I. Shumliaeva, Reformuvannya terytorialnoi orhanizatsii vlady v Polshchi: dosvid dlia Ukrainy, URL: [http://www.dbuapa.dp.ua/zbirnik/2012-02\(8\)/12pllpdu.pdf](http://www.dbuapa.dp.ua/zbirnik/2012-02(8)/12pllpdu.pdf) [accessed 5.06.2021]

<sup>5</sup> Ibid.

Poland is divided into 16 voivodeships, 308 rural and 65 urban counties (cities on the rights of counties) and 2,489 gminas<sup>6</sup>.

Territorial self-government in Poland does not have a hierarchical structure, the gmina, County and Voivodeship are independent of each other and together are subject to supervision exclusively by the state, within the framework defined by law and perform tasks of a different nature, according to the competence defined by law.

In parallel with the implementation of the Decentralization Reform in 1997, the constitutional reform of Local Self-Government in Poland also took place. The norms concerning territorial structure and local self-government were contained in two sections of the Constitution. First of all, Articles 15 and 16 establish the decentralization of Public Power, which is provided by the territorial structure of the Republic of Poland<sup>7</sup>. Thus, Article 15 of the Constitution states that territorial self-government performs public tasks, except for those assigned by the Constitution or the relevant law to another public authority. But the main unit of local self-government is the gmina, that is, the grassroots link of the management structure<sup>8</sup>.

The VI chapter of the Constitution of the Republic of Moldova is devoted to the functioning of local self-government bodies, which contains articles 163 (defining the tasks of local self-government bodies), 164 (gmina as the main unit of local self-government), 165 (local self-government bodies as legal entities), 166 (division of competence between state bodies and local self-government bodies), 167 (profits of local self-government bodies), 168 (the right of local self-government units to establish local taxes and fees), 169 (executive institutions of local self-government bodies), 170 (local referendums), 171 (the procedure for government supervision of activities local self-government bodies), 172 (the right of local self-government units to association and international cooperation).<sup>9</sup>

Section VII "Territorial self-government" defines the vectors of self-governing powers. But their borders are fixed by the law «On self-government in gminas»<sup>9</sup> 1990 (with amendments and additions that are periodically made as needed). Thus, the specified law defines the following powers of local self-government bodies: adoption of the Charter of a municipal unit; determination of the amount of remuneration of the chairman of the municipality, directions of its activities and forms of reporting to the community; adoption of the local budget, use of inter-budget transfers; formation of local infrastructure, its further planning; formation of

<sup>6</sup> Orhanizatsiia administratyvno-terytorialnoho ustroiu ta mistsevoho samovriaduvannia Respubliki Polshcha, URL: <https://uplan.org.ua/analytics/orhanizatsiia-administratyvno-terytorialnoho-ustroiu-ta-mistsevoho-samovriaduvannia-respubliki-polshcha/> [accessed 5.06.2021]

<sup>7</sup> Konstytuczja Republiki Pol'sha ot 2 aprelya 1997 goda, URL: <http://www.sejm.gov.pl/prawo/konst/rosyjski/kon1.htm> [accessed 5.06.2021]

<sup>8</sup> Ibid.

<sup>9</sup> Konstytuczja Republiki Polshcha ukraïnskoiu movoiu (stanom na 01. 2028 r. z peredmovoiu V.Shapovala), URL: <http://pol-translit.com/news/pol-konst.html> [accessed 5.06.2021]

<sup>9</sup> Ustawa «Osamorządziegminnym» z dnia 8 marca 1990 r., URL: [https://www.google.com.ua/url?sa=t&rc=t=j&q=&csrc=s&source=web&cd=2&cad=rja&uact=8&ved=0CCMQFjABahUKEwiV8tyd\\_PTIAhUIZ3IKHcuGBIA&url=http%3A%2F%2Fisap.sejm.gov.pl](https://www.google.com.ua/url?sa=t&rc=t=j&q=&csrc=s&source=web&cd=2&cad=rja&uact=8&ved=0CCMQFjABahUKEwiV8tyd_PTIAhUIZ3IKHcuGBIA&url=http%3A%2F%2Fisap.sejm.gov.pl) [accessed 5.06.2021]

economic programs; disposal of municipal property; decision-making on taxes and fees at the local level; decision-making on cooperation with other self-governing territorial units; adoption of resolutions on local symbols, street names, etc.; granting honorary citizenship, honorary scholarships and other forms of encouragement<sup>10</sup>.

Further changes in the reform of local self-government concerned mainly the improvement of the existing system - its economic and administrative components. Since 1998, a new management model has been optimized, which provided for the real participation of citizens in the exercise of power and the effectiveness of decisions made. And the period of 2000-2003 was marked by bringing the organization of public authorities in line with EU standards. A new stage of qualitative changes and improvement of existing traditions began in May 2004, when Poland became a full member of the European Community.

Thus, the main emphasis in the reform of local self-government in Poland is placed on the material independence of gminas. The law «On self-government in gminas» states that the profits of self-governing territories are their own profits, general subventions and targeted subsidies from the state budget<sup>11</sup>. And Article 168 of the Constitution gives local self-government bodies the right to set local taxes. The law on territorial self-government also emphasizes the possibilities of making a profit, using it, planning and multiplying it.

It is important for local self-government bodies in Poland to be able to cooperate directly with the central government and, accordingly, influence it in the interests of society, which is also provided for and enshrined in the Constitution and laws. In addition, the gmina administration, which forms and implements public policy on its own behalf and without a government administration, is part of the state regional policy. The state is an intermediary link between EU grant projects and local budgets.

As for Hungary, to reform the system of local self-government of this state, it was necessary to go through a rather long and difficult period in several stages, which lasted from 1990 to 2011. However, despite significant success, it still cannot be called completed. Thus, from 1990 to 1993, the law «On local self-government» was adopted, which laid the political and legal basis for the implementation of the process of democratization and reform of the political system, as well as the law «On local elections» was adopted. The new system of local self-government was based on the traditional principles of Hungary and the European Charter of local self-government. During 1994-1995, amendments were made to the law «On local self-government» and as a result, direct mayoral elections were introduced in all localities, the range of forms of community participation in local government expanded, the scope of powers of districts increased, their official status was determined, and so on. In the period from 1996 to 1997, the laws

<sup>10</sup> Ibid.

<sup>11</sup> Ustawa «Osamorządziegminnym» z dnia 8 marca 1990 r., URL: [https://www.google.com.ua/url?sa=t&crct=j&q=&csrc=s&source=web&ccd=2&cad=rja&uact=8&ved=0CCMQFjABahUKewiV8tyd\\_PTIAhUIZ3IKHcuGBIA&url=http%3A%2F%2Fisap.scjm.gov.pl%2FDownload%3Fid%3DWDU19900160095%26type%3D3&usg=AFQjCNEVfFn3qyrIj7HWb7ZR5keM6ug4FQ&sig2=v-lcOPUwsCsall9IsOqZVw](https://www.google.com.ua/url?sa=t&crct=j&q=&csrc=s&source=web&ccd=2&cad=rja&uact=8&ved=0CCMQFjABahUKewiV8tyd_PTIAhUIZ3IKHcuGBIA&url=http%3A%2F%2Fisap.scjm.gov.pl%2FDownload%3Fid%3DWDU19900160095%26type%3D3&usg=AFQjCNEVfFn3qyrIj7HWb7ZR5keM6ug4FQ&sig2=v-lcOPUwsCsall9IsOqZVw) [accessed 5.06.2021]

“on regional development” and “on regional planning and development” were adopted, which expanded and clarified the political and legal field of activity of local authorities. In the period from 1998 to 2003, preparations were made for further reforms that would contribute to the self-sufficiency of the regions. The implementation program of the IDEA regional reform group has been launched. From 2004 to 2005, Hungary introduced a system of microregions, which was based on funding from EU grants. In 2010, an Additional Protocol to the European Charter of local self-government on the right of community residents to participate in the activities of local authorities was ratified. It was only in 2011 that a new Constitution was adopted, which came into force on January 1, 2012, and a new law “on local self-government” was adopted. These documents completed the process of constituting the system of local self-government in the state, but did not become the final stage of the self-governing reform itself<sup>12</sup>

Although the Hungarian Constitution became an almost revolutionary legislative act, as it contained all the positive achievements of the political and economic sphere of the state, nevertheless, it rather selectively took into account the requirements of the European community and the European Charter of local self-government itself, as the Venice Commission pointed out when checking the regulatory documents of Hungary. There were also comments on the small amount of norms that should regulate local self-government in the new text of the Constitution<sup>13</sup>. In particular, Article 31 of the new Constitution provides that “in Hungary, local self-government is established to manage public affairs and exercise public power at the local level.” However, there is no mention of the principle of local self-government. The Venice Commission, which is an advisory body of the Council of Europe on Constitutional Law, recalls that the ECMS, which is mandatory for Hungary, requires compliance with a minimum number of principles that form the European basis of local democracy, including, as a starting point, the principle of local self-government<sup>14</sup>.

The Constitution, first of all, fixed the course of stabilizing local self-government, removing the system from debt, reducing its fragmentation and strengthening control by state authorities. In addition, it is planned to take measures to reduce the number of cases of participation of third parties in the implementation of subcontracts of national significance. Thus it is planned to increase the stability of budget revenues and reduce non mandatory expenditures<sup>15</sup>.

