

SELF-GOVERNANCE IN THE EUROPEAN UNION AND BAGEL COMMUNE MANAGEMENT IN POLAND

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Abstract

It has already been 30 years and the self-government changed to a great extent - it has become stronger. More and more Poles are aware of the great influence it has on their daily lives. The "commune" is no longer just an office which we go to in order to deal with certain matters or submit an application. The "commune" is now synonymous with renovation and construction of roads, taking care of tap water, cleanliness in the streets, good learning conditions, nurseries, kindergartens, clubs, recreation and sports places, playgrounds, swimming pools, parks, or ice rinks. It provides access to culture, organizes social assistance, and solves situations of crisis. It is the self-government that stands on the forefront of the fight for environmental protection, clean rivers, air and recycling of municipal waste. It fights unemployment and provides residents with safety.

Keywords: Bagel commune, self-governance, management.

Introduction

The self-government reform of 1990 explicitly changed the political and economic system in Poland. Politicized, top-down managed national councils disappeared, and were replaced by independent and autonomous commune and city councils. The whole of Poland began to learn self-governance anew. Communes were given many independent tasks to solve. At the same time, they were equipped with mechanisms that allowed for the freedom to shape these tasks and, importantly, they were given the possibility of making decisions on the amount of expenditure allocated for their implementation. Own sources of income and the transferred communal property were provided for this purpose. On 27 May 1990, the first completely free and democratic elections were held, during which new councillors were elected. This date is assumed to be the moment when a new self-government was established in Poland.

It should be emphasized that the beginnings were not easy at all. Nobody - as one of the creators of self-government reforms, prof. Jerzy Regulski - knew what a self-government really was. The elected new councillors, village leaders, mayors or presidents of cities learnt new rules and obligations related to municipal management as fast as they could. They had to deal with the burden of organizing everything practically from scratch, and taking on new, unknown challenges.

The systemic status of the self-government in Poland is very high when compared to other countries, which is manifested in the level of GDP redistribution - in 2017 it amounted to 13.3%. Among the EU countries, only in three Scandinavian countries, and in the Netherlands and Italy to a small degree, local

finances had a greater share than in Poland. Taking into account expenditure under public finance only, it turns out that in Poland they are even more decentralized than in other countries, and the share of the self-government finance sub-sector in general government expenditure in 2017 was 32.4%. Only Denmark, Sweden and Finland recorded higher rates.¹

It can easily be said that each self-government has its own achievements that are significant in the environment. It completed tasks that the residents had been waiting for years. Each self-government also has its own experience in learning about the needs of the local community, managing human resources and financial resources.

After thirty years, it is good to examine some of the processes that took place and are taking place in self-governments. In this manuscript, the research concerns elements of management, especially rural communes from the Lower Silesia Province, with particular emphasis on the role of local leaders. Leaders in self-government communes are referred to as the heads/mayors/presidents, elected in direct elections. Thus, each of these people has a certain majority of social trust.

The manuscript presents an analysis of the results of elections of leaders in the rural communes of Lower Silesia. Rural communes were chosen because they are a special group among communes. In addition to the afore-mentioned research, this article also presents information on rural communes in Poland, taking into account their location, population, own income, as well as the scope of functioning of self-government in Poland, and the self-government system in the European Union countries. The self-government always has different faces. It is formed by different people, there are different environmental needs and inhabitants' expectations, the self-government in Europe is organized differently, and the number of self-governments in the European Union is close to 36,000.

1. Genesis and tasks of self-government in Poland

Public administration can be defined as activities aimed at satisfying collective and individual needs of citizens resulting from the life of people in communities, adopted by the state and implemented by its sovereign bodies, including local self-government bodies.² Self-government is a narrower concept than public administration, and is only a certain part of it, a form of citizens' participation in the exercise of power, i.e. a form of that administration. A functional meaning of self-government comes to mind, according to which it is a specific form of performing public administration.³

Features of a properly understood, typical self-government include: a precisely defined scope of tasks that was determined taking into account the specificity of a given unit, a real impact on implementation of own tasks and organization of local life by residents and their representatives thanks to clear legal regulations (including those that concern control and supervision over self-government), as well as

¹ Budgets of self-government units in the Lower Silesia Province in 2017, Statistical Office in Wrocław, Wrocław 2018

² A. Harańczyk, Territorial self-government, organization and economy, Kraków 2010

³ P. Machalski, Self-governing Europe. Self-government in selected countries of the European Union, ed. Adam Marszałek, Toruń 2015

sufficient - adjusted to the scope of undertaken tasks - financial resources. Independence of higher-level entities in terms of implementation, i.e. appropriate scope of local autonomy, seems to be extremely important in this respect. However, it should be kept in mind that this local autonomy does not include legislative powers but relative independence of the central authorities at most.⁴

The self-government functioning in Poland was shaped from the beginning of the 1980s. The basic horizons of self-government functioning were adopted in the Solidarity's campaign, or more precisely - in the chapter entitled "Self-governing Republic of Poland". Subsequently, work on other documents presenting the visions of the new self-government in Poland started. A new electoral law was proposed. Decisions made at the Round Table included a chapter devoted to territorial self-government, in which it was stated that "establishing a territorial self-government and guaranteeing the right of local communities to self-government in the Constitution is a necessity". A condition for implementation of this right is empowerment of the local community, understanding self-government as an entity of public authority and a subject of civil law transactions.

This should be expressed in:

- 1) independence of the functioning of territorial self-government units, guaranteed by the possession of own constitutional bodies, and the determination of supervision over the self-government to the legality of its operation;
- 2) property and financial independence;
- 3) democratic appointment of legislative bodies. The territorial self-government is a form of exercising public authority by local institutions in the field of public affairs of local importance.⁵

In the Constitution of the Republic of Poland adopted on 2 April 1997, Art. 16 says:

1. By law, all inhabitants of the basic territorial division units constitute a self-governing community.
2. The self-government participates in the exercise of public authority. The self-government performs a significant part of public tasks on its own behalf and at its own responsibility.⁶

The self-government is not formed by a group of people as a free act nor can it be dissolved by a group of people. Inhabitants are included in a given self-government unit by place of residence. It is a compulsory form, one cannot simultaneously live in a given administrative area and not belong to the self-government unit that functions there. Thus, each citizen belongs to a specific self-government commune, poviát and province in which he lives. It is impossible to withdraw from it and it is impossible to exclude such a person from the self-government. People belong to the self-government, they are not its members.

Communes are at the lowest level in the hierarchy of self-governments, and at the same time closest to the local community. They are the "first contact" self-government and are responsible for all local matters. Their task is to meet the needs of the community living in a specific area.

⁴ M. Waniewska-Bobin, European models of self-government, Lublin 2013

⁵ Points 523 and 524 of the Round Table Agreement: Warsaw, February 6 - April 5, 1989

⁶ Constitution of the Republic of Poland of 2 April 1997.

At first, the self-government functioned only at the commune level, but from 1 January 1999, three levels of territorial self-government units were introduced: communes, poviats and provinces. Self-government units at individual levels are not subordinate to each other. Supervisory authorities are: Prime Minister and Provincial Governor.

Communes' tasks include:

1. taking care of spatial order, environmental protection and real estate management - therefore the commune draws up the local spatial development plan, issues building permits or decisions on the location of public roads. Commune authorities have an influence on where new buildings will be built, whether and how squares and streets will be developed. The commune also supervises the aesthetics of the area,
2. management of roads, streets, bridges or traffic organization - commune authorities are responsible for carrying out repairs, road inspections, as well as expanding the commune's road infrastructure,
3. supplying residents with heat, electricity and gas, managing water supply and sewage systems - the commune is obliged to provide residents with heat, electricity and gas fuel. If an energy company operates successfully in a commune, the commune is only obliged to supervise and plan the supply of heat, electricity and gas fuel. In such a situation, the commune cannot establish its own, competitive energy company. Such an obligation would arise if there were no energy companies in the commune,
4. activities in the field of telecommunications - the commune's task is to counteract digital exclusion of residents. It must develop the Internet network in the commune or build telecommunications networks,
5. supervision over collective transport and its development - planning collective transport networks, managing collective transport, organising consultations with residents regarding the development of collective local transport networks,
6. health protection - the commune must provide residents with basic health care, including night and holiday health care. If there are no medical service providers in the commune, the commune authorities should consider establishing their own medical entity. Healthcare also includes activities related to prevention and resolution of alcohol-related problems, as well as activities related to health promotion,
7. activities in the field of social assistance - the commune should establish care centres and institutions, and also provide access to free legal aid. In this respect, obligatory and optional tasks are distinguished - they depend on the commune's decision. Obligatory tasks include: granting and paying benefits, organizing and providing care services for people with mental disorders, feeding children, helping people leaving prison to adapt to life in society,
8. public education - the commune builds and eliminates kindergarten, primary and secondary schools. What is more, the commune head/mayor/city president is the leading body for these entities - he appoints and dismisses the school head, participates in the assessment of his work. The commune is

also responsible for establishing the network of public schools and kindergartens, and supervises compulsory education,

9. activities in the field of culture - the commune is responsible for creating libraries and cultural centres, supporting and promoting culture in the commune - e.g. by organizing theater festivals, science festivals. It also protects monuments,
10. It is responsible for creating market halls and markets,
11. for commune greenery and trees,
12. for commune cemeteries,
13. It takes care of public order, safety, fire and flood protection - the commune cooperates with the Police, appoints the commune guard, modernizes lighting in public places, shapes safe public places,
14. It is responsible for maintaining municipal facilities and public utilities - these are not only buildings, they can also be ice rinks, sports fields or swimming pools,
15. communes also cooperate with other local and regional communities.

Own tasks are performed by self-government units independently.⁷

The commune's tasks in the field of government administration include:

1. paying benefits from social assistance,
2. providing care services to people with mental disorders,
3. running registry offices,
4. issuing identity cards,
5. lighting national roads in cities,
6. conducting training in the field of civil defence,
7. keeping real estate records,
8. keeping lists of voters,
9. preparing elections of jurors.

The commissioned tasks are subject to control and content-related interference by the central authorities that had commissioned them.

Apart from the above-mentioned tasks, the commune may also perform entrusted tasks, i.e. tasks transferred by way of contracts or agreements between self-government units and the government administration.

Whereas, the poviats' own tasks include:

1. in the field of public education - establishing and running special public primary schools, upper secondary schools, and sports schools. Preparing educational strategy projects, establishing a network of upper secondary schools. The poviat's role in performing public educational tasks is

⁷ Pursuant to the Act on the commune self-government of 8 March 1990, Journal of Laws of 2020.713, i.e. 21 April 2020

complementary and auxiliary in relation to communes. Poviats-level tasks are beyond the possibilities of communes.

2. In the field of health promotion and protection - the poviat's task is to develop and evaluate health programs, implement vaccination programs and run hospitals.
3. In the field of social assistance - in the poviat there is no division into compulsory and optional tasks as in the commune. All social assistance tasks are compulsory. The poviat develops and implements strategies for solving social problems after consultations with territorially competent communes, it provides specialist counseling, and offers assistance to foreigners with refugee status. What is more, the poviat is responsible for the development of the infrastructure of Nursing Homes and support centers.
4. the poviat conducts a pro-family policy, supports the disabled by conducting specialist counseling, organizes care in professional foster families, organizes and runs care and educational institutions, pays salaries to professional foster families.
5. in the field of collective transport and public roads - it organizes and supervises public transport, which goes beyond the boundaries of one commune. It also supervises poviat roads, is responsible for organizing repairs and examining the condition of roads.
6. supervision over monuments.
7. It supports and develops physical culture and tourism - by creating municipal outdoor gyms, building sports facilities, promoting sports among children by organizing free sports activities in the commune, or programs such as "Summer/winter in the city".
8. in the field of geodesy, cartography, and cadastre as well as real estate management - it deals with matters related to real estate management owned by the State Treasury and the Poviat.
9. in the field of environmental protection and nature - it works with the authorities of the Sanitary Inspection and Environmental Protection Inspection, issues decisions on the acceptable level of noise, manages waste, conducts periodic testing of soil quality, keeps a register of plants and animals restricted by law of the EU, issues tree removal permits, and imposes administrative fines for illegal tree or shrub removal.
10. taking care of public order and safety of citizens, fire and flood protection - it assesses the state of fire and flood safety, the staroste appoints and dismisses the heads of poviat services, inspections and guards - it commissions inspections in agreement with the Provincial Governor. