



# JOURNAL OF POLITICAL ADMINISTRATIVE AND LOCAL STUDIES

October 2019, Vol:2, Issue:2 Ekim 2019, Cilt:2, Sayı:2

ISSN: 2636-803X

journal homepage: [www.jpajournal.org](http://www.jpajournal.org)

## PUBLIC ADMINISTRATION IN POLAND

**Malgorzata MADEJ**

Ph.D. Institute of Political Science, University of Wrocław, Wrocław, Poland,  
[malgorzata.madej@uwr.edu.pl](mailto:malgorzata.madej@uwr.edu.pl)

### ARTICLE INFO

### ABSTRACT

#### Keywords

Public Administration, Poland, communism, transformation, Europeanisation

*This study analyzes the process of shaping of the modern public administration in Poland from its origins in the 19th century, when Poland was divided into three parts and occupied by the neighbouring parties of Russia, Prussia/Germany and Austria/Austria-Hungary. It then describes development of the public administration in independent Poland after WWI and its transformation under the communist rule after WWII. The main part focuses on the current state of the Polish administration, including its central and territorial sections. It also discusses the impact of the European Union on this area in Poland. The objective of the study is to present the modern Polish administration in a relevant context of historic and modern internal traditions and external impacts. The paper is based on literature review.*

DOI: <https://doi.org/10.37460/j.2636-7823/2019.2.2.02>

### INTRODUCTION

The Republic of Poland, with its territory of 312,685 and population of 38,028,278 is the ninth biggest and the eighth most populous state in Europe<sup>1</sup>, however its neighbours include much bigger and more populous powers. Proximity of Russia/Soviet Union and Prussia or Germany has had a significant impact on the Polish history, statehood and institutions. The neighbouring states affected development of Poland by military power, political influence, inspiration or cooperation, and the results of these

---

<sup>1</sup> Statistics Poland, <http://stat.gov.pl/en/international-statistics/international-comparisons/tables-about-countries-by-subject/area-and-population/>, accessed on the 11-1-2019.

competing impacts, along with specificity of the Polish social, economic and political history are now reflected in the shape of the Polish political and administrative system.

Located in the region frequently referred to as the Central and Eastern Europe, for centuries, Poland has been a buffer zone between the West and the East of the continent, also a site where cultural and social trends from both sides crossed or sometimes collided (Janion, 2014: 13-33). Nowadays, as a member of NATO since 1999 and member of the European Union since 2004, Poland is strongly anchored in the Western Europe, however the modern instability of international relations requires reliable institutions and cooperation with foreign partners. Poland's administration keeps evolving, reacting to the transformation of the modern world, as well as striving to improve its performance.

The study will explore in chronological order the various stages of the shaping and development of the Polish administration, starting with the historical background, including administration under three occupational powers before 1918, Polish independence 1918-1939 and the communist period 1944-1989 and then proceeding to detailed presentation and discussion of the current shape of institutions and their relations to conclude with perspective before the administrative system in the Republic of Poland.

### **Historical background – Poland under occupation until 1918**

Without exploring the difficulties of periodisation of the Polish history, the analysis may start with the 1<sup>st</sup> Republic which existed until the partitions in 1772-1795. Since the Union of Lublin of 1569, the Crown of Poland formed a Commonwealth of Two Nations with the Grand Duchy of Lithuania (Samsonowicz and et al., 1992: 147). Although the two parts of the state had separate administration, in both cases the system was analogical.

Poland never developed an absolutistic system, partly because since 1573 and the death of the last Jagiellonian king, it was an elective monarchy. The king was always elected by a gathering of the country's noblemen, which forced the candidates to negotiate with strong cliques of noblemen, to confirm earlier privileges and confer new ones so as to ensure and enhance the "noblemen's democracy" and "golden freedom". It should be stressed that the nobility accounted for around 10% of the society, and as a result the percentage of inhabitants involved in the rule of the country was actually unusually high for Europe of the time (Górski, 2010: 88).

From mid-17<sup>th</sup> century, political reforms were a subject of political dispute between the kings and the most powerful magnates supported by their cliques, which did not serve to strengthen the central administration, subordinate to the king (Topolski, 1976: 3369. The administration was supervised by ministers, including the chancellor, vice-chancellor, marshal of the court and treasurer – each post appointed separately for the Crown and for the Grand Duchy. They all reported to the king (Staszewski, 1995). The country was also divided into provinces (*województwa* – this traditional name, used since the Middle Ages, is still applied in Poland) with local assemblies gaining importance as the centrally-controlled administration became less and less efficient.

The fall of Polish state was caused by the authorities' inability to ensure stable development and defence, an opportunity taken by neighbouring powers. However, between the first (1772) and second partition (1793), Poland took an important attempt of reforming its political system in the form of the Constitution of the 3<sup>rd</sup> of May, 1791 – the first constitution instituted in Europe (five months before the French Constitution) (Samsonowicz et al., 1992). The Constitution extended rights vested in bourgeoisie, promoted unification of the Crown and the Grand Duchy and reorganised the central administration. However, although the Constitution was much appreciated by the philosophers of the Enlightenment, and perceived as an important initiative towards stabilising and modernising the state (Samsonowicz et al., 1992), it did not stop further partitions, but actually triggered further aggressive policies by the neighbouring countries, which finally led to liquidation of the Polish state in 1795 and its division into three parts, one occupied by the Russia Empire, the other – by Prussia and the third taken by Austria. Each of the powers introduced their specific organisation, principles and institutions.