According to the law, the territory of Hungary is divided into regions, which are divided into medje (regions), and they, in turn, are divided into districts or kishatershegs. So, the country is divided into seven regions, which include 20 administrative divisions (19 medje and the

<sup>12</sup> O. Danylian, Dosvid udoskonalennia orhaniv derzhavnoi vladly v yevropeiskyykh krainakh (na prykladnyy Uhorsshchyny), URL: [https://dspace.nlu.edu.ua/bitstream/123456789/3115/1/Daniljan\\_23.pdf](https://dspace.nlu.edu.ua/bitstream/123456789/3115/1/Daniljan_23.pdf) [accessed 5.06.2021]

<sup>13</sup> Osnovnoy Zakon Vegrui (25 aprelya 2011g), URL: [https://nemzetikonyvtar.kormany.hu/download/3/00/50000/orosznyomda\\_jav%C3%ADrott.pdf](https://nemzetikonyvtar.kormany.hu/download/3/00/50000/orosznyomda_jav%C3%ADrott.pdf) [accessed 5.06.2021]

<sup>14</sup> O. Lemak, Konstytutsiivzabezpechennipolitychnoibezpekyyv Uhorsshchyny, URL: <https://dspace.uzhnu.edu.ua/jspui/bitstream/lib/23089/1/%D0%A1%D1%82%D0%B0%D1%82%D1%82%D1%8F%20%D0%9A%D0%BE%D0%BD%D1%81%D1%82%D0%B8%D1%82%D1%83%D1%86%D1%96%D1%8F%20%D0%B2.pdf> [accessed 4.06.2021]

<sup>15</sup> A. Chyrkyn, Analiz systemy mistsevoho samovriaduvannia Uhorsshchyny v svitli polozhen Yevropeiskoi Khartii mistsevoho samovriaduvannia, URL: [https://dspace.nlu.edu.ua/bitstream/123456789/12028/1/Chirkin\\_350-355.pdf](https://dspace.nlu.edu.ua/bitstream/123456789/12028/1/Chirkin_350-355.pdf) [accessed 4.06.2021]

city of Budapest), and medje – a total of 173 districts, one of which is the capital. Local self – government bodies are represented by mayors and municipal assemblies, which are formed through elections with a term of office of five years (until 2014-four years). There are also 23 cities with medje rights.

The explanatory note to the CLXXXIX Cardinal Law “on local self-government” contains a reference to the Charter (drawing a parallel with the traditions of local self-government in Hungary), but the law does not mention the principle of local self-government<sup>16</sup>.

Summing up, we can note that the main principle of the reform of local self-government (in addition to saving funds) was that local government bodies should solve exclusively local issues and provide services of local significance, and all other issues should be resolved only under the supervision of the central government, which does not quite correspond to the principle of decentralization of government bodies. An even greater reduction in delegated powers occurred in January 2013, when they were transferred to 198 “district departments” subordinate to the district divisions of the central government. As a result of the reform, municipalities lost most of their staff and a significant amount of financial resources.

A special feature of Hungary is the formation of the complexity of the system, since the diversity of interests of the subjects of associations that are supposed to solve the problems of localities is reflected in a large number of associations of local and district authorities. At the same time the government still does not seek to consult with local authorities<sup>17</sup>. In addition, there are more than 3 thousand municipal fragments in Hungary, that is, large municipalities have smaller municipalities in their composition. Maintaining the principle laid down back in 1990, according to which each local community can have its own local self-government bodies, Article 85 of the CLXXXIX law “on local self-government” established that to create local bodies in a municipality, a minimum of 2,000 residents must live<sup>18</sup>. Municipalities below this number of inhabitants have formed local governments in a “district” or “microregion” since 2013. Each municipality will have its own mayor and municipal council, but administrative structures and powers will have to be transferred to the joint administration<sup>19</sup>.

By implementing the Decentralization Reform, Hungary not only reduced the scope of powers and financial resources, but also reduced financial subsidies and shares of some taxes used to finance municipalities.

The law “on local self-government”, in Section VI “economic foundations of Local Self-Government”, emphasizes the need to control local budgets. By law, municipalities can set land taxes, municipal taxes, and local corporate taxes. They can also receive income from real

<sup>16</sup> A. Chyrkin, *Analiz systemy mistsevoho samovriaduvannia Uhorschyny v svitli polozhen Yevropeiskoi Khartii mistsevoho samovriaduvannia* [w:] “Forum prava”, №1, 2015, s. 351.

<sup>17</sup> Ibid.

<sup>18</sup> A. Chyrkin, *Mistseve samovriaduvannia Uhorschyny pislia konstytutsiinykh zmin 2011 r* URL: [https://dspace.nlu.edu.ua/bitstream/123456789/12030/1/Chirkin\\_144-155.pdf](https://dspace.nlu.edu.ua/bitstream/123456789/12030/1/Chirkin_144-155.pdf) [accessed 4.06.2021]

<sup>19</sup> Ibid.

estate transactions and utility bills. They are entitled to state subsidies, which are determined annually by the parliament. Counties are not allowed to collect local taxes<sup>20</sup>.

Given the above, we can state that the reform of local self-government in Hungary was somewhat more radical than in Poland, but less focused on decentralization. Moreover, a number of experts describe the reform steps in Hungary as recentralization, primarily due to the budget policy, which deprived the regions of income independence and more significant control by the central government.

When implementing the Decentralization Reform, Ukraine has repeatedly turned to the experience of European countries, in particular to the Polish experience of reforming local self-government. As in Poland and Hungary, in Ukraine, the reform of decentralization of power and administrative-territorial structure took place for quite a long time, with its own peculiarities and problems.

Decentralization, as a process of transferring powers from state bodies to local self-government bodies and a necessary element of Public Administration reform, has become a priority for Ukraine since the signing of the European Charter of local self-government. It was this event that became a kind of starting point for declaring commitment to European standards of governance and development. Drastic changes in the local government system began in 2014 with the change of government and reformatting of state authorities.

The defining priority of administrative reform, the formation of Ukraine as a democratic, legal state at the present stage of state creation is the implementation of the processes of decentralization of power, covering such areas as the administrative-territorial structure, the territorial basis of the organization of power, changes in the powers of state authorities and local self-government bodies, budget and tax systems, land relations, humanitarian and social spheres, etc. Without the implementation of decentralization processes, it is impossible to overcome negative processes in the socio-economic and cultural development of territorial communities and regions, to ensure a significant increase in the level and quality of life of most Ukrainian citizens<sup>21</sup>.

The reform of decentralization and territorial organization of power in Ukraine, the main task was to create a modern, effective and capable system of local self-government based on European values for the development of local democracy, endowing territorial communities with powers and resources that will ensure local economic development, providing the population with high-quality and affordable public services, and therefore ensuring decent living conditions and well-being of the residents of these communities. Although the reform was introduced in 2014, the start of implementation took place in 2015. This reform turned out to be the most effective and effective of the announced strategic reforms.

<sup>20</sup> A. Chyrkin, *Analiz systemy mistseвого samovriaduvannia Uborsbchyny v svitli polozhen Yevropeiskoi Khartii mistseвого samovriaduvannia* [w:] "Forum prava", №1, 2015, s. 353.

<sup>21</sup> *Suchasnyi stan, problemy ta perspektyvy detsentralizatsii vlady v Ukraini. Detsentralizatsiia vlady v Ukraini: otsiniuvannia rezul'tativ formuvannia ta rozvytku samodostatnikh hromad: monohrafiia*, red. S. Serohina, I. Chykarenko, Dnipro, 2019, s. 8.

Modern researchers, at present, distinguish two stages of the reform of decentralization and territorial organization of power in Ukraine: the first - covers 2014 – 2019, during which the necessary regulatory legal acts were developed, the direct transformation of the local self – government system began; the second stage, which falls on 2020-2021, and provides for the formation of basic and sub-regional levels of local self-government<sup>22</sup>. The key point of the reform and the consequence of large-scale and effective work was the holding of local elections on October 25, 2020, after which the entire territory of Ukraine was divided into United territorial communities and districts were reformed and enlarged, namely 490 previous districts were liquidated and 136 new districts were created.

On April 1, 2014, the Cabinet of Ministers of Ukraine adopted the concept of reforming local self-government and territorial organization of power<sup>23</sup>. The document indicates the problems that should be solved as a result of the implementation of the reform. The main ones are: low quality and availability of public services provided at the local level; difficult demographic situation; inability of local authorities to exercise the powers granted to them by law; high subsidization of budgets of territorial communities; underdevelopment of forms of direct democracy; lack of qualified personnel; high centralization of management and financial and material resources.

The concept sets out a strategic plan for the decentralization of power, which is a kind of algorithm for implementing the reform. The document sets out the key principles on the basis of which the decentralization of power should be carried out, specifies the purpose and stages of its implementation. It was also planned to implement the concept in two stages: the first - preparatory stage (2014) – adoption of the necessary legislative and information base; the second – implementation stage (2015-2017) – solving tasks in practice, institutional reorganization of government bodies, consolidation of new norms and standards<sup>24</sup>. The principles and objectives of the concept are relevant at the present stage for Ukraine. In addition, they meet the requirements of the European Charter of local self-government. However, the implementation of the concept, as of 2021, is not completed and requires both additional legislative developments and practical steps.

