

POLISH LOCAL GOVERNMENT VS. CENTRAL GOVERNMENT IN 1990-2019. SELECTED POLITICAL ISSUES.

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Summary. The paper focuses on the most significant political conflicts between the central and local authorities which have occurred in Poland in the last thirty years. These have concerned political, financial and economic issues. However, from a general point of view, they have been systemic conflicts in which the competences of the central authorities and territorial self-government have been the key area of fighting. The paper is an attempt at evaluating the political transformation of 1989-1990 in terms of decentralisation of the state and the stability of local democracy, while considering the subsequent stages of its development until 2019. A detailed analysis has covered the developments which have occurred after 2015 and which evidence the return to centralisation and marginalisation of the local democracy. Next to the review of the selected political issues (legal, political and economic system – in local terms), there are also recommendations so important from the point of view of external observers seeking experience in relation to state reforms. The base of sources includes analyses by Polish local governments as well as acts of law, statistical data, documents and press reports.

Key words: local government, central government, authority, politics, conflicts, public governance.

Revival of local government and first constraints (1990-1997)

The revival of territorial self-government in Poland in 1990 was part of large political transformation that covered the economy (by departing from socialism and creating a free market), the foreign policy (breaking away from the influence of Moscow and refocusing on the West), the internal policy (freedom of speech, creation of new parties, democracy, rule of law) and the symbolism (change of the name and the national emblem of the state). As concerns public administration, as early as in the 1980s, a group of university scholars developed drafts of such solutions, which had been used in the West for a long time, also referring to Poland's pre-World War II traditions (1918-1939). These solutions assumed having independent local government administration with legal (and constitutional) subjectivity next to central administration, which would allow acting on an equal footing in courts when in conflict with the government. It was also important to provide local communes with their own property and rights to manage their own finances, which would strengthen the separateness of local governance from the central administration. In political terms, local elites chosen in democratic elections, independent of the central government, focusing on the inhabitants of their communes, elected and paid by them were of significant importance[1].

The concept of how to develop territorial self-government in Poland was developed by Prof. Jerzy Regulski, who, in 1989-1990, was a minister responsible for administrative reforms[2]. It was his competences and perseverance that paved the way for creating a solid basis for self-governance in Poland. In his pioneering work while being a minister, he had to struggle not only against manifestation of defiance by people of the old regime, but also against members of the government he was a member of. His associates from the Council of Ministers quickly understood that strong territorial self-government meant weakening of the central authorities. Therefore, the implementation of the local government reform in 1990 was slightly curtailed, but anyhow Polish territorial self-government was then provided with more competences than it was the case in other former Eastern Block countries. The legal basis was provided in the Act on Territorial Self-Government of 8 March 1990, and the political profile of the new authorities was determined by the first democratic election in the post-war history of Poland, held on 27 May 1990. After years, it was assessed that against various forms of political transformation, the local government reform was the most successful, and the new local elites performed one-off decommunisation to the larger extent than it was the case at the central level.

The local government reform was stalled with the fall of the government led by Tadeusz Mazowiecki (December 1990). Nonetheless, ministers in the subsequent Solidarity-led cabinets (1991-1993) prepared plans of creating local government poviats and decreasing the number of voivodeships. On the other hand, newly elected councillors and commune heads were

disappointed with the low pace of transferring property by the central government and the shortages in the financing of the local administration. The 1993 parliamentary election was won by post-Communist groupings that abandoned the plans of their predecessors. However, they could not cancel the local government reform, nor could they strengthen the importance of post-Communist politicians among the authorities in towns and communes. Thus, political pluralism was strengthened already at the outset of the new political system in the local Poland, forcing compromise and collaboration of politicians from various political options, who sometimes would forge a single front in their conflicts with the central authorities[3]

However, the years 1993-1997 were marked by numerous political conflicts among the local government circles, which were represented on the national level by the National Assembly of Territorial Self-Government, established as early as in 1990[4] However, this organisation did not have any special rights; it was rather a platform of collaboration of local government members representing various political groupings, and after 1994 (second local government election), it became dominated by a post-Communist peasant grouping, Polish People's Party (PSL). At that time, the central government postponed taking over schools by communes, imposed a special programme of additional obligations on the largest cities, and focused on reforming the central authorities by transforming the Ministry of Internal Affairs into a large Ministry of the Interior and Administration. The local government lobby (which was represented in the Polish parliament by the liberal and democratic Freedom Union) managed to push through entering the local government commune into a newly adopted Constitution (1997) [5].

