

Summary of the Doctoral Dissertation

Intermediate Level of Local Self-Government in Public Affairs Management

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The restitution of local self-government in the 1990s is considered one of the most successful post-socialist systemic changes that took place in Poland. The transfer of public authority to local self-government units fundamentally transformed the state. The most comprehensive transformations in this matter occurred at the basic level of self-governing communities, in municipalities, which fully embody the idea of local self-government. However, at other levels, supra-municipal in counties and regional in provincial self-government, the scope of public authority is, in principle, no less significant.

However, the extent of public affairs management at the county and provincial levels differs significantly from that at the basic level. Municipalities, as the fundamental units of local self-government, are assigned competencies in all public matters of local significance, not expressly reserved by law for other public authorities. This means that the basic unit of local self-government, the municipality, enjoys extensive autonomy, operating based on a presumption of competence. In contrast, county and provincial self-government no longer has such broad competencies; it functions within a strictly defined statutory framework, with tasks explicitly listed. The structure of the authorities in counties and provinces also differs from the solutions applied at the local level in municipalities.

At the supra-municipal level, in counties and provinces, there is a specific dualism in the management of public affairs. At the intermediate level, it manifests itself through the existence of general and special administration, concentrated under the authority of the county head who lacks the attributes of a statutory authority but holds a functional role. The county head represents a fundamental figure in shaping public affairs management. Three main entities are involved in carrying out county tasks: two collegial bodies, the county council and the county executive, both with social legitimacy, though not in a direct sense; and the individual county head, who despite lacking clear social authorization, serves as the primary architect of county administration.

In provinces, separate bodies of local and government authority exist. Local authorities have a social, collegial, and democratic character, independent of the hierarchized government power. The government authority is represented by an individual, the head of the territorial administration (Voivode) who is appointed by the decision of the Prime Minister without a clear social delegation and implements government policy.

The organizational and functional heterogeneity of public authorities at different levels of territorial division in the country results in a limitation of the independence and autonomy of local self-government units, constitutionally guaranteed to participate in the exercise of public authority. At the intermediate level, in counties, the issue of the dualism of power and its independence from government administration takes on a particular form. The management of public affairs also exhibits a specific form. On the one hand, it involves tasks that are purely local self-government, and on the other hand, tasks falling within the scope of government administration, which are of special importance for the efficiency of the state's functioning. The analysis of these different forms is the subject of this dissertation, aiming to answer the question of whether a county constitutes a fully independent structure of public authority, separate from central authority, or if it is a part of a network structure of state power. Alternatively, is the county a governmental territorial authority embedded in the structure of local self-government? Therefore, the subject of this dissertation is the administrative-legal analysis of the functioning of the county, determining its place in the structure of public authority, as well as the character and essence of public affairs management at this level.