Analyzing the Decentralization Reform, it is worth noting that the first stage was the creation of the Institute of the United territorial community (AH). A prerequisite for the start of voluntary association of communities was the law “on cooperation of territorial communities»<sup>25</sup>, which provided an opportunity for territorial communities to strengthen their own ability through cooperation and defined the organizational and legal basis for cooperation of

<sup>22</sup> Navishcho detsentralizatsiia, URL: <https://decentralization.gov.ua/about> [accessed 4.06.2021]

<sup>23</sup> Pro skhvalennia Kontseptsii reformuvannia mistsevoho samovriaduvannia ta terytorialnoi orhanizatsii vlady v Ukraini, “Rozporiadzhennia Kabinetu Ministriv Ukrainy vid 1 kvitnia 2014 r. № 333-r”, URL: <https://zakon.rada.gov.ua/laws/show/333-2014-%D1%80#Text> [accessed 6.06.2021].

<sup>24</sup> Ibid.

<sup>25</sup> Zakon Ukrainy «Spivrobotnytstvoterytorialnykh hromad» “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy. Dokument 1508-VII VR, Pryiniaty 17.00.2014r”, URL: <https://zakon.rada.gov.ua/laws/show/1508-18#Text> [accessed 6.06.2021]



territorial communities, the principles, forms and mechanisms of such cooperation, its financing and control.

We can observe that the law provides for stimulating versatile cooperation of territorial communities, which will help them implement projects of socio-economic and cultural development of territories. Such cooperation will also contribute to improving the quality of services provided to the population, increasing financial viability, and efficient use of resources of territorial communities.

It is important that the state provides for stimulating, financing and monitoring cooperation<sup>26</sup>. After all, thanks to the additional support of the state, the implementation of various forms of cooperation in practice is more effective and efficient.

With the adoption of the relevant law, communities were able to cooperate and interact to implement joint projects and solve common problems. The cooperation mechanism is an effective and often necessary tool in local policy. Such cooperation can take various forms: implementation of joint projects, joint maintenance of enterprises or institutions, delegation of powers and resources to another community, and so on. As of the beginning of September 2020, 620 inter-municipal cooperation agreements were concluded. This mechanism was used by 1,380 territorial communities.

In order for AHS to function effectively, it was necessary to approve long-term plans for the formation of community territories, since the long-term plan approves the overall validity of the territorial structure at the basic level and its socio-economic effectiveness<sup>27</sup>.

It is worth paying attention to the fact that when uniting communities, the opinion of citizens is taken into account, the resource capabilities of the community, its ability to develop economically and socially, and the ability to provide high-quality services to residents are determined, which is confirmed by the law «on voluntary association of territorial communities»<sup>28</sup>, which is the basis, a kind of algorithm of actions for those territorial communities that seek to unite. This law also regulates relations arising in the process of voluntary association of communities and voluntary joining of United territorial communities.

But when the territorial communities were united in Poland, there was no such voluntary nature as in Ukraine, and everything was decided by the central authorities.

Analyzing the dynamics of amalgamated hromada's (AH) formation until 2020, we observe its uneven nature. In the period 2016-2017, the number of formed AHS was 299, which is the highest result since the beginning of the decentralization of power in Ukraine, but in the

<sup>26</sup> Ibid.

<sup>27</sup> Monitorynh protsesu detsentralizatsii vladly ta reformuvannia mistsevoho samovriaduvannia stanom na 10 veresnia 2020 r., URL: [https://decentralization.gov.ua/uploads/library/file/593/%D0%9C%D0%BE%D0%BD%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3\\_\\_10.09.2020.pdf](https://decentralization.gov.ua/uploads/library/file/593/%D0%9C%D0%BE%D0%BD%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3__10.09.2020.pdf) [accessed 4.06.2021]

<sup>28</sup> Pro dobrovolne obiednannia terytorialnykh hromad, Zakon Ukrainy vid 4 veresnia 2015 r. "Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy", URL: <https://zakon.rada.gov.ua/laws/show/676-19#n11> [accessed 4.06.2021]

next period (2017-2018), the number of AHS was halved. At the beginning of 2019, there were 223 new United territorial communities<sup>29</sup>.

The variable nature of the formation of United communities was determined by both internal and external factors, namely: public opinion and insufficient awareness of community residents about the features of decentralization of power, the level of support for decentralization by local authorities, the resource availability of the future ah, compliance with the conditions of voluntary association or joining, incentives and support for the activities of AHS by the state, gaps in legislation. These factors and several others have identified conflicting trends in the process of forming AHS during the entire reform period.

Due to the additional responsibilities and powers that AHS have received, they need, respectively, additional funding for the high-quality performance of their functions and the provision of services. For this purpose, changes were made to the tax and Budget codes, which gave local authorities more financial opportunities and independence. The share of local budgets' own revenues (general fund) in GDP is growing annually. Own revenues of the general fund of local budgets from 2014-2020 also show a positive increase. In addition to additional tax revenues, financial support from the state in the form of subsidies and subventions also increased (however, this applied to those AHS that were merged before the local elections in the fall of 2020). State support for the economic and social development of territories in 2020 amounted to 101.9 billion rubles. UAH. The main areas for the development of which funds are allocated are: energy efficiency, Regional Development, Rural Development, development in the field of health, education and culture, development of Road, social and transport infrastructure, development of sports infrastructure, environmental safety and sustainable development. The largest share of funds goes to the development of road infrastructure (61.1 billion rubles). UAH) and regional development (UAH 13.0 billion). UAH.)<sup>30</sup>.

Since ensuring the financial independence of territorial communities is a priority task, on July 15, 2020, the Verkhovna Rada of Ukraine adopted a resolution "on the adoption as a basis of the draft law of Ukraine on amendments to the Budget code of Ukraine regarding bringing into line the provisions of budget legislation in connection with the completion of administrative-territorial reform", which provides for the distribution of revenues and expenditures between the budgets of districts and AHS. As a result, district budgets will not receive a basic subsidy and will not be in direct inter-budgetary relations with the state budget<sup>31</sup>.

<sup>29</sup> Monitorynh protsesu detsentralizatsii vlady ta reformuvannya mistsevoho samovriaduvannya stanom na 10 sichnia 2020r., URL: <https://decentralization.gov.ua/uploads/library/file/526/10.01.2020.pdf> [accessed 4.06.2021]

<sup>30</sup> Monitorynh protsesu detsentralizatsii vlady ta reformuvannya mistsevoho samovriaduvannya stanom na 10 veresnia 2020 r., URL: [https://decentralization.gov.ua/uploads/library/file/593/%D0%9C%D0%BE%D0%BD%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3\\_10.09.2020.pdf](https://decentralization.gov.ua/uploads/library/file/593/%D0%9C%D0%BE%D0%BD%D1%82%D0%BE%D1%80%D0%B8%D0%BD%D0%B3_10.09.2020.pdf) [accessed 6.06.2021]

<sup>31</sup> Postanova Verkhovnoi Rady Ukrainy «Pro priyniattia zasnovu proektu Zakonu Ukrainy provnesennia zmindu Biudzhethoh kodeksu Ukrainys hchodopryvedennia vidpovidnist polozhen biudzhethoh zakonodavstva u ziazku i zavershennia administratyvno-terytorialnoireformy», "Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy, Dokument № 794-IX vid 15 lypnia 2020 r.", URL: <https://zakon.rada.gov.ua/laws/show/794-20#Text> [accessed 6.06.2021]

Despite the fact that districts remain a link between the state and local self-government, most of the management functions are concentrated in the field. This is definitely a more democratic practice.

An important point of the Decentralization Reform in Ukraine was the reduction in the number of districts. This process began with the adoption of the law on July 17, 2020. Resolutions of the Verkhovna Rada of Ukraine “on the formation and liquidation of districts”. The total number of districts was 490, and as a result, they were reduced to 136<sup>32</sup>. This resolution laid the foundations for radically new changes at the subregional (district) level of the administrative-territorial structure of Ukraine. This process was accelerated, again, by the local elections on October 25, 2020. Since the functions of AHS duplicate most of the functions of district authorities, there was a need to adopt a number of legislative acts on the division of powers and resources between regions and districts, as well as between districts and communities.

On November 17, 2020, the Verkhovna Rada of Ukraine adopted draft Law No. 3651-D “on amendments to certain legislative acts of Ukraine concerning the regulation of certain issues of organization and activity of local self-government bodies and district state administrations”, which regulates the issues of succession of property, rights and obligations of communities, as well as issues of formation and reorganization of district state administrations<sup>33</sup>.

The draft law sets out the conditions for state registration of legal entities and individuals during the formation and reorganization of local self-government bodies. The procedure for determining the administrative center of the corresponding administrative-territorial units is indicated, as well as a significant number of tasks that need to be solved in modern conditions are given<sup>34</sup>. After all, the liquidation, formation and reorganization of districts is another step towards the successful implementation of the decentralization of power reform. In addition, reducing the number of district councils and district state administrations will significantly reduce expenditures from the state and local budgets.

The institution of the headman was also actively introduced in the process of decentralization of power. They perform their functions as representatives of rural and settlement territorial communities in the local council of OT. Until July 2020, the headman was elected by residents of the village or settlement for the term of office of the local council of AHS, and from July 2020, after amendments were made to the law of Ukraine “on local self-government in Ukraine”<sup>35</sup>, the headman is approved by the village, settlement, or City Council for the term of his / her powers at the suggestion of the relevant village, settlement, or City chairman. This

<sup>32</sup> Postanova Verkhovnoi Rady Ukrainy «Pro utvorennia ta likvidatsiiu raioniv», “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy, Dokument № 807-IX vid 17 lypnia 2020 r.”, URL: <https://zakon.rada.gov.ua/laws/show/807-20#Text> [accessed 6.06.2021]

<sup>33</sup> Zakonoproekt «Pro vnesennia zmin do deiaknykh zakonodavchykh aktiv Ukrainy shchodo vporiadkuvannia okremykh pytan orhanizatsii ta diialnosti orhaniv mistsevoho samovriaduvannia ta raionnykh derzhavnykh administratsii», “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy, Dokument № 3651-d”, URL: <https://www.rada.gov.ua/news/Novyny/199716.html> [accessed 6.06.2021]

<sup>34</sup> Ibid.