The inaction of the left-wing and people's coalition ruling in 1993-1997 resulted in the unification of the central and right-wing opposition associated with the Solidarity and in the inclusion of the issue of decentralisation on the election agenda of those groupings (their election slogan read: "We are going to seize power to give it back to people"). The parliamentary election in 1997 showed the strength of the local government circles. Out of 600 candidates, around 12% had experience in commune councils, and after voting in the Sejm and the Senate, as much as 15% of the parliament members had previously been councillors. This meant that councillors had more-than-average election efficiency. The new central and right-wing government was implementing the plan of reforming education and health care; however, it was to be based on the second stage of the reform of local government and administration.

Subsequent stages of local government reforms (1998-2002)

In 1998, the governmental plans of a new territorial and administrative division of Poland assumed the establishment of 12 large regions (with central and local administration) and some 300 poviats (with local administration only). Those plans stirred up many local protests organised by local government members from towns which could come out of the reforms as losers (previously, there were 49 regional capitals). A contingent issue was also the membership of smaller local communes to a specific region. The governmental plan was criticised by the strong opposition, and the first bill was vetoed by President Aleksander Kwaśniewski[6]. As a result, 16 regions and 308 poviats were created. The establishment of additional (and thus weak) regions diminished the significance of the reform. Deep conflicts also divided Polish local elites and resulted in a sharp division among political parties at the level of regions and poviats and the largest cities, which had not been seen before. Curtailing the competences and finances of the new poviats and regions was another weakness of the reform[7].

Nonetheless, the local government reform of 1998 constituted the largest expansion of the local administration independence. As of 1 January 1999 (the first day of existence of the new poviats and voivodeships), the number of local government employees was higher than the number of the central administration ones. The number of councillors increased (to 65,000), and those politicians who had lost the parliamentary election stood a chance of winning tickets for councillors of voivodeship local assemblies. Like in 1990, the reform of local government and administration was ranked best, especially against the background of other inaptly implemented changes while reforming education, health care and social insurance. In consequence, the central

government was becoming weaker (as of 2000, it was a minority government), and local politicians were gaining in importance.

Having developed such a local electoral system (also for local government elections), large parties were gaining significance in central politics so that their candidates for councillors from local election committees had greater chances. In this respect, the opposition left-wing party would collaborate with the ruling right-wing coalition. Therefore, since 1998, local council politicians were largely subordinated to their headquarters. At the same time, corruption, nepotism and other pathologies took their toll at all public management levels. Therefore, in 2001, a number of bills were passed in the Polish parliament that curtailed the independence of local authorities. It was prohibited to combine the function of a mayor with that of a deputy to the parliament. Councillors were prohibited to sit in companies with communal property and in tender committees, and bills were drafted to cut their numbers (especially in poviats and regions), totalling some 1/3, which was implemented as of the new term of office starting in 2002.

However, central authorities were unable to stop local politicians from gaining more power, who, using their local representatives and lobby, were capable of finding allies within different groupings and the circle of the country's president. Thus, in June 2002, a new bill was pushed through on direct election of commune heads. It abolished collective commune management and introduced one-person management by the commune head, who as of then had a broad range of competences, also acting as a one-person representative of the employer for hundreds or thousands of persons employed in local government units. At the same time, commune heads managed large budgets, which made them both managers and politicians. [8]

Although the left-wing party ruling Poland was against the new political system arrangement, it was unable to block the bill of 20 June 2002 on direct election of commune heads. Left-wing politicians were rightly expecting that such an election system would bring about defeat to their candidates. Against the background of that bill, the effectiveness of actions staged by the local government circles supported by the liberal Civic Platform (PO) could be seen, and it was this party whose candidates and representatives of local election committees most often came out victorious in the first direct election. In Warsaw, the victory was taken by Lech Kaczyński, a candidate of the conservative Law and Justice (PiS) party, who became president of Poland three years later. A new political quality stemmed from a situation in which in many communes, heads (mayors) did not have the absolute majority in the council. That entailed compromise, tough negotiations, and sometimes (though seldom) destabilised the local political landscape. Cohabitation, however, concerned the minority of the communes, and with time, it turned out that the position of the commune head was so strong that they could pull over (temporarily or permanently) the majority of the councillors. For example, such a situation was observed in Kraków, the second largest city in Poland, where, since 2002, local government election had always been won by the same local politician with the smallest councillors' grouping in the council. [9]