### **Russian Part**

In the Russian part of the formerly Polish territory major changes in political organisation and administration followed armed conflicts. In 1815, the Vienna Congress established a separate Polish Kingdom with the Russian tsar as its monarch. After the November Uprising of 1831-32, the Kingdom became a part of Russia (Kieniewicz, 1959).

Poland achieved the highest level of autonomy within the Russian empire at the turn of 1850s and 1860s, when Aleksander Wielopolski acted as the head of the administration within the "Congress Kingdom". The administration was supervised by Wielopolski and his two deputies, one in charge of military affairs, and the other for civil administration. Importantly, the Administration Council and Commission for Religious Confessions and Education were staffed by Poles, and from 1862, communication and posts were also managed inside the Polish Kingdom. Wielopolski also strived to introduce broader local government on the levels of poviats, provinces and municipalities (Koneczny, 1924).

However, characteristically for the Russian, strictly centralised administration, these concessions could be easily lifted by the tsar's personal will and decision (Smyk, 2011: 225) and effectively, after the January Uprising of 1863 the autonomy was limited again and the Russian administration was stretched to the Polish territory.

### **Prussian/German Part**

In the former Polish territory ruled by Prussia, an autonomous region was established after the Vienna Congress, too, but after the November Uprising with intensifying Germanification, the Polish head of the administration, Antoni Radziwiłł resigned and the autonomy was gradually liquidated. Although the two districts the territory was divided into had their diets, the diets' sole responsibilities related to local affairs, excluding taxation. Taxation, along with all issues of broader impact were decided entirely by

the central royal administration and the king himself (Koneczny, 1924). The local administration had exclusively executive function, while all major decisions were taken in Berlin.

It should be highlighted that while the Polish territories under the Prussian occupation before and after the unification of Germany in 1871 remained within a centralist empire, too, but they were also subject to the reforms and governed by the increasingly efficient, modern administration (Koneczny, 1924). Establishment of an impersonal, routinised bureaucracy subjected strictly to both legal and procedural provisions within the constitutional monarchy was a very important development, but in the case of former Polish territories it should be stressed that this efficient system was applied in the process of Germanification against the will of the local society.

### **Austrian/Austro-Hungarian Part**

By far, the broadest and most developed self-government functioned in the third part of the former Polish territory, in Austro-Hungarian Empire. As the state was multi-cultural and recognised the different groups and nationalities functioning within it, it also offered national rights to the Polish citizens, even to the point of recognising Polish as the language used in official situations, as well as at schools.

Previously a regular province of the Austrian Empire, Galicia was granted autonomy in 1867 (Dziadzio, 2016: 262). The elected Diet appointed the six members of the Provincial Board. The autonomous administration coexisted with the governor responding to the Emperor and his government and in charge above all of the treasury. The governor also supervised the Schooling Board, however, the Board itself represented the province's regional and local authorities, thus being a guarantee that the autonomous interest was taken into account (Koneczny, 1924: 302-308).

Galicia had also a developed system of local government with communes. Communes were responsible for management of the local property, local transport, schools and also policing. Communal authorities were also commissioned by the governor with tax collection. Internal organisation differed for rural and municipal communes, while noblemen's manors were separated from the regular communal authorities and the respective responsibilities were performed by the owner. Under the autonomy within the Austrian rule, the largest cities – Cracow and Lviv – had separate statutes to regulate their status and local authorities. Those two cities were not only cultural and scientific centres of the entire Galicia, but they also took important pro-development initiatives and investments (Holuj, 2013: 89-108).

It is therefore important to highlight that – contrary to the other occupying powers – Austria offered a possibility to shape civil attitude and educate administrative staff among its Polish citizens, shaping an experienced administrative elite.

### **Historical background – Second Polish Republic 1918-1939**

All these differing traditions met and were melted into a single state in 1918, when – due to the course of European politics and the outcome of the World War I an independent Polish state was restored,

including territories governed previously by three separate and different systems of power and administration. Actual unification of the territories and society was the biggest challenge set before the 2<sup>nd</sup> Polish Republic, and although bridging the differences in economic level and development, as well as communities of variable experiences and differing traditions was an enormous task, unification of the legal and governing systems was not an easy one either.

The organisation of central organs and their relations in the interwar period is divided into three distinct periods: firstly, establishment of the state structures, crowned by the March Constitution of 1921, then the period of parliamentary rule ended by the May Coup in 1926 which initiated the final period of Sanation government, supported in 1935 by the April Constitution.

In the first period, the administration was not yet in place, only shaped with the Head of State in the lead. This position, combining law-making and executive powers (Zieliński, 1983: 57), was entrusted to Józef Piłsudski, a broadly respected and recognised leader, however all his decisions had to be approved upon convocation of the Constituent Assembly.

The March Constitution provided for strong domination of the parliament, consisting of two chambers – the Sejm and the Senate. The President – as the head of state – was elected by the entire parliament as the National Assembly and responded to the Sejm. The President’s competencies to govern the state were limited, firstly by their performance through ministers and secondly by their responsibility towards the parliament. In extreme situations, the parliament was even allowed to declare the office vacant in the case of the president’s non-performance of his duties, thus enhancing the position of the legislative power versus presidential and ministerial administration <sup>2</sup>.

The March Constitution clearly provided that “The administration of the state will be organized on the principle of decentralization”<sup>3</sup>. The system of self-government was multi-tier with communes and municipalities, poviats/districts and voivodeships. Unification of the local government system was a difficult challenge, so in the 1920s, competencies and responsibilities of particular units differed between the three former parts and even the final territorial division was approved only in 1928 (Babiak, 2010: 23-36). In 1924, a dedicated commission was appointed to standardise the structure and responsibilities of particular tiers and institutions on the local and regional level, however, the May Coup brought a new trend of centralisation with dominant position of government representatives (Izdebski, 2014: 81). Apart from the territorial self-government, the political system of the 2<sup>nd</sup> Polish Republic relied on professional self-organisation, as well. The established professional chambers (for attorneys, notaries, physicians, dentists and pharmacists) were public-law institutions. As membership was obligatory for those performing these professions, the chambers could undertake administrative responsibilities (Antkowiak, 2016: 107-109).

---

<sup>2</sup> Constitution of the Republic of Poland, March 17, 1921, <http://libr.sejm.gov.pl/tek01/txt/kpol/e1921.html> , accessed on the 3-2-2019.

<sup>3</sup> *ibidem*, art. 66.

With the April Constitution<sup>4</sup>, the system of executive power was transformed significantly, enhancing the position of the President of the Republic by excluding his responsibility to the parliament or otherwise and ruling that the president appointed the prime minister at his own discretion. The government was responsible towards the president, who also defined the structure of ministries, thus affecting policies. The administration was assigned a separate chapter of the Constitution<sup>5</sup>, referring mainly to the territorial government, however, without naming the principle of decentralisation. A very important – although practically undemocratic – provision allowed the president to simply appoint his successor in the time of war<sup>6</sup>. Thus, during WWII the then president Ignacy Mościcki could appoint Władysław Raczkiewicz as the next president and then the government could be appointed, allowing for maintenance of a fully legal, constitutional central administration in exile (Prażmowska, 2010: 137-138).

The Second Polish Republic also marked the first attempt to build a Polish civil service. The relevant act was passed by the Sejm in 1922, ensuring a special status of civil servants within the legal system. By entering the service, clerks accepted limitations concerning freedom of choice of their residence, additional employment or freedom of expression with respect to political opinions. On the other hand, the act guaranteed them special privileges concerning remuneration, promotion and pensions. Civil servants were subjected to a separate, special disciplinary responsibility system which was not a part of the regular judiciary (Łukaszczyk, 2010: 235-236 (Łukaszczyk, 2010: 235-236).

One peculiar – untypical of the Polish tradition – aspect of the inter-war administration involved a broad autonomy of the Silesian voivodeship (Ługowski, 2017: 64-66). Considering the separate character of this region, its specific economy, ethnic composition and the history of its inclusion in the Polish state after WWI (the history of the plebiscite in 1921 and three uprisings in 1919, 1920 and 1921), the authorities resolved to offer a special status to this voivodeship, establishing a regional diet and Voivodeship Council. The inter-war Silesia was the only instance of a regional autonomy in the modern Polish administration.

Concluding, it should be noted that the inter-war period, the time of rebuilding of the Polish statehood, was also an attempt to build to modern administration within the renewed independent state. However, it was also a time of stark difficulties in internal relations concerning unification of the three parts of the country, integration of the society (including almost 35% of ethnic and national minorities) (Prażmowska, 2010: 107-110), secondly, the challenges of the economic crisis of the 1920s and 1930s (Zieliński, 205: 202-224) and finally the hostile policies of the neighbouring countries. Like many other countries in inter-war Europe, especially central and eastern Europe, Poland did not remain a democratic

---

<sup>4</sup> Constitution of the Republic of Poland, April 23, 1935, <http://libr.sejm.gov.pl/tek01/txt/kpol/e1935-spis.html> , accessed on 4-2-2019.

<sup>5</sup> *ibidem*, chapter X.

<sup>6</sup> *ibidem*, art. 24(1).

state until the outbreak of WWII. Even though this state did not have time enough to develop into a modern country, the traditions of the 2<sup>nd</sup> Republic still play an important role in the Polish public discourse.

### **Historical background – communist administration**

It is important to note that while the entire Polish territory was occupied during WWII, formally the state survived with its government in exile, which was treated by the United Kingdom and United States as an official ally. Only the Soviet Union refused to recognise the London-based Polish government after it voiced the accusations against the Soviet crime of murdering of 22,000 Polish military prisoners of war (Prażmowska, 2010: 141). Even though in Yalta the three powers agreed to form a “government of national unity” in Poland, the Polish émigré milieus still took the stand that the government London was the only legal authority of Poland.

However, the Polish state was reorganised under the Soviet occupation and it was the Polish People’s Republic that was recognised by the international community as the legal representation of Poland. The symbolic gesture of the last president-in-exile, Ryszard Kaczorowski passing the insignia to the first elected non-communist president Lech Wałęsa in 1990<sup>7</sup> had no practical impact.