<sup>35</sup> Zakon Ukrainy «Pro mistseve samovriaduvannia v Ukraini», “Zakonodavstvo Ukrainy. Verkhovna Rada Ukrainy, Dokument 805-IX VR, Pryinyatiy 16.07.2020”, URL: <https://zakon.rada.gov.ua/laws/show/805-20#n2480> [accessed 4.06.2021]

change can lead to the centralization of power in AHS, so the institution of the headman in this form can be compared with the institution of state administrations, only they come from different forms of subjects.

The headman is an *ex officio* member of the executive committee of the village, settlement, and city councils and works in it on a permanent basis.

Actually, it is believed that the basis of the model of decentralization in Ukraine was the Polish model, however, in the Polish system of local self-government, the headman is the head of the county. The county, as noted above, is the Middle (second) level of local government, which also performs the tasks of the government administration. The legislative power of the county is the council, which is elected in elections, and the executive power is the board of the county, headed by the headman (Soltis), elected through members of the county council. The competencies and functions of Soltis (headman) are spelled out in the charter<sup>36</sup>.

Thus, today the system of local self-government in Ukraine will consist of three levels: regional (regions), sub-regional (districts), basic (communities). Despite the fact that districts remain an intermediate link between the state and local self-government, most of the management functions are focused on the local level. And this practice is certainly more democratic.

However, despite the success of the Decentralization Reform of power, in practical terms, we can observe gaps and incompleteness of this process. The key constraint on the transition to the next stage of development of the local self-government system and improving the quality of work of local authorities are problems in legislative support for decentralization, and in particular, the need to introduce and adopt appropriate amendments to the Constitution of Ukraine on several points that relate specifically to the organization of local self-government and the administrative-territorial structure of the country. In the long run, the introduction of the prefect's institution is also mandatory, since the transfer of a significant amount of political, administrative and financial functions to the local authorities requires effective supervision of the legality and constitutionality of decisions taken on the ground. If we draw an analog with Poland and Hungary, they also have a designated official who controls the activities of local self-government bodies. However, in Poland, the functions of the prefect are performed by the "Voivode", who is an official, a representative of the Council of ministers in the voivodeships of Poland, the head of the government administration bodies of double subordination and local government administration bodies, who has certain powers that do not fall within the competence of other bodies<sup>37</sup>. As for Hungary, for each region, the president of the Republic appoints a commissioner who coordinates and controls the actions of local self-government bodies, monitors their legality.

<sup>36</sup> V. Mykhalska, Status starosty: yevropeiskiy dosvid [w:] "Radnyk starosty" № 3 veresen 2020, URL: <https://i.factor.ua/ukr/journals/rs/2020/september/issue-3/article-110498.html> [accessed 4.06.2021]

<sup>37</sup> O. Lialuk, I. Petrenko, Zarubizhnyi dosvid zaprovadzhennia prefekta ta yoho znachennia dlia Ukrainy, URL: <http://oaji.net/articles/2020/3229-1585425182.pdf> [accessed 4.06.2021]

It should be noted that the introduction of the prefect's Institute will become possible only after the adoption of amendments to the Basic Law and the liquidation of local state administrations.

Another important task is the adoption of amendments to the law "on local self-government in Ukraine", which should clearly prescribe the powers of local self-government bodies; define the functions of district and regional councils; fix the mechanisms of state supervision over the state of affairs on the ground, and others.

The issues of regulating the internal division of cities, clearly defining the rights of members of territorial communities; training professional personnel to work at the local level; providing effective ways to influence citizens' decision-making by local authorities; adopting laws on the principles of the administrative-territorial structure of Ukraine, on the local referendum, on service in local self-government bodies and others remain problematic.

Both Poland and Hungary on the way to implementing the reform of decentralization and administrative-territorial structure had their own characteristics, both positive and negative manifestations. Ukraine, which in the process of implementing the Decentralization Reform, despite its own vision and historical experience, should not ignore the results of similar processes and the best practices of these countries, but after analyzing them and taking into account the specifics of each, try to implement the most effective ones in political practice. The main feature of the models of Hungary and Poland is that to begin the transition to the decentralization of power, administrative and territorial reforms were carried out in the countries. This significantly accelerated the process of reorganizing local government systems and their success. In addition, significant work has been done for the development of the regions.

In Poland, changes to the Constitution took place simultaneously with the implementation of administrative-territorial reform, but in Hungary, First there were changes in the administrative-territorial structure, and at the end changes were introduced to the Constitution. In Ukraine, the administrative and territorial reform took place already in the process of decentralization and after the creation of a fairly large number of AHS. In our opinion, the path of reforming Poland is more suitable for Ukraine, so to amend the Constitution in the process of Decentralization Reform, which has not yet been completed.

At the present stage, Ukraine is steadily directing its efforts to implement the European integration course, fulfil international legal obligations, in particular on the development of local and regional democracy. That is why further democratization of society and simultaneous decentralization of power on the basis of subsidiarity were and remain priorities of Ukraine.

To date, the main principles of the decentralization of power reform in Ukraine have been laid, including: a draft of constitutional amendments has been developed and a number of normative legal acts have been adopted that are designed to create a legal basis for the activities of local self-government bodies. The Decentralization Reform initiated six years ago has led to significant changes in the tasks and functions of local self-government bodies, especially in

those that were formed as a result of the unification of territorial communities. The speed of change requires the existence of a flexible system for improving the level of professional competence of local government officials and deputies of local councils, and vice versa, the success of changes will depend on the speed of training and advanced training of employees, their ability to fulfill new powers.

Thanks to the creation of a new system of distribution of power between Central and local authorities in Ukraine today a new system of relations between different branches of government and a new balance of checks and balances are actually being formed<sup>38</sup>. An important condition for the stable development of local self-government and the effective functioning of the state is to ensure a balance of state interests with the interests of the population of the United territorial communities. Democratization and building a full-fledged civil society in Ukraine are impossible without decentralizing state power, through the implementation of real powers of local self-government.

So, now in Ukraine there is a process of decentralization of power, which consists in implementing changes in the territorial organization of power by transferring it to local self-government. Decentralization is the basis for implementing effective local development, building a society based on democratization and real democracy. The process of implementing the decentralization of power reform is complex, which requires versatile approaches to the development and implementation of legislative changes in Ukraine. The decentralization of power in Ukraine creates conditions for improving the socio-economic life of the population by implementing administrative and territorial reform, transferring centralized power concentrated in the hands of the state to the hands of local self-government. At that time, local self-government involves the population, which is the basis of United territorial communities, in its activities. Therefore, only effective interaction between the local population to ensure the decentralization of power can lead to the desired social and economic development.

Decentralization Reform has great potential to stimulate the development of Regions and, through this development, the country as a whole. At the same time, it contains certain challenges related both to the course of its implementation and to its impact on various spheres of socio-political and socio-economic life<sup>39</sup>.

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<sup>38</sup> *Detsentralizatsiia vlady: poriadok demnyi na serednostrokovu perspektyvu. Analichna dopovid, Natsionalnyi instytut stratehichnykh doslidzhenred*, red. Ya.Zhalilo, O. Shevchenko, V. Romanova ta in., Kyiv, 2019, s.3.

<sup>39</sup> *Detsentralizatsiia vlady: poriadok demnyi na serednostrokovu perspektyvu. Analichna dopovid, Natsionalnyi instytut stratehichnykh doslidzhenred*, red. Ya.Zhalilo, O. Shevchenko, V. Romanova ta in., Kyiv, 2019, s.3.

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## THE ESSENCE AND TYPES OF REPRESENTATIVE DEMOCRACIES AND WHETHER THEY ARE POSSIBLE WITHOUT POLITICAL PARTIES

The research is devoted to considering the phenomenon, essence and types of representative democracies, and also offers an answer to the question of whether representative democracies are possible without political parties. The author suggested the essence and components of representative democracies and stated that they are traditionally configured within the framework of inter-party competition. At the same time, it was proved that theoretically and practically representative democracies can be realized including outside the parties, in particular due to their formal and even actual absence. Accordingly, the study, based on the existing experience of conceptualization and even the formation and functioning of non-partisan representative democracies and non-partisan political regimes in the world, stated that this phenomenon is possible in principle and therefore its basic patterns and parameters can be distinguished.

*Keywords: democracy, representative democracy, republic, monarchy, political regime, party, non-partisan, democracy without parties.*

## ISTOTA I ODMIANY PRZEDSTAWICIELSKICH DEMOKRACJI ORAZ CZY WYSTĘPUJĄ BEZ PARTII POLITYCZNYCH

Artykuł omawia zjawisko, istotę i rodzaje demokracji przedstawicielskich, a także daje odpowiedź na pytanie, czy demokracje przedstawicielskie są możliwe bez partii politycznych. W tym celu proponuje się istotę i skład demokracji przedstawicielskich, a także wskazuje się, że są one tradycyjnie konfigurowane w ramach konkurencji międzypartyjnej. Jednocześnie udowadnia się, że teoretycznie i praktycznie demokracje przedstawicielskie mogą być realizowane także pozapartyjne, w szczególności ze względu na ich formalną, a nawet faktyczną nieobecność. W związku z tym w opracowaniu, opartym na dotychczasowych doświadczeniach konceptualizacji, a nawet kształtowaniu się i funkcjonowaniu bezpartyjnych demokracji przedstawicielskich i ogólnie bezpartyjnych reżimów politycznych na świecie, stwierdza się, że zjawisko to jest w zasadzie możliwe, a zatem można dla niego wyróżnić podstawowe wzorce i parametry.