The 2002 local government election for the first time so decisively showed the importance of territorial self-government in Poland. Many politicians, who earlier sat in the parliament, would seek to win the tenure of a city mayor, since that meant real power. However, the great majority of citizens were unwilling to elect a professional politician as their mayor, especially if such a person was connected with some party. As of then, political differentiation of local authorities had deepened even more. The Polish People's Party dominated in rural communes and in poviats. The Democratic Left Alliance (SLD) had the biggest influence in the regions. The liberal Civic Platform (PO) could only count on large cities and medium-sized towns. Such a political mix made it more difficult for the local government circles to use their potential, but also was hard to become dominated from the position of the central authorities. Each central government had to come to terms with the fact that power in territorial self-government was differentiated and independent. Furthermore, evolution indicated that such

independence would be expanded and territorial self-government would be gaining in significance in issues of finance and economy in the country. [10]

In negotiations with the government, local government circles were represented by the Joint Committee, in which heads of the largest local government groupings sat next to governmental representatives: the Association of Polish Cities (ZMP), the Association of Polish Counties (ZPP) and the Union of Polish Metropolises (UMP). In the Polish Sejm, about three hundred (out of 460) members had local government experience. Popular commune heads were frequently invited to run on tickets of various committees. Party leaders wanted to employ their popularity, but on the other hand, they were concerned about their independence; hence, they would often offer local government leaders worse places on their tickets that would win votes for the committee, but not a mandate for the local government candidate.

Sometimes, effective lobbying was hindered by the discrepancies among the local government representations. An example involved differences in the assessment of the bill on revenues of local government units in 2001. ZMP and ZPP called for its signing, whereas the Association of Rural Communes of the Republic of Poland (ZGW) was against. In the end, the [Polish] President vetoed the bill and in his argument, he took no notice of the arguments of either of the parties. Much better fared the efforts of local government representatives seeking to convince the central government about an error in the calculation of the educational subsidy in 2000, further to the obligations underlying the Teacher's Charter. ZGW managed to change the agenda of a meeting of the Joint Committee, and ZMP prepared professional papers. Local governments were successful, and the minister of education had to resign. Having successfully lobbied for taking over employment offices by poviats from the Ministry of Labour, ZPP also joined in those actions.

The position of territorial self-government (and its leaders in particular) was additionally strengthened by the fact that, at the beginning of the 21st century, the process of erosion of the existing political system started. In 2001, the centre-right coalition of Solidarity Electoral Action fell apart, and the largest post-Communist Democratic Left Alliance party (which used to co-rule Poland in 1993-1997 and 2001-2005) was substantially weakened in the following four years. New parties, the Civic Platform (PO) and the Law and Justice (PiS), were slowly gaining the largest influence on Poland's politics. Nonetheless, from the beginning, PO was much more in favour of decentralisation and strengthening of territorial self-government. However, the beginning of the 21st century was marked by the engagement of the largest political groupings in the process of Poland's integration with the European Union. It was obvious that actions aimed at the accession had to involve local communities with their local government leaders.

Europeanisation and modernisation (2003-2015)

Progressing negotiations with the European Union on the issue of integration and the prospect of the referendum forced the government circles to look for a partner in territorial self-government, which would clearly support the idea of Poland's joining the EU. President Aleksander Kwaśniewski, Prime Minister Leszek Miller and other representatives of the authorities on numerous occasions would stress the role of local government in direct communication of information on the EU to local communities. Therefore, the referendum campaign in 2003 was conducted relying on territorial self-government. Members of the parliament, members of the government and EU delegates visited each local government unit. The government launched some 5,000 jobs for graduates (one or two in each commune), whose task was to provide information on the [European] Union in local government offices.