The major formal differences introduced by the communist Constitution of 1962 involved reduction of the parliament to a single chamber (liquidation of the Senate) and establishment of a collective head of state referred to as the Council of State. The general system – like in all communist states of the Soviet bloc – was characterised by unity of powers instead of their separation, lack of actual guarantees of citizens’ freedoms and rights, only pretences of territorial or economic self-government (Madej, 2014: 44-50). The actual practices of power differed significantly from the letter of law, as only in 1975 was the Constitution amended to include the primacy of the communist Polish United Workers’ Party and alliance with the Soviet Union (Friszke, 2010: 133). However, these principles were practically guaranteed from the beginning by existence of parallel state and party institutions with the party organs virtually supervising activities of the formal authorities. The other control mechanism relied on the system of nomenklatura, assigning specific posts and roles within the state institutions to particular levels of management of the party (Madej, 2014: 52). Thus, for example, ministers and deputy ministers could be appointed only upon approval of the central committee and a commander of regional police (called Civic Militia) required a consent of the party’s voivodeship committee.

The strong position of the regional party committees was long a characteristic feature of the Polish communism. From 1944 until 1975, there were only 14 administrative districts, which meant that their respective party leaders were very influential, especially those who operated in strong, industrial regions. Edward Gierek, the national first secretary of the Polish United Workers Party in 1970-1980 had himself

---

<sup>7</sup> Decree of the President of Poland on Finishing of the Operations and Dissolution of the Republic’s Government in Exile, [http://eprints.hist.pl/402/1/1990-12-22\\_nr5.pdf](http://eprints.hist.pl/402/1/1990-12-22_nr5.pdf), accessed on the 7-4-2019.

been the first secretary of Silesian party committee before. To change the balance of power and influence between the central echelons and regional committees within the party was the main objective of the reform of territorial administration in 1975, when the large voivodeships were replaced with 49 small ones. The professional self-government was liquidated, but the established workers' councils and trade unions could not play an active role to represent self-organisation of employees (Seweryński and Skupień, 2017: 107-124). This conflict concerning articulation of workers' interests was one of the reasons of the implosion of the communist system.

### **Modern Polish administration – post-communist transition**

Although the complicated conjunction of internal and external, political, social and economic circumstances that led to collapse of the communist system in Central European states is a topic for extensive analysis in itself, it should be highlighted that the permanent inefficiency of the administrative system and its inability to address issues facing the society was one of them.

The negotiations at the Round Table led to an agreement which provided for a reform of the central administration through partially free elections and establishment of the office of the president of the republic (initially to be elected by the Sejm and renewed Senate jointly). However, it triggered a process of overarching transformation in legislative, executive and judiciary, as well as the entire economy. Those changes were regulated first by the “Small Constitution” of 1992<sup>8</sup> and then by the Constitution of the Republic of Poland of 1997<sup>9</sup>.

### **Modern Polish administration – governmental administration**

The current Polish political system is classified as a cabinet-parliamentary system with the main executive competencies focused with the government, as all “issues of the state’s policies which are not reserved to other state organs or local government” are constitutionally vested in the Council of Ministers and it is the government that supervises and manages the system of the government administration<sup>10</sup>. After parliamentary elections, the president designates the prime minister, who then presents his or her council of ministers to the Sejm for a vote of confidence. If this procedure fails, then the parliament may initiate a vote of confidence for a government motioned by members of the Sejm themselves and if no confidence is granted, then the president makes another attempt to designate the prime minister. If the three stages of the procedure do not lead to an approved vote of confidence for a council of ministers, early parliamentary elections are held (Balicki, 2018: 205-213). The Constitution ensures also that the government can be dismissed only by its own resignation, if it cannot perform its role (e.g. it cannot have the budget statute approved by the Sejm) or if a new majority forms in the Sejm to pass a vote of confidence for a new council of ministers (Opaliński, 2011: 100). On the other hand

---

<sup>8</sup> Constitutional Act of 17<sup>th</sup> October 1992, Journal of Laws of 1992, No. 84, item 426, derogated.

<sup>9</sup> Constitution of the Republic of Poland of the 2<sup>nd</sup> April 1997, Journal of Laws of 1997, No. 78, item 483, as amended.

<sup>10</sup> *ibidem*.

the prime minister has a right to motion the president to appoint new ministers replacing the former ones without applying to the Sejm for a vote of confidence. In practice, therefore, it is very difficult for parliamentary parties or the president to remove an acting prime minister, ensuring him or her with a broad margin of freedom to act effectively.

It should be highlighted, as well, that the prime minister has the freedom to shape the government by choosing whether or not to appoint deputy prime ministers and by determining the structure. According to the Act on sections of administration<sup>11</sup>, the responsibilities are divided into sections, while the prime minister decides which sections should be assigned to particular ministers. Thus, for example, responsibilities in the section “home affairs” are frequently combined with “administration”, although this is not obligatory. Some prime ministers resolved to establish a separate ministry for marine economy and some preferred this area to be governed by the minister of economy. This solution allows each prime minister to set priorities and organise the council’s work according to his or her specific needs and concepts.

Apart from defining and implementing policies, the government supervises the large portion of public administration, including central institutions, as well as combined and non-combined administration on the regional and local level. The government is represented in regions by voivods, who manage the regional administration and supervise implementation of the government policies. Voivods are not elected, they are appointed by the central authorities and they report to the prime minister.

### **Modern Polish administration – presidential administration**

The central administration in Poland includes also institutions which are not subordinated to the government. These are mainly control institutions. The head of the Polish state is the president – this institution was re-instated according to the Round Table agreement of 1989. The first president, Wojciech Jaruzelski, was elected by the National Assembly, or both chambers of the parliament together (Momro, 2015: 71), but from 1990, the president is elected by a popular vote for a term of five years. There is a paradoxical discrepancy between this manner of election, which results in a very strong legitimisation from the society, and actual narrow range of competencies of the president. Maybe this is the reason why only one president after 1990 was re-elected and served two terms in office: Aleksander Kwaśniewski (first term 1995-2000 and second term 2000-2005), while two, Lech Wałęsa (1990-1995) and Bronisław Komorowski (2010-2015) were not re-elected, though they did run for the office for the second time. President Lech Kaczyński (2005-2010) did not run for re-election, as he died in the plane crash in Smolensk before the end of his first term in office. The president’s competencies are limited and most of his deeds require the prime minister’s countersignature (Lisicka, 2001: 239). The president is the formal head of the armed forces and represents the country in the international relations, however,

---

<sup>11</sup> Act of the 4<sup>th</sup> September 1997 on sections of government administration, Journal of Laws of 1997, No. 141, item 943, as amended.

respective day-to-day policies are governed by the ministers of foreign affairs and defence. The president may convene and chair the cabinet council, however, despite being a meeting of all the ministers including the prime minister, it cannot act as the constitutional council of ministers and does not hold its responsibilities, thus acting only as an advisory body to the president and the government.

The other public administration institutions that are not supervised by the government include control organs, such as the ombudsman, the Supreme Audit Office, the State Labour Inspectorate, and the central bank authorities. They report to the Sejm or the lower chamber of the parliament, however they are designed as independent institutions to ensure that they are able to control government-supervised agencies as well.

### **Modern Polish administration – local and regional government**

Re-instatement of the Polish local self-government after the communist rule occurred in two steps. The first one, in 1990, involved establishment of self-governing communes as the local units, responsible for all local matters which are not legally restricted to other institutions<sup>12</sup>. Communal self-government is guaranteed by the constitution, which also expressly refers to decentralisation. Even though there are three types of communes – municipal, municipal-rural and rural, the difference involves only the nomenclature and not competencies. The executive organ in communes (prezydent in municipal communes, burmistrz in municipal-rural communes and wójt in rural communes) is elected directly by the local community. Until 2018 the term of the local executive, as well as legislative authorities (municipal or communal council) was 4 years, but it was extended to 5 years. Currently, there are 2477 communes<sup>13</sup>.

Responsibilities of communes are divided into the local government's own tasks and those delegated from the central administration. The former include such areas as local land development, communal transport and roads, including public transport services, local supplies (waterworks, sewage treatment systems, electricity and heating supplies, ensuring healthcare services etc.); the latter: preparation of voter lists for national elections, holding elections for jury members for local courts, proceedings concerning public assemblies etc. The residual competencies for all local matters remain with the commune. Regarding the large range of their competencies, communes in Poland are frequently faced with the problem of insufficient funding for all the tasks.

Poviats (sometimes translated as counties) form the middle tier of self-government, the second local tier. There are two types of poviats: land poviats, composed of several communes, and urban poviats including only a single commune – the latter solution was developed for the largest cities. As in 2019, there are 314 land poviats and 66 urban poviats. For each poviat, a poviat council is elected in a popular

---

<sup>12</sup> Constitution of the Republic of Poland of the 2<sup>nd</sup> April 1997, op. cit., art. 164.

<sup>13</sup> Ministry of Home Affairs and Administration, <http://administracja.mswia.gov.pl/adm/baza-jst/843,Samorzad-terytorialny-w-Polsce.html>, accessed on the 8-4-2019.

vote, but the powiat's board and head (starosta) are elected by the council. In many respects this medium tier of self-government is the weakest – in terms of funding, as well as responsibilities, but also with respect to communities and citizens' awareness and identification with this entities (Bułajewski, 2017:107). The main responsibilities of powiats concern security, crisis management and supervision of crises management forces (especially within the area of firefighting, flood prevention and disaster management), although this subregional authorities are also in charge of powiat roads and secondary schooling system<sup>14</sup>.

Finally, the highest tier involves regional governance in 16 regions. Administrative responsibilities on this level are shared by the voivode and self-government in the form of the voivodeship council (called Sejmik and elected in a popular proportional vote) and voivodeship board headed by the Marshall and elected by Sejmik. The competencies of the regional self-government involve broadly defined regional development, with respect to infrastructure, investment and innovations, labour market, education and culture. Importantly, the regional self-government responds also for defining regional operational programmes concerning strategy and priorities for structural funding on the regional level<sup>15</sup>.

Importantly, despite the Constitutional status of decentralisation of the important role played by the regional and local governments, Poland is a unitary state and the formal competencies of all voivodeships, powiats and communes, regardless of their type and location or identical. In administrative practice, major differences can be perceived on the communal level, with the government of major cities more influential in the central policies and capable of more effective communal marketing than in the case of biggest cities. The differences involve also the financial and economic potential of the regions, as reflected in Table 1, presenting the levels of GDP, GDP per capita and unemployment rate. Although nowadays the administrative division only partially reflects the borders between the former occupying powers (Fig. 1), the differences are still visible in terms of economic development, as well as social and political attitudes and particular parts of the country. Comparison of the macroeconomic data with the voivodeship map (Fig. 2) shows disproportion in development between the eastern and western regions of Poland: the four voivodeships with the lowest GDP per capita are the four regions on the eastern border, three of them representing the part occupied by Russia between 1795 and 1918, while out of the top five, three are located on the western border, formerly part of Germany. However, quite low macroeconomic indicators for Warmińsko-Mazurskie voivodeship, which used to belong to Germany until WWII, suggest that the development inequality is related also to the geographical location, and proximity of the developed German economy or underdeveloped economies of Russia, Belarus and Ukraine that affects the potential of Polish voivodeships.