*Słowa kluczowe: demokracja, demokracja przedstawicielska, republika, monarchia, ustrój polityczny, partia, demokracja bezpartyjna, demokracja bez partii.*

## СУТНІСТЬ ТА РІЗНОВИДИ ПРЕДСТАВНИЦЬКИХ ДЕМОКРАТІЙ І ЧИ МОЖЛИВІ ВОНИ БЕЗ ПОЛІТИЧНИХ ПАРТІЙ

У статті розглянуто феномен, сутність і різновиди представницьких демократій, а також запропоновано відповідь на питання про те, чи можливі представницькі демократії без політичних партій. Для цього запропоновано сутність та складові представницьких демократій і вказано, що вони традиційно конфігуруються у рамках міжпартійної змагальності. Водночас доведено, що теоретично та практично представницькі демократії можуть реалізовуватись у тому числі і поза рамками партій, зокрема внаслідок їхньої формальної та навіть фактичної відсутності. Відповідно, в дослідженні на підставі існуючого досвіду концептуалізації і навіть формування та функціонування непартійних представницьких демократій і загалом непартійних політичних режимів у світі констатовано, що цей феномен в принципі можливий, а тому для нього можна виокремити базові патерни і параметри.

*Ключові слова:* демократія, представницька демократія, республіка, монархія, політичний режим, партія, непартійна демократія, демократія без партій.

The second half of the 20<sup>th</sup> – beginning of the 21<sup>st</sup> centuries are characterized by the dominance of the provisions and principles of representative (representational) democracy. This is a kind of democracy in which the people are the main source of power, but the state is governed by various representative bodies, whose members are elected by citizens, mostly through various political parties, movements and organizations, etc. It is because of this that representative democracy is the leading form of political participation in the modern world. However, its essence is reduced to the indirect participation of citizens in political decision-making, to the election of their representatives to public authorities, which are designed to represent the interests of voters, and therefore to adopt relevant laws and to issue orders. In this regard, this process occurs in very different ways, which can be classified in different ways. However, against this background, the question of whether representative democracy can be non-partisan or without a party has always remained open. This, against the background of the essence and various tried and tested ways of implementing representative democracy, particularly actualizes our scientific research. Apprehension of this issue is quite important in predicting the prospects for the future progress of representative democracy in the world and understanding its essence as such.

This issue of non-partisan democracy, in particular primarily within the concept of representative democracy and the example of some countries, is partially reflected in the scientific

research of such scholars as G. Carbone<sup>1</sup>, R. Dahl<sup>2</sup>, R. Dalton and M. Wattenberg<sup>3</sup>, J. Gandhi<sup>4</sup>, I Honohan<sup>5</sup>, N. Kasfir<sup>6</sup>, W. Müller<sup>7</sup>, N. Dieter, F. Grotz, C. Hartmann and P. Stöver<sup>8</sup> and some others.

Based on the appeal of the research of these scholars, it can be stated that today the most common way to implement representative democracy is parliamentary democracy, in which the government / cabinet receives its powers by delegating power from a popularly elected parliament, for which political parties and their representatives, as well as (if it is regulated) non-party candidates. The controversy over this way of implementing representative democracy is, at least in part, the presidential option of democracy (presidential democracy), in which the main "agent" of forming administrations or government cabinets is the head of state / president. These two basic ways of implementing representative democracy are generalized or become similar in that they are in any version polyarch or polycracy, i.e. with several centers of power or its real division into branches<sup>9</sup>. Accordingly, in this case, the very mechanism of exercising political power in a country, which is defined as a representative democracy, is fundamental. In other words, representative democracy is an inversely proportional variant of direct or indirect democracy, in which the citizens themselves are empowered, regardless of their party affiliation or non-affiliation (as well as the absence of parties and any other political organizations).

At the same time, this means that in its external nature, representative democracy (in the format of providing the function of representation, but not in the form of the internal content of democracy) does not necessarily have to be and often is not liberal, because there is a technical / mechanical (in the form of implementation of a polyarch or polycracy mechanism of separation of powers) the probability of formation, functioning and development of illiberal democracy, the manifestations of which there used to be a lot, and today there are many in the world. At the same time, the latter is often conceptualized and called pseudo-democracy and

<sup>1</sup> Carbone G., Political Parties in a "No-Party Democracy": Hegemony and Opposition Under "Movement Democracy" in Uganda, "Party Politics" 2003, vol. 9, nr. 4, s. 485–501.; Carbone G., "Populism" Visits Africa: The Case of Yoweri Museveni and No-Party Democracy in Uganda, "Crisis States Research Centre Working Paper" 2005, nr. 73, 22 s.

<sup>2</sup> Dahl R., A Preface to Democratic Theory, Wyd. The University of Chicago Press 1956; Dahl R., Polyarchy: Participation and Opposition, Wyd. Yale University Press 1972.

<sup>3</sup> Dalton R., Wattenberg M., Parties without Partisans: Political Change in Advanced Industrial Democracies, Wyd. Oxford University Press 2002.

<sup>4</sup> Gandhi J., Institutions and Policies under Dictatorship, [w:] Gandhi J. (ed.), Political Institutions under Dictatorship, Wyd. Cambridge University Press, 2009, s. 44–52.

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<sup>6</sup> Kasfir N., African Ambiguities: "No-party Democracy" in Uganda, "Journal of Democracy" 1998, vol. 9, nr. 2, s. 49–61

<sup>7</sup> Müller W., Political Parties in Parliamentary Democracies: Making Delegation and Accountability Work, "European Journal of Political Research" 2000, vol. 37, nr. 3, s. 309–333.

<sup>8</sup> Nohlen D., Grotz F., Hartmann C., Elections in Asia and the Pacific: A data handbook: Volume I, Wyd. Oxford University Press 2001.; Nohlen D., Grotz F., Hartmann C., Elections in Asia and the Pacific: A data handbook: Volume II, Wyd. Oxford University Press 2001.; Nohlen D., Stöver P., Elections in Europe: A data handbook, Wyd. Nomos 2010.

<sup>9</sup> Dahl R., A Preface to Democratic Theory, Wyd. The University of Chicago Press 1956; Dahl R., Polyarchy: Participation and Opposition, Wyd. Yale University Press 1972; Brown S., New Forces, Old Forces, and the Future of World Politics, Wyd. Scott Foresman 1988; Blartberg C., Shall We Dance? A Patriotic Politics for Canada, Wyd. McGill-Queen's University Press 2003; Rosenau J., Czempiel E.-O., Governance without Government: Order and Change in World Politics, Wyd. Cambridge University Press 1992.

partial democracy, “empty” democracy, hybrid democracy or delegate democracy, “low-intensity” democracy or “fluidal democracy”, etc<sup>10</sup>. In fact, illiberal democracy (as a generalization of various “adjectives” of democracy) is a type of representative democracy in which voters participate in the formation of polyarch or polycracy structures of power, but are excluded from the possibility of obtaining knowledge and information about those who exercise real political power influence due to the absence / lack of freedoms (which actually define the liberal essence of democracy as such or in the “ideal”)<sup>11</sup>. This means that if a representative democracy includes a representative-polyarch mechanism and free and fair elections, then it is necessarily called liberal (maximum). Instead, if a representative democracy provides only a representative-polyarch mechanism, but free and unjust elections, then it should be classified as illiberal (partial / minimal).

In view of this, it can be argued and noted by many researchers that there is a range of varieties of illiberal (minimal) democracy – from almost liberal-democratic regime to almost dictatorial regime, which in fact may not be positioned as a democracy, but interpreted as such only on certain / representative external signs<sup>12</sup>. Accordingly, illiberal (minimal) democracies are theoretically, methodologically and conceptually very often in contact with such political regimes, which S. Levitski and L. Vei call “competitive autocracies” or “competitive authoritarianism”<sup>13</sup>. It should also be constructively noted that since there are liberal (maximum) and illiberal (minimum) varieties of representative democracies, there must be both liberal and illiberal types of autocracies. Despite the fact that this is logically quite justified, it has historically existed and today there is historical confirmation of such a division and fact. And in the case of illiberal autocracies, everything is more or less clear conceptually. Liberal autocracies, on the other hand, are a more difficult problem. We believe that these are undemocratic political regimes and mechanisms of government (separation of powers), which are characterized by imitation of the principles of political liberalism. In this context, it should be noted that even before the early 20th century they were represented by most of the countries of Western Europe, which by modern standards were either liberal autocracies or semi-democracies<sup>14</sup>. Thus, a striking example of classical liberal autocracy was the model that was once implemented in dualistic Austria-Hungary<sup>15</sup>. Instead, a more modern case was the situation in Hong Kong, in

<sup>10</sup> Calleros-Alarcó J., *The Unfinished Transition to Democracy in Latin America*, Wyd. Routledge 2009, s. 1.; O’Neil P., *Essentials of Comparative Politics*, Wyd. W. W. Norton & Company 2010, s. 162–163.