In the period preceding the EU referendum (7-8 June 2003), formal accession (1 May 2004), and the first EU parliamentary elections that soon followed (on 11 June 2004), politicians and experts would often point to the experience of local communities concerning their functioning within the EU. It was emphasised that territorial self-government in Europe was the most effective initiator of local development and that in the first years after joining the [European] Union, local government units would be beneficiaries of enormous sums of money from structural funds.

During that period, an economic crisis and a decline in support of the left-wing (minority) government discouraged Poles from supporting any initiatives undertaken by the authorities. Nonetheless, it turned out that the hopes attached to the European Union were higher than temporary economic constraints and resentment against the government. Local government authorities joined in to explain the process of integration and encouraged to participate in the referendum, trying to make such activities independent of governmental actions. Many municipal and commune councils issued appeals to participate in the referendum. [11]

The referendum's final result (59% turnout, 79% votes for integration) was the outcome of a number of factors, including the involvement of many local governments. A record-high support for the EU was seen in the communes of Western Poland (with around 90% of "yes" answers). That primarily followed from the benefits stemming from Polish-German cross-border collaboration. It was there where the process of Europeanisation of the local Poland started.

Communes' influence within the European structures was confirmed by the election of the European Parliament. More or less half of Polish European deputies had experience in working for communes' administration. Representatives of communes dominate among delegates from Poland to the European Committee of the Regions. Furthermore, the Association of Polish Cities is present in the Congress of Local and Regional Authorities (CLRA), in the Standing Committee for the Euro Mediterranean Partnership of Local and Regional Authorities (COPPEM) and in the United Cities and Local Governments (UCLG). Polish communes used to be members of various international organisations, also those of a modernisation-like nature, e.g. ten small Polish towns belong to *Cittaslow*, the International Network of Cities where living is good. [12]

Going back to Europeanisation, this term should be understood as a process of civilisation which has also produced a number of values, ideas and institutions. Poland's joining the European Union coincided with the beginning of an economic boom. Communes became beneficiaries of an advantageous synergy of political and economic changes. Commune communities positively felt the effects of subsidies for farmsteads, the increase of real property prices, the opportunities to work in EU Member States and the new development chances for small and medium-sized enterprises. Employees of communes' offices had to enhance their qualifications, cooperate and coordinate their collaboration with EU partners, strengthen good relations among individual territorial communities and the government administration, and also display interactivity in relations with their background and improve institutional changes. [13] Nonetheless, the primary factor affecting the growth of interest of Polish commune administration in the European Union were its instruments of the regional policy: the European Regional Development Fund, and especially the resources of the Cohesion Fund. [14] All that contributed to strengthening the independence of the local government from the central government. Confronted with the central authorities, Polish communes could count on EU institutions and standards.

Having formally joined the EU, local governments of communes benefited from the new initiatives, becoming the major beneficiary of integration already in the first year of their membership. [15] The issues of discrimination on the labour market were solved under the EQUAL programme. The LEADER+ programme supported the implementation of new rural development strategies. Under URBAN II, support and economic and social revitalisation of towns was provided. Certain elements of those initiatives were still used prior to the accession. It was, however, the National Development Plan 2004-2006 that facilitated the provision of EU structural funds as part of support for enterprises, development of a competitive economy and human resources.

Another National Development Plan (2007-2013) incorporated the objectives of the Lisbon Strategy: broader use of knowledge and innovations contributing to the economic growth and enabling the European structural co-operation. [16] Their implementation was carried out within sixteen Regional Operational Programmes, and also the Operational Programmes for: Infrastructure and Environment, Innovative Economy, Human Capital, Technical Assistance,

Development of Eastern Poland and the Programme of European Territorial Cooperation. Utilisation of the [European] Union funds was the priority for communes' local governments to which they subjected their budgets, and a number of their actions were adjusted to the EU standards. Calculations of communes' administration were simple: *My commune has committed to development taking into consideration the maximum employment of funds from EU sources* – was the questionnaire response of 84% of the commune heads.

As much as the process of Europeanisation of communes was running almost independently of the central authorities, the issue of modernisation of the local Poland engaged ministers and members of the parliament who, for obvious political reasons, would try to leverage on the successes of local development. It appears, however, that modernisation of the state that occurred in 2003-2015 was a common merit of the local and central government circles. It also marked one of the best periods of harmonious co-operation of representatives of these two entities.