---

<sup>14</sup> Act of the 5<sup>th</sup> June 1998 on powiat self-government, Journal of Laws of 1998, No. 91, item 578, as amended.

<sup>15</sup> Act of the 5<sup>th</sup> June 1998 on voivodeship self-government, Journal of Laws of 1998, No. 91, item 576, as amended.

The lasting underdevelopment of the Polish eastern territories, persistent despite significant structural EU-funded investments (including a specifically designed “Eastern Poland” Operational Programme), is a serious problem for Polish central and regional authorities: “although four Polish voivodeships (mazowieckie, śląskie, dolnośląskie and wielkopolskie” were among the fastest developing regions in the new member-states of the European Union [in 2004-2014 – MM] and five more were listed among the 20 fastest developing regions, still the differences in the level of regional economic development increased” (Skrzypiński, 2017: 26).

### **Europeanisation of the public administration in Poland**

Decentralisation is one of the areas involved in the process of Europeanisation of the public administration in Poland. The European Union’s effect on the Polish administration could be observed in two stages: firstly, through the conditions associated with accession to the Union, and secondly in the process of Polish participation in implementation of the EU policies. It may be stressed that in the second stage, the effect was already mutual, although not equal, as since its accession in 2004, Poland participated in the decision-making processes.

Poland’s participation in the process of European integration initiated in the 1950s was possible due to the political transformation from communism to democracy and market economy at the turn of 1980s and 1990s. Poland filed the official application for admission to the European Union in 1994, and this act launched the multi-stage process of negotiations, mostly concerning incorporation of specific provisions of the European *acquis communautaire* into the Polish legal system (Duda, 2017: 123-150). Apart from the provisions regulating specific areas of policies (such as freedom of movement of goods, workers and capital, freedom of services, intellectual property law, competition law, information society and media, agriculture and rural development, fisheries, statistics, social policies and employment, science and research, education and culture, environment etc.), there were also fundamental conditions, referred to as Copenhagen criteria<sup>16</sup>

- stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- a functioning market economy and the capacity to cope with competition and market forces in the EU;
- the ability to take on and implement effectively the obligations of membership, including adherence to the aims of political, economic and monetary union.

These general principles are designed to ensure reliability and independent control over the process of implementation of the *acquis communautaire*, as well as to provide for observation of the same basic values throughout the entire organisation. In the case of Poland, as well as other Central and Eastern

---

<sup>16</sup> European Commission, European Neighbourhood Policy And Enlargement Negotiations, [https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership\\_en](https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership_en), accessed on the 10-8-2019.

European states, it served very effectively to stabilise the process of political transformation. The perspective of joining the European integration project motivated authorities of post-communist states not only to introduce political guarantees of democracy and rule of law, but also to reform and modernise public administration and its relations with the citizens. Values such as greater transparency and accountability, as well as principles of non-discrimination and citizen-friendly approach were gradually introduced to become the foundation of the post-communist administration, and the impact of international organisation was crucial in the process of their implementation, not only through conditionality of accession negotiations, but also through promoting good practices and codes of conduct.

According to the current provisions, conditionality concerns only candidate- states, while members of the European Union are obliged to observe the fundamental common values by the Treaties, providing also for sanctions in the case of extreme breaches<sup>17</sup>. However, even functioning within the European Union's legal system and constant negotiations of new solutions and provisions has permanent impact on the internal situation of Poland and its administration.

Europeanisation is defined in three aspects: normative, structural and functional Europeanisation (Lipowicz, 2008: 5-6). The first one involves legal provisions governing implemented policies and mode of their implementation on the national level. Structural Europeanisation concerns establishment or reorganisation of institutions and bodies within the public administration, as necessary to implement policies and achieve objectives defined on the EU level. It can be easily observed in the case of structural and cohesion funding with many new agendas created and others assigned with new roles and responsibilities to ensure efficient and lawful application of the funding. Functional Europeanisation – related to procedures and forms of operations – is well reflected in such areas as ethics and responsibility or evaluation of policies. Evaluation, required within various processes funded or initiated by the EU, has become an important tool of ensuring quality and the right to good administration in Poland. Thus, Poland's membership in the European Union contributed to promotion of good governance in the public administration on the central and local levels. This involves also implementation of partnership principle to promote cooperation between agencies, organisations and institutions, openness to ngos and civil society, as well as encouragement of citizen participation (Grzeszczak, 2016: 272-290). The process of application of good governance principles in Poland is quite advanced, even though still a lot remains to be done, both on the central and local level (Lisowska and Kobielska, 2013: 267-284). Legal changes, application of international standards, training for clerks and activation of the society are all elements necessary to ensure a better and more participative public administration, and to improve its broadly defined efficiency.

## **Reforms post 2015**

---

<sup>17</sup> Treaty on European Union, Official Journal of the European Union C 326/13, art. 2, art. 7.