<sup>11</sup> Zakaria F., *The Rise of Illiberal Democracy*, “Foreign Affairs” November–December 1997, źródło: <https://www.foreignaffairs.com/articles/1997-11-01/rise-illiberal-democracy>

<sup>12</sup> Diamond L., Leonardo M., *Assessing the Quality of Democracy*, Wyd. Johns Hopkins University Press 2005.; Halperin M., Siegle J., Weinstein M., *The Democracy Advantage: How Democracies Promote Prosperity and Peace*, Wyd. Routledge 2005, s. 10.; Mutalib H., *Illiberal democracy and the future of opposition in Singapore*, “Third World Quarterly” 2000, vol. 21, nr. 2, s. 313–342.; Bell D., Brown D., Jayasuriya K., *Towards Illiberal Democracy in Pacific Asia*, Wyd. St. Martin’s Press 1995.; Zakaria F., *The Future of Freedom: Illiberal Democracy at Home and Abroad*, Wyd. W. W. Norton & Company 2007.

<sup>13</sup> Levitsky S., Way L., *Assessing the Quality of Democracy*, “Journal of Democracy” 2002, vol. 13, nr. 2, s. 51–65.

<sup>14</sup> Zakaria F., *The Rise of Illiberal Democracy*, “Foreign Affairs” November–December 1997, źródło: <https://www.foreignaffairs.com/articles/1997-11-01/rise-illiberal-democracy>

<sup>15</sup> Myers S., *The Democracy Reader*, Wyd. IDEA 2002, s. 174.

particular until July 1, 1997, when he was still under the control of the “British Crown”. This was reflected in the fact that “politically significant elections” had never been held in Hong Kong until 1991, although, in contrast, the country’s cabinets have consistently implemented the principles of constitutional liberalism (in particular, the protection of human and civil rights and freedoms and introduction of a system of fair trials)<sup>16</sup>. An analogous or similar situation took place in Egypt during 2005-2011.

An average view of this issue allows us to state that liberal democracy (which is often called constitutional democracy, although in fact these concepts are not exactly identical) is an inversion of the illiberal model. However, they are identified or paired precisely by the fact of representativeness, because in both cases it is a question of applying the principles of free and fair elections, as well as the competitiveness of the struggle for power and the pluralism of the political process. Moreover, political pluralism in this case is most often defined as the presence or presence in the political system of parties in numerous and diverse ways, at least in the context of the ideological spectrum. Therefore, in this context, representative democracy is traditionally perceived by researchers and the ruling elite as party pluralized, and therefore party or political inherently. However, instead, the format and variety of representative democracy can vary significantly from case to case, which can, for example, be successfully demonstrated by the variability of liberal democracy options.

Thus, in its external form and structure, liberal representative democracy, for example (but this is not an exhaustive and not the only classification), can be divided into such models as: a) constitutional republic is the republic in which the head of state and other officials are representatives or “agents” of the citizens of the republic, and therefore must exercise their functional powers in accordance with existing constitutional law, which limit the power of government of such officials over citizens or “principals” who delegate power and expect its responsibility (Austria, Italy, France, Germany, Brazil, India, Ireland, the United States and an extremely large list of other countries); 2) constitutional monarchy is the monarchy in which the monarch performs the role of head of state within the parameters of the constitution or legislation at the constitutional level, but is not considered a *de facto* source of political power (unlike possible formal regulations), although entitled to control government cabinets (Belgium, Denmark, Norway, the United Kingdom, Sweden, etc.). At the same time, the apprehension of the constitutional republic in this context was and remains quite specific and ambiguous. For example, J. Adams once defined a republic as “the rule of law, not the people”<sup>17</sup>. Accordingly, the purpose of a constitutional republic, as noted by American scholars and in the context of the United States, should be to mitigate threats to the majority electoral system, in particular by protecting individuals and various minorities from a kind of “majority tyranny,” including checks and

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<sup>16</sup> Ma N., *Political Development in Hong Kong: State, Political Society, and Civil Society*, Wyd. Hong Kong University Press 2007.; Thomas N., *Democracy Denied: Identity, Civil Society, and Illiberal Democracy in Hong Kong*, Wyd. Ashgate 1999

<sup>17</sup> Levinson S., *Constitutional Faith*, Wyd. Princeton University Press 1989, s. 60.

balances, as well as inspections, balances and control<sup>18</sup>. It follows from all these things that the peculiarity of the constitutional republic as a format of representative democracy has always been understood and still is understood as the impossibility of any person or group of people to independently carry out all political decisions<sup>19</sup>.

This logic of the inner essence of the republic interpretation and republicanism is derived from the ideas of Aristotle, in particular his construct of polity as a type of political regime based on the ideas of the middle class. In turn, the first constitutional republics in the world are known to have emerged only in the middle of the 18<sup>th</sup>. century and were built on the ideas of classical liberalism. This is first of all the Republic of Corsica, which was formed in 1755 by P. Paoli, but was annexed by France in 1769. Then a constitutional republic was created in the United States. And since the beginning of the 20<sup>th</sup> century, constitutional republics have become the basic type / form of the representative democracy<sup>20</sup>. In this context, it is noteworthy that both constitutional monarchies and, above all, constitutional republics are by no means institutionalized forms of direct or indirect democracy, although, by contrast, representative democracies are not always incorporated into constitutional republics or constitutional monarchies<sup>21</sup>. The latter, in turn, are likened to being positioned and perceived as representative policies, "based on a fundamental law in which everyone has the right to exercise and carry out their unobtrusive visions of the good life." Accordingly, "the common good is the aggregate product of free and equal persons who pursue meaningful goals in such society"<sup>22</sup>. At the same time or in addition, it should be noted that the mechanism of construction and development of representative democracies can also correlate from presidential systems (for example, Argentina, Brazil, Mexico, USA, etc.) to semi-presidential systems (in particular, France, Finland, Taiwan, Poland, Ukraine), to parliamentary systems (including Australia, Belgium, Canada, New Zealand, India, the United Kingdom, etc.) and even to semi-parliamentary systems (Switzerland)<sup>23</sup>.

In summary, it should be noted that one way or another, however, almost all analyzed varieties of representative (liberal and illiberal) democracies are endowed with essential and essential requirements and markers that play a balancing and systemic role. Among them are most often distinguished such as: 1) an independent judiciary (which has the right to declare legislative, executive and all other legal and political-legal acts unconstitutional); 2) a marker of deliberativeness or discursiveness, which is manifested in the fact that in representative democracies apply the principles and mechanisms of direct initiatives, including referendums,

<sup>18</sup> House W., *Christian and American Law: Christianity's Impact on America's Founding Documents and Future Direction*, Wyd. Kregel Academic & Professional 1998, s. 101.; Honohan L., *Republicanism in Theory and Practice*, Wyd. Routledge 2006, s. 115.

<sup>19</sup> Delattre E., *Character and Cops: Ethics in Policing*, Wyd. American Enterprise Institute 2002, s. 16.

<sup>20</sup> Woodburn J., *The American Republic and Its Government: An Analysis of the Government of the United States*, Wyd. G. P. Putnam 1903, s. 58–59.

<sup>21</sup> Scheb J., *An Introduction to the American Legal System*, Wyd. Thomson Delmar Learning 2001, s. 6.

<sup>22</sup> Tsesis A., *The Thirteenth Amendment and American Freedom: A Legal History*, Wyd. New York University Press 2004, s. 5.

<sup>23</sup> Bollen K., *Political Rights and Political Liberties in Nations: An Evaluation of Human Rights Measures, 1950 to 1984*, [w:] Jabine T., Pierre Claude R. (eds.), *Human Rights and Statistics*, Wyd. University of Pennsylvania Press 1992.; Willard C., *Liberalism and the Problem of Knowledge: A New Rhetoric for Modern Democracy*, Wyd. University of Chicago Press 1996.

civic initiatives, recall or cancellation of elections, etc.; 3) quite frequent development and application of bicameralism / bicameral mechanisms of the parliament, when the upper house is elected indirectly<sup>24</sup>.

However, these requirements are still quite partial and quite relative in the context of their comparison with each other. On the other hand, in the case of representative democracies today, the fact that they are politically organized regulated and governed mainly, albeit to varying degrees, by political parties and their representatives, i.e. the main bearer of the ideas of representative democracy are parties, and competition between them is a prerequisite for political pluralism and the inner essence of democracy. However, it should be understood that the importance and influence of the parties in representative democracies is different. Thus, in presidential representative democracies, the executive branch – as the peak of intentions to participate in politics – is often or mostly manifested as a structure under the head of state that does not depend or very weakly depends on inter-party competition and party composition of parliaments. The opposite picture is mostly and traditionally inherent in the executive branch in parliamentary representative democracies, because there it is almost always dependent on inter-party competition and the party composition of parliaments.