Changes in standards brought about upgrading a number of state domains, and it was communal administration that was mostly involved in the implementation of that process. By way of a short example: the Act on Access to Public Information of 6 September 2001; the Act on Spatial Planning and Land Development of 27 March 2003; the Act on Public Procurement of 29 January 2004; the Act on Social Assistance of 12 March 2004; the Act on Digitisation of Operations of Entities Performing Public Tasks of 17 February 2005; the Act on Public-Private Partnership of 28 July 2005; the Act on Local Government Employees of 24 October 2008. Subsequent amendments of these acts would also activate administrative staff in each commune on many occasions. The best example here are the amendments to the so-called Waste Act made in 2011 and 2014.

It was, however, not the standardising conditions, but people that so much decided about modernisation. Therefore, the enhancement of communes' administration staff may be considered as the most critical part of such modernisation. [17] That process was manifested in the formation of a body of staff numbering close to 2,500 commune heads and mayors of towns and cities. Local government staff were also affected by a qualitative and quantitative change. This especially concerns the years 2006-2010. It was during the fifth term of office of local governments in communes that the implementation of projects supported by EU funds began. This resulted in an increase in the number of employees (in 2012, 252,000 persons worked in local governments). Employees of communes' offices would systematically enhance their qualifications. Most of them had a university background. Besides the increasing statutory requirements towards that group of professionals, there were also proposals of setting the ethical standards. [18]

Collaboration between the local and the central authorities in 2003-2015 also saw many small skirmishes, especially when the conservative Law and Justice party was in power (2005-2007). For example, at the beginning of 2007, confusion arose further to a small delay in submission of declarations of means by local government officials. Representatives of the government saw it as a chance of removing certain local leaders from offices, including, among others, the mayor of Warsaw. Those regulations, however, were cancelled by a judgement of the Constitutional Tribunal. The European Union, in turn, frustrated an attempt at strengthening the supervision exercised by the voivode, who, pursuant to the Act on Rules Governing Regional Policy of 6 December 2006, was granted the right to oversee the selection of projects co-financed under a regional operational programme. The government wanted the voivode to have a veto right in the event of establishment of documented irregularities during the project selection process. Following the European Commission's intervention, that regulation was mitigated.

Despite those conflicts, it was both local and central authorities that benefited from the process of modernisation and Europeanisation of Poland in 2003-2015. Consolidation of the state that followed in that period provided for the implementation of sustainable growth. Concurrently, at the local level, signs of a political change of power started to emerge, marking a major pre-figuration of changes to come. As a result of the 2014 election, more often than it was

in 2006 and 2010, young and non-partisan people fitted into monocratic bodies of communes. The phenomenon of fossilisation of the local government system of power in communes related to the continued domination of commune heads who had stayed in power for a few terms of office marked a challenge for local communities. Equally adverse consequences were brought about by the ageing of councils, the limited influence of social organisations on councillors, and their staying in the office for many terms.

Employees of the local administration must learn how to operate under the conditions of increasing transparency, [19] development of deliberative democracy, activation[20] of various local circles (e.g. “urban movements”) and combination of the process of Europeanisation with glocalisation. Communes' offices were faced with new issues: consequences of migration and demographic processes, empowerment of minorities, equality policy and importance of ecology. In those areas, local governments did not have a uniform position that would facilitate their negotiations with the government.

Local government and recentralisation of the state (2015-2018)

The 2015 presidential and parliamentary elections resulted in a fundamental change in the composition of political powers in Poland. The new president, Andrzej Duda, 43, doctor of laws, previously a presidential minister, member of the European Parliament, also had local government experience as a councillor of Kraków (and a mayor candidate in the 2010 election in that city). However, as a politician, he was very submissive towards the authorities of his parental party (PiS) and its Chairman Jarosław Kaczyński. It was the latter politician who, being just an ordinary member of the parliament, amassed the largest political influence in his hands. His party won 37% of the votes; however, when translated into seats, it secured the absolute majority in the Sejm for the party, and thus Poland, for the first time since 1989, was ruled by one political grouping.