The year of 2015 marks an important change in the shaping of the Polish political system with the ascension of the populist Law and Justice party (PiS) to power. Very important shift concerned relations between the president, prime minister and the parliament, as well as formal and informal decision-making procedures. The reforms compromised independence of the judiciary, too (Szuleka et al., 2016).

The new government's policies had significant impact on the civil service and operation of the administration in Poland, too. The relevant act of law on civil service was amended in 2016, and the amendment liquidated the legal obligation to organise contests for top positions at public institutions and reduced requirements for the candidates (Gadowska, 2018: 69-70). Despite the declared grounds of improving efficiency of human resources management in the public service, this solution was widely perceived as a way to allow politicians to appoint their own nominees, regardless of their competencies. The longer-term result would be political control over administration, threatening its independence and good governance. It has to be highlighted that politization of the public administration was a issue in Poland before 2015, too (Mazur et al., 2018: 83-84). However, the concepts of the ruling party in Poland after 2015 refer rather to control and centralisation, and therefore they do not serve further development of good governance.

## **CONCLUSION**

During its history, the Polish public administration, similar as the Polish political system, was subject to variable influences, either directly, through occupying powers or indirectly, through inspiration and cooperation. The traditions, concepts and institutions developed in the epoch of the 1<sup>st</sup> Republic were later deeply transformed by the three partitioning powers. The period of 123 years when Poland was not an independent stage had a crucial impact on the developments of the Polish political and administrative system, as the 19<sup>th</sup> century was an era when not only the nation-states, but also the modern administration was shaped in Europe. The three parts of Poland were under various influences right then, which resulted not only in economic and social discrepancies which are observable even now, but also in differences in administrative culture.

The short time of independence between the two world wars has to be divided in two clearly separate periods: the parliamentary rule and the authoritarian regime after 1926, however, both were strongly marked by the most important challenge: unification of the three parts of the country. Consequently, there was not enough time to develop a well-designed system of administration, adapted to the country's needs, especially in view of its economic problems, as well as social, ethnic and religious diversity. The development was abruptly cut by WWII and repeated destruction of the Polish state.

Even though the system established after the war was an imposed reproduction of the Soviet ideas, it lasted for almost half a century and left a perceptible mark on the Polish administration, as well as the attitudes of the society. The post-communist period saw Europeanisation and professionalisation of the Polish administration. The right to good administration, decentralisation and subsidiarity, as well as

efforts to increase citizens' participation were the hallmarks of transition in this area. The process was quite advanced, especially on the level of civil service and services for citizens. However, the main problem of the modern Polish administration, even now that it is influenced by the democratic traditions and standards, involves the risk of politization. Poland lacks a clear demarcation of the political and non-political aspects of administration, which is why politicians frequently search more direct tools of intervention in the administrative processes than only through law. Further developments may take one turn or another.

Another important process in the Polish public administration involves the increasing significance of self-government, especially on the lowest, communal level. With introduction of direct election of mayors, communal authorities gained recognizability, which helps them to play the role of actual local leaders. Local elections in 2018 confirmed that strong local and regional governments serve well to reflect the diversity of the Polish society.

## **REFERENCES**

- Act of the 4<sup>th</sup> September 1997 on sections of government administration, Journal of Laws of 1997, No. 141, item 943, as amended.
- Act of the 5<sup>th</sup> June 1998 on powiat self-government, Journal of Laws of 1998, No. 91, item 578, as amended.
- Act of the 5<sup>th</sup> June 1998 on voivodeship self-government, Journal of Laws of 1998, No. 91, item 576, as amended.
- Alberski, R. and Cichosz, M., (2017), "Gra o region 2014. Wybory do sejmików województw", Wrocław.
- Babiak, J. and Ptak, A. (2010), "Władza lokalna w procesie transformacji systemowej", Kalisz-Poznań.
- Balicki, R. (2018), "Konstytucyjne uwarunkowania stabilności rady ministrów", *Ruch Prawniczy, Ekonomiczny i Socjologiczny*, Rok LXXX – zeszyt 1, pp 205-213.
- Bański, J. (2016), "Atlas obszarów wiejskich w Polsce, IGiPZ PAN, Warszawa.
- Chrzanowski, M. and Sobczak, J. (2017), "Samorządy w procesie decentralizacji władzy publicznej. Self-governments in the process of decentralisation of public authority", Lublin.
- Constitution of the Republic of Poland, March 17, 1921, <http://libr.sejm.gov.pl/tek01/txt/kpol/e1921.html> .
- Constitution of the Republic of Poland, April 23, 1935, <http://libr.sejm.gov.pl/tek01/txt/kpol/e1935-spis.html>.