In general, the importance of parties in different types of representative democracies is that political power in such systems and regimes is in principle primarily based on the ideas of a strong civil society, and therefore influential parties that combine the preferences of voters and their “agents” among the basic political institutions – parliament, government, heads of various executive bodies, sometimes the head of state, and so on. Accordingly, parties in this context are policy-oriented, centralized and cohesive, which, in turn, is often the basis for the formation of party-parliamentary governments, which are composed of parties of parliaments and / or heads of state<sup>25</sup>, in particular as comprehensive and common instruments of mutual benefit. The consequence of this is the apprehension that political parties that seek to be represented in power in representative democracies must meet at least two incentive conditions. First, they must provide sufficient incentives for officials to adhere to the discipline required by political parties. Second, the policy of cohesion pursued by political parties among officials in representative democracies must be sufficient for voters to interpret political parties as informative and useful. Such preconditions mean that party leaders must control the recruitment (election and appointment) of civil servants and government decisions. Therefore, in order for party power to be effective, parties must do everything possible to ensure that its members and officials realize the main political goals of the party – the re-election of the party, the exercise of political power and the achievement of political goals. At the same time, parties must be informatively and economically efficient, in particular so that voters and activists support them.

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<sup>24</sup> Scheb J., *An Introduction to the American Legal System*, Wyd. Thomson Delmar Learning 2001, s. 6.

<sup>25</sup> Cox G., *The Efficient Secret: The Cabinet and the Development of Political Parties in Victorian England*, Wyd. Cambridge University Press 2005.; Bagehot W., *The English Constitution*, Wyd. Fontana/Collins 1867.



After all, voters will provide support to parties only when they are able to fulfill their political programs and power goals.

That is, the functioning of government, in particular the activities of governments or administrations, in representative democracies at the party level must inevitably resonate with the preferences of voters<sup>26</sup>. Only under these conditions can party leaders present to voters as the “principals” of democracies sets of candidates for “agents” of power whose political preferences are well studied but whose behavior is moderately protected by party organizations.

In other words, in most types and cases of representative democracies, political parties influence all components of the process of delegating authority and responsibility between voters and political / government institutions. In particular, they usually control the delegation of powers and responsibilities from voters to deputies, from deputies to the prime minister (if such a position exists) or government ministers, and so on. However, at the same time, they weaken the delegation of duties and responsibilities. Although, parties, in contrast, are not very capable to manage and control the final element of the delegation process – civil servants and their behavior. The fact is that the role of parties is weakened during the greater development of delegation processes, i.e. during the process of increasing information asymmetry and the relevance of regulatory restrictions between voters and “agents”<sup>27</sup>. Nevertheless, even in this case, representative democracies, at least in part, generate the attachment of civil servants to political parties, which further determines the essence of party-determined power in a country. But here, in fact, there is a certain difference between the types of representative democracies, because: in parliamentary democracies, intra-party selection of all “agents”, especially “agents” of parliaments, is common; in the presidential democracies, “agents” should not be interpreted and determined by previous leadership experience, and therefore should not identify with a party, ideology, or program<sup>28</sup>.

However, from a purely theoretical and methodological point of view, it is necessary to note or test the idea of whether a representative democracy can be embodied – theoretically, in practice – without the phenomenon, role or participation of political parties. In a purely theoretical and methodological context, it is quite obvious that this issue is a separate marker that allows for a clear dichotomy of representative democracies into party and non-party. However, if everything is clear with the first (this was discussed above), then the second needs significant clarification and even definition or interpretation and verification (which will be discussed below).

<sup>26</sup> Dalton R., Wattenberg M., *Parties without Partisans: Political Change in Advanced Industrial Democracies*, Wyd. Oxford University Press 2002, s. 249.

<sup>27</sup> Müller W., *Political Parties in Parliamentary Democracies: Making Delegation and Accountability Work*, “European Journal of Political Research” 2000, vol. 37, nr. 3, s. 330.

<sup>28</sup> Linz J., *Presidential or Parliamentary Democracy: Does It Make a Difference?*, [w:] Linz J., Valenzuela A. (eds.), *The Failure of Presidential Democracy*. Vol. 1, Wyd. John Hopkins University Press 1994, s. 11.

In this regard, it is appropriate to emphasize that a purely logical or conceptual non-partisan democracy should be considered a format or type of representative democracy in which political elections, through which the formation and responsibility of government are held without political parties or with political parties power in the state (at any level of government). At the same time, it is definitely important that in the interpretation of non-partisan representative democracy the above-mentioned attributive property is constant – i.e. elections are held periodically, but no political parties constantly participate in them or no parties receive any official and power preferences and results.

The idea of constructing or even discussing the essence and purpose of non-partisan democracy or representative democracy without political parties derives from the assumption of some theorists and practitioners that holding elections and election campaigns and even discussing certain candidates for various political and power positions plays or may play extremely negative role in the context of competition and the political process. After all, in this case, it is not excluded, and even possible to create and inject a contradictory atmosphere. Accordingly, one of the options for the formation and development of non-party democracies is purely theoretical is that such democracies are possible in the case of indirect national elections (note that elections are an internal and integral attribute of any democracy and at least one higher institution of state power – typically parliament – is elected by the people) when voters vote for pre-determined candidates. Such electoral systems are sometimes referred to as two-level elections, electoral model, primarily modeled on the American electoral system or an “electoral college”, but such a model may work not only in a single direction and does not always guarantee or even hint at nonpartisan government and hence about democracy without parties. Another problem, purely technical, is that in general the system of indirect elections can be instrumentally applied only in the case of such electoral systems as the majority system of renewable and absolute majorities. Conversely, indirect elections are technically and instrumentally impossible in proportional electoral systems. The only possible exception is considered to be the system of a single transitional vote, even if it is interpreted as an option of a proportional electoral system.

At the same time, purely theoretically and methodologically and not entirely tied to a democratic political regime in its internal essence, it should be emphasized that a non-partisan or non-partisan system is significantly different from a one-party or one-party system. The fact is that in the case of a one-party system or even one-party domination (particularly in the context of government), any party that governs (forms and controls the government) identifies itself as a political force, participation in which brings certain significant benefits and dividends, which are not available to those deputies who are outside the party – they are non-partisan or belong to political satellite parties or opposition parties that are irrelevant against the background of one-party government and dominance. Accordingly, one-party government cabinet and one-party governments in general are often positioned as “belonging” to purely one-party members. Based on this, a unique and complex intra-party hierarchy is built as a key characteristic

of the government cabinet and the system of government as a whole. As a result, citizens are forced to adopt or accept a party ideology that is clearly considered dominant. As a result, all this leads to the establishment of total control over the political system, which may result in either the illegalization of other political parties, or the transition of other parties to the margins (even if they retain the status of legal). And vice versa, the situation is quite different when non-partisan governments and government systems in general are formed in a country, democratic or undemocratic, non-partisan governments and systems of government in general are formed, because in this case the representatives of non-partisan government cabinets and political (possibly party) systems are not obliged to accept any political ideologies. At the same time, the modern world is well aware of examples of the correlation between non-partisanship and one-party system. In this case, however, we are talking mainly about communist and some post-communist political regimes, in particular China, Cuba, and Belarus, etc. In fact, these and other countries have one-party systems, but formally members of the parliaments and governments of these countries in the absolute or overwhelming majority are characterized as non-partisan.

Returning to the internal definition of the essence of democracy, it should be noted that it, in particular in its representative format, was also initially conceived most likely as non-partisan, at least by the logic of delegation of authority, power and responsibility. But such an apprehension of democracy is inevitably tied to the phenomenon of direct or indirect, and not so much representative democracy, because citizens make their own political decisions, rather than choosing their own representatives. On the other hand, direct or indirect democracy can be party political. These are, in particular, cases when certain factions (as temporary associations of citizens) are formed, which are given certain prerogatives and powers, which are not peculiar to individual / individual citizens-politicians as not participants in such factions. In the representative model of democracy, the phenomenon of non-partisanship is mostly extremely limited and certainly not complete. For example, the non-partisan nature of the head of state is often discussed, even when the prime minister, the cabinet, and parliament are elected and formed through the inter-party elections. However, in this case, the importance of the non-partisanship of the head of state is often seen not as true apolitical, but instead is regarded as the neutrality of the head of state in the political process. Accordingly, fictitious and true non-partisanship must be considered separately in this case. Thus, the fictitiousness of the head of state's non-partisanship presupposes that the presidential candidate, for example, is formally non-partisan, but in fact close to certain political forces. Instead, the truth of non-partisanship presupposes that the presidential candidate is both formally and *de facto* non-partisan, that is, truly neutral.

Continuing this line, it is necessary to distinguish two types of non-partisan government, including in representative democracies – factual (*de facto*) and formal (*de jure*). Factual non-partisanship is the case when no laws and political and legal acts interfere with the formation of political parties at all, but political parties do not actually exist in practice. In the vast majority

of historical and current cases, non-partisan systems have in fact been used or are still used in “dwarf” states or micro-states that are representative democracies. Among them, for example, Niue is a state that is formally under the influence of the “British Crown” (the head of state is the British monarch), and the post of prime minister is non-partisan, as are all 20 deputies (during 1960-1974) 14 deputies<sup>29</sup>) of the national parliament, elected on the basis of the majority system of relative majority in single- and multi-member constituencies. It is noteworthy that earlier, in 1987-1990, there were two political parties in Niue – the “Party of Action” and the People’s Party of Niue<sup>30</sup> – which in 1990 merged into a single People’s Party of Niue, which won parliamentary seats<sup>31</sup>, but eventually ceased to function in 2003. Accordingly, since 2005, all parliamentary elections in Niue have been held on the basis of competition between non-party candidates in the actual absence of political parties, although their formation and operation are not prohibited by current legislation. As a result, there is virtually no parliamentary opposition at the consolidated and official levels in Niue, and all members of the national parliament are responsible for the government, although some oppose the cabinet. A similar situation is typical of Tuvalu – also a state that is formally under the influence of the “British Crown” (in which the head of state is also a British monarch). The fact is that in this country both the position of the Prime Minister and the positions of all members of parliament, which consists of a total of 16 persons, and in 1977-2002 it was 12 persons and in 2002-2015 – 15 persons<sup>32</sup> (are elected or were previously elected in single – and two-member constituencies on the basis of a majority system of a relative majority), are non-partisan and apolitical<sup>33</sup>, which is why Tuvalu shows signs of the non-partisan democracy or democracy without parties<sup>34</sup>. In this case, the election campaign in Tuvalu is mostly based on personal and family ties and reputation, as there are only about 6,000 voters in the country – a little more than half of the country’s population.