Ms Beata Szydło, who previously used to be a councillor and a small town mayor, became the Prime Minister. That, however, did not affect her pro-local government attitude. Like the president, the prime minister was primarily following the guidelines set by Jarosław Kaczyński, who had always been an opponent of decentralisation of the state. Anyway, towards the end of 2017, Madam Prime Minister lost her seat, and her successor Mateusz Morawiecki disclosed his attitude towards territorial self-government in the most blatant way in the 2018 local government election campaign. His involvement in supporting PiS candidates was much stronger than it was the case with previous prime ministers. [21] Morawiecki went even as far as manifesting political bribery in his rally statements by promising additional aid from the state budget to those towns and cities in which PiS candidates would win.

In such political circumstances, relations between the central and local authorities saw numerous conflicts. Essentially, they involved domination of the ruling party in all structures of the state, the lack of understanding for the independence of local government institutions and the agenda of seeking to strengthen the central authorities at the expense of other political entities (including territorial self-government). A list of examples showing the implementation of the governmental programme of recentralisation is also an illustration of the methods of strengthening the central authorities at the expense of the local ones. In 2015-2018, it included, among others:

- Deprivation of voivodeship governments' supervision over agricultural extension centres and their transfer to the ministry of agriculture (August 2016). There are over 4,000 staff working in those structures and the annual budget is PLN 160m.
- Increased governmental control over voivodeship funds for environmental protection (April 2017) by increasing the number of the ministry's representatives in supervisory boards.
- Establishment of a state company of Wody Polskie (Polish Waters) that took over all local government tasks in the scope of land improvement and water facilities. (July 2017).
- Forcing communes' local governments to incur additional expenditures further to the reform of the education system (abolishment of lower secondary schools). [22]

Furthermore, there were financial conflicts that territorial self-government fought with almost each cabinet. After 2015, they radically aggravated and covered the disputed issues of the costs of fighting smog, activation of the unemployed and development of renewable energy sources. In many instances, the governmental actions forced local governments to incur additional costs. That was the case during the implementation of the 500+ Programme (subsidy for the second child and the subsequent children), which was carried out by communes' offices without the sufficient co-financing from the central budget. Another method of strengthening the position of the new government at the expense of local governments was related to credits in real property tax applied to certain state-owned enterprises (railways, post office), which depleted the communes' income. The government interfered in the operations of city guards by means of awarding special certificates. Voivodes were active, too, suspending resolutions of local governments and making their functioning more difficult under any pretext. [23] Voivodeship offices began taking over the competences of marshal's offices in the scope of management of EU funds. In the search for weaknesses of local governments' offices, the government employed secret services staging special inspections and controls. It was commune heads (town and city mayors) who most bitterly suffered from governmental dominance further to their salary cuts which happened in spring 2017.

Certain actions pursued by the government were almost invisible, often being seen only at the stage of preparing local government budgets. Others hit the headlines from the start, thus mobilising local communities supporting their representatives in a conflict with the government. That was the case with the Act on Decommunisation of 1 April 2016 (which was later amended numerous times), pursuant to which communes' authorities had to change the names of streets and memorial sites which (according to experts from the Institute of National Remembrance) evoked the Communist past. However, the problem was that the vast majority of names and memorials of that kind had already been removed, and those existing would not, by far, invoke clear negative associations and had numerous local connotations. As a result, a wave of protests and suits in administrative courts swept across Poland. It turned out that the central authorities could not effectively implement their plans. In Warsaw alone, the voivode (as a result of objections expressed by the city authorities) tried to change the names of 47 streets on his own, however, the attempt was blocked by the court. [24]

As concerns other anti-local government actions, the government was defeated. The most spectacular defeat concerned the draft of the bill on the regional chambers of audit (RIOs). At the same time, it was the strongest attempt at limiting the local government independence by strengthening the control powers of RIOs. The chambers were to audit local governments in terms of their management. Chairmen of the chambers were to be appointed by the prime minister, whose decisions would be immediately enforceable (until then, local governments had the right of appeal against such decisions to courts). That would make it possible for the government to install administrative managers in towns or cities under any pretext. The bill was vetoed by the president and it was the first such significant veto of that politician. [25] The government did not make another attempt at that reform, and local governments had proved to be successfully lobbying with the head of the state. The government also gave up on limiting the term of office of local government authorities (commune heads and councils) to two years. The law will come into force as late as in 2028.