- Constitution of the Republic of Poland of the 2nd April 1997, Journal of Laws of 1997, No. 78, item 483, as amended.
- Constitutional Act of 17<sup>th</sup> October 1992, Journal of Laws of 1992, No. 84, item 426, derogated.
- Decree of the President of Poland on Finishing of the Operations and Dissolution of the Republic's Government in Exile, [http://eprints.hist.pl/402/1/1990-12-22\\_nr5.pdf](http://eprints.hist.pl/402/1/1990-12-22_nr5.pdf).
- Duda, R. (2017), "Poland's Way to the European Union", [in:] Tuncer A., H. Demir H., "The EU Effect. Perspectives on the EU from the Central and Southeastern Europe", Sakarya.
- Dziadzio, A. (2016), "The Diet of Galicia and Lodomeria in Relation to the Government at the Dawn of the Constitutional Era in Austria", *Studia Iuridica Lublinensia* vol. XXV, 3, p. 262.
- European Commission, European Neighbourhood Policy And Enlargement Negotiations, [https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership\\_en](https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership_en).
- Gadowska, K. (2018), "Relacje między polityką i administracją w procesie tworzenia służby cywilnej w Polsce. Perspektywa nowego instytucjonalizmu", *Zarządzanie Publiczne* Nr 1(43).
- Górski, G. (2010), "Rzeczpospolita Polsko-Litewska. Historia pierwszej monarchii konstytucyjnej".
- Grzeszczak, R. (2016), "Proces europeizacji administracji krajowej na przykładzie modelu...koordynacji spraw europejskich w Polsce", *Rocznik Administracji Publicznej*, 2, pp 272-290.
- Hołuj, D. (2013), "Samorząd miejski Krakowa i Lwowa w okresie autonomii galicyjskiej", *Zeszyty, Naukowe Uniwersytetu Ekonomicznego w Krakowie*, 917: 89–108.
- Izdebski, H. (2014), "Samorząd terytorialny. Podstawy ustroju i działalności", Warszawa.
- Janion, M. (2014), "Poland between the West and East", *Teksty Drugie*, 1, Special Issue – English Edition, s. 13-33.
- Kieniewicz, S., Kula W. (1959), *Historia Polski. 1831-1864*, Warszawa.
- Kmieciak, R. (ed.), (2016), "Decentralizacja jako fundament demokracji obywatelskiej".
- Koneczny, F. (1924), "Dzieje Administracji w Polsce", Wilno.
- Lipowicz, I. (2008), "Europeizacja administracji publicznej", *Ruch Prawniczy, Ekonomiczny I Socjologiczny Rok LXX - zeszyt 1*.
- Lisicka, H. (ed.), (2001), "System polityczny Rzeczypospolitej Polskiej", Wrocław.
- Lisowska, A., Kobielska K. (ed.) (2013), "Standardy dobrego rządzenia w gminach małych. Teoria i praktyka II", Bydgoszcz-Wrocław.

- Łukaszczuk, A. (2010), "Służba cywilna II Rzeczypospolitej", *Acta Universitatis Wratislaviensis* No 3264 *Przegląd Prawa i Administracji* LXXXIII Wrocław, pp. 235-236.
- Madej, M. (2014), "SB uprzejmię donosi... Służba Bezpieczeństwa jako filtr zasileń informacyjnych system politycznego PRL w latach 1956-1970", Wrocław.
- Mazur, S., Możdżeń M. and Oramu, s M. (2018). "The Instrumental and Ideological Politicisation of Senior Positions in Poland's Civil Service and its Selected Consequences", *The NISPA CEE Journal of Public Administration and Policy*, Vol. XI, No. 1.
- Ministry of Home Affairs and Administration, <http://administracja.mswia.gov.pl/adm/baza-jst/843,Samorzad-terytorialny-w-Polsce.html>.
- Momro, P. (2015), "Prezydentura gen. Wojciecha Jaruzelskiego w świetle teorii i praktyki zarządzania władczymi kompetencjami ustrojowymi", *Annales Universitatis Paedagogicae Cracoviensis Studia Politologica* XIV.
- Müssig, U., (2015), "Reconsidering Constitutional Formation – The Polish May Constitution 1791 as a masterpiece of constitutional communication", *Czasopismo Prawno-Historyczne* Tom LXVII — 2015 — Zeszyt 1.
- Opaliński, B., (2011), "Indywidualna odpowiedzialność parlamentarna członków rządu na gruncie Konstytucji Rzeczypospolitej Polskiej", *Przegląd Prawa Konstytucyjnego*.
- Persak, K. and Machcewicz, P. (ed.) (2010), "Polski wiek XX" vol. IV, Warszawa.
- Prażmowska, A., (2010) "Poland. A Modern History", I. B. Taurus, New York.
- Samsonowicz H. and Tazbir J., Łepkowski, T. Nałęcz (1992), "Polska. Losy państwa i narodu", Warszawa.
- Seweryński, M. and Skupień, D. (2017), "The Martial Law and its Impact on Labour Relations in Poland", *Studia Prawniczo-Ekonomiczne*, vol. CII, pp 107-124.
- Smyk, G., (2011) "Administracja publiczna Królestwa Polskiego w latach 1864-1915", Lublin.
- Statistics Poland, <http://stat.gov.pl/en/international-statistics/international-comparisons/tables-about-countries-by-subject/area-and-population/>.
- Szuleka, M., Wolny, M., Szwed M., (2015), "The Constitutional Crisis in Poland 2015-2016", [https://www.hfhr.pl/wp-content/uploads/2016/09/HFHR\\_The-constitutional-crisis-in-Poland-2015-2016.pdf](https://www.hfhr.pl/wp-content/uploads/2016/09/HFHR_The-constitutional-crisis-in-Poland-2015-2016.pdf).
- Tazbir, J. (ed.) (1995), "Polska na przestrzeni wieków", Warszawa.
- Topolski, J. (ed.), (1976) "Dzieje Polski", Warszawa.
- Treaty on European Union, Official Journal of the European Union C 326/13.

Zieliński, H. (2015), "Historia Polski 1914-1939", Wrocław-Warszawa-Kraków-Gdańsk-Łódź.