The situation is even more interesting in a country like Palau, the presidential constitutional republic in Oceania, because both the presidency and all members of the bicameral parliament (29 of them today) are non-partisan and non-political, although not in contrast there is a law that prevents or prohibits the formation and operation of political parties. Therefore, since 1980, elections in Palau have been held exclusively or predominantly on a non-partisan basis, although parties such as the Palau Nationalist Party (1996) and the “Ta Belau Party” (1987-1988) have previously taken place, but they very quickly ceased to exist, being unsuccessful<sup>35</sup>.

<sup>29</sup> Roger P., Self-determination and political development in Niue, “The Journal of the Polynesian Society” 1968, vol. 77, nr. 3, s. 242–262.

<sup>30</sup> Levine S., Niue in Review: Issues and Events, 1 July 1989 to 30 June 1990, “The Contemporary Pacific” 1991, vol. 3, nr. 1, s. 203–205.

<sup>31</sup> Levine S., Political Review: Niue, “The Contemporary Pacific” 2000, vol. 12, nr. 1, s. 231–236.

<sup>32</sup> Isala T., Larcy H., Chapter 20, Secession and Independence, [w:] Isala T., Larcy H. (eds.), Tuvalu: A History, Wyd. University of the South Pacific 1983, s. 169–173.

<sup>33</sup> Nohlen D., Grotz F., Hartmann C., Elections in Asia and the Pacific: A data handbook: Volume II, Wyd. Oxford University Press 2001, s. 829.

<sup>34</sup> Panapa P., Fraenkel J., The Loneliness of the Pro-Government Backbencher and the Precariousness of Simple Majority Rule in Tuvalu, Wyd. Australian National University 2008.; Hassall G., The Tuvalu General Election 2006, Wyd. University of the South Pacific 2006.

<sup>35</sup> Nohlen D., Grotz F., Hartmann C., Elections in Asia and the Pacific: A data handbook: Volume II, Wyd. Oxford University Press 2001, s. 752–754.

The countries presented above constitute a far from exhaustive list of states that exist in the format of de facto non-partisan representative democracy or representative democracy without parties. Thus, the non-partisan construction of representative democracy (at least in appearance) and elections should also be discussed in the case of such countries and dependent territories as Tokelau, Micronesia (since 1979), Nauru (since 1951), and the Falkland Islands (since 1949), Andorra, historically, (in 1933–1993<sup>36</sup>), the Bahamas (until 1956), Dominica (until 1961), the Maldives (until 2005), San Marino (in 1906–1918), Uganda (1989–2006), etc. In general, however, this is enough to conclude that representative democracy can function without parties. However, the problem is that such a situation of functioning of democratic regimes and holding of national elections without parties is inherent almost exclusively in micro-states and dependent territories, and therefore in this case representative democracy largely tends to direct or indirect democracy, although, of course, this is not in form, but rather a construct of democracy on the border between direct and representative. The only exception in this case is Uganda, which is not a micro-state, but in the period 1989–2006 was characterized by non-partisanship<sup>37</sup>.

In turn, formal non-partisanship a priori and inwardly should be uncharacteristic of countries and territories that are representative democracies. Instead, formal non-partisanship is the case when political parties in a country or territory are not allowed / banned or operate illegally, especially against the background of the fact that regular national elections are foreseen and regulated.

Among the most traditional cases of formal non-partisanship, although only in non-democratic political regimes with popular elections (and therefore in non-representative democracies), it is necessary to single out such current and historical cases as Kuwait (since 1961), Oman), as well as Ethiopia (in 1957–1973), Egypt (in 1957), Iran (in 1954–1956), Libya (in 1956–1965), and many other states. Speaking of Oman, it should be noted that it is an Islamic absolute monarchy, which is gradually moving towards a constitutional monarchy, but currently (as of the time of the study) all elected and non-elected positions in this country, including members of the advisory (non-legislative) bicameral parliament, of which a total of 167<sup>38</sup>, are non-partisan. This is despite the fact that the country previously had an influential opposition movement, the “Popular Front for the Liberation of Oman”, which could be interpreted as a proto-party, but it ceased to exist in 1992. A similar situation has existed since 1961 in Kuwait, which, instead, at least formally, is still a constitutional but autocratic monarchy with a nominally elected parliament<sup>39</sup>. However, the specificity of Kuwait is that parties are banned in this

<sup>36</sup> Nohlen D., Stöver P., *Elections in Europe: A data handbook*, Wyd. Nomos 2010, s. 154–160.

<sup>37</sup> Kasfir N., African Ambiguities: “No-party Democracy” in Uganda, *Journal of Democracy* 1998, vol. 9, nr. 2, s. 49–61.; Carbone G., Political Parties in a “No-Party Democracy”: Hegemony and Opposition Under “Movement Democracy” in Uganda, *Party Politics* 2003, vol. 9, nr. 4, s. 485–501.; Carbone G., “Populism” Visits Africa: The Case of Yoweri Museveni and No-Party Democracy in Uganda, “Crisis States Research Centre Working Paper” 2005, nr. 73, 22 s.

<sup>38</sup> Allen C., Rigsbee L., *Oman Under Qaboos: From Coup to Constitution, 1970–1996*, Wyd. Routledge 2014, s. 50–56.; Valeri M., *Oman: Politics and Society in the Qaboos State*, Wyd. Hurst Publishers 2009, s. 162.

<sup>39</sup> Gandhi J., *Institutions and Policies under Dictatorship*, [w:] Gandhi J. (ed.), *Political Institutions under Dictatorship*, Wyd. Cambridge University Press, 2009, s. 44–52.

country as subjects of the election process, and therefore non-party candidates running for 50 seats in two-member constituencies take part in the parliamentary elections. Instead, political groups and parliamentary blocs, who are formed as a result of the unification of members of parliament after their popular election, are actually allowed to function. This means that despite the formal ban on party formation, in Kuwait they or their counterparts are in practice as factions of non-partisan deputies and among them, for example, single out or have singled out before such as the National Democratic Alliance, the "Democratic Foundation of Kuwait", the "Islamic Constitutional movement", "National Islamic Alliance", "Bloc of People's Action and Alliance of Justice and Peace", etc<sup>40</sup>. In general, the specificity of these countries with signs or manifestations of formal non-partisanship is that in them national parliaments either formally or in fact play an exclusively advisory role (they can express their views on bills coming from the executive branch, but cannot adopt their own legal acts), although they are formed on the basis of national elections.

However, formal non-partisanship has historically been inherent in some of the world's democracies, as a similar situation in retrospect has taken place in the United States. Initially, there were no political parties in this country, but only factional associations, which eventually played the role of initiating parties in the future. In general, it is a thought that the "founding fathers of the United States" in the essay "Federalist N<sup>o</sup> 10" were supporters of the idea of non-partisan democracy.

For example, J. Madison defined a faction as "a certain number of citizens, related to the majority or minority of the whole, in which citizens are united and actualized by a common impulse of passion, an interest that is considered unacceptable to other citizens or to permanent and aggregated interests of the community"<sup>41</sup>.

Therefore, because political parties often represented interests that were unfavorable to the development of citizens' rights and the nation's general well-being, some "founding fathers of the United States" preferred a non-partisan form of government and representative democracy. That is why the administration of President J. Washington and the first sessions of the US Congress were non-partisan. And later the first factions, which gave impetus to the formation of the first parties in the United States, including the Federalists and the Democratic Republican were formed. It is also interesting that after the collapse of the first party in the United States, a one-party system was actually used, although it was not autocratic.

In general, based on the existing experience of conceptualization, formation and functioning of non-partisan representative democracies and non-partisan political regimes in the world, it can be stated that this phenomenon is possible in principle, and therefore the basic patterns and parameters of this political regime format can be distinguished. In such regimes,

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<sup>40</sup> Nohlen D., Grotz E., Hartmann C., *Elections in Asia and the Pacific: A data handbook: Volume I*, Wyd. Oxford University Press 2001, s. 161–162.

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in non-partisan elections, especially in the case of representative democracies, each candidate has the right to obtain a position in the electoral authority on the basis of his or her own merits, but not as a member of a political party. Therefore, technically and formally, no political affiliation (if any) is reflected in the vote next to the candidate's name. It is also interesting that in such a situation the winner is usually chosen / wins in the second round of elections by the majority system of absolute majority, when the two most influential candidates (as a result of the first round) compete with each other. Otherwise, a relative majority system is used, where elections are held in one round and the winners are one or two candidates for one or another position (depending on the size of the constituency). It is also possible that in some cases, during parliamentary or other elections, candidates for certain positions are members of any party, but do not work as party members in the power bodies. In this case, all candidates for different positions work against each other, regardless of their party affiliation, and then the two most popular candidates compete with each other even if they are members of the same party. Since this kind of electoral system significantly weakens the parties, it turns the electoral process as a whole into a partially non-partisan one.

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