Resistance of local government circles against centralisation plans of the government was manifested not only in discretely seeking allies within the circle of the president and across various wings of the ruling grouping (which was made up of a coalition of one large party and two small right-wing and conservative parties). In January 2017, a Social Defence Committee of Local Governance was established under the initiative of marshals of the four regions with a political back-up from the Polish People's Party. Nonetheless, a true measure of the government's success in limiting the role of local governments was the election of commune councillors and heads that took place in autumn 2018. The ruling party suffered a defeat in large cities and medium-sized towns. It fared better at the level of poviats, especially in the eastern regions and

in the elections of executive powers by councillors of voivodeship local assemblies. That allowed PiS politicians to seize power in nine (out of 16) voivodeships. PO politicians won in the first election round in Warsaw and several of the largest cities. The Civic Coalition won the election of mayors in 22 towns and cities, whereas Kaczyński's party won only in four. [26] A tragic outcome of the anti-local government campaign conducted by the ruling party was the assassination of Paweł Adamowicz, Mayor of Gdańsk, in January 2019. It was carried out by a mentally unbalanced criminal, who stabbed the city mayor to death in front of the audience, while he was on stage during a charity event. The murderer was crying out loud slogans against PO and the mayor, who had been previously brutally attacked by the pro-government television.

Summary

The two-tier nature of the Polish administration (central and local government) is a permanent achievement of the political transformation and it not only provides for effective public governance, but also serves as a foundation of democracy. Conflicts between the central and local authorities exist in each state that follows such a division. These have been forever accompanied by a discrepancy of interests between the state capital and the peripheries, and those phenomena occur in almost each unitary state. However, nearly thirty years of history of Polish decentralisation shows the durability of that phenomenon, despite temporary constraints and changes.

The institutions of Polish territorial self-government are evaluated much better than the central administration. An average head of commune enjoys more trust of its inhabitants than cabinet members. Councillors have a larger support than members of the parliament. Two-thirds of the Poles believe that while taking decisions concerning the inhabitants, local authorities consider their opinions. As regards national issues, such opinion is expressed only by one-third of the population. [27] The above data clearly shows how differently public authorities are assessed at the national and local level.

Local government officials try to avoid party-linked labelling. In extreme cases, they would even negate the plain truth that they represent the world of politics. [28] That is mainly driven by the willingness of dissenting from political conflicts associated with the parliament and political life leaders; however, it defies the fundamental logic of the state political system, which has turned territorial self-government into a *de facto* political institution. As concerns its semantics in social communication, territorial self-government is associated in the Polish language with procedures, local issues and boredom, while politics means fighting, conflicts, and divisions.

The current state of public affairs in Poland is indicative of the most serious crisis along the central government and local government lines. The 2018 election allowed the local (independent) circles and the opposition to maintain their important position in the Polish politics. Simultaneously, the ruling party has not abandoned recentralisation of the state, postponing final actions until the period after the parliamentary election (autumn 2019). Such a phenomenon fits into many other anti-democratic processes visible in Poland and in many other countries in Europe and in the world.

Recommendations for upholding the process of state decentralisation and harmonious cooperation between the central and local government are not simple. Proper education at primary and secondary schools is necessary to strengthen stronger identification and participation at the local authority level. It would be advisable to make changes in the electoral system that would ease the parties' pressure on individual activists, while promoting their relations with the region from which they run. It would be also advisable to increase the financial and political independence of territorial self-government which would allow its representatives acting towards the central administration as partners and not petitioners.

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МИТНА БЕЗПЕКА УКРАЇНИ
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***Анотація.** Проаналізовано сучасний стан забезпечення митної безпеки та зроблено висновки щодо її вдосконалення. Дана стаття, також, присвячена кримінологічній характеристиці митної безпеки в контексті її ролі з забезпечення національної безпеки України в умовах сьогодення. Проведення дослідження основних понять митної безпеки та її ролі як складової частини національної безпеки держави.*

***Ключові слова:** безпека, митна безпека, кримінологія, митниця, національна безпека.*

***Abstract** The activities of customs bodies are one of the important elements in ensuring the national security of Ukraine; the place of customs policy in the national security policy of Ukraine is determined by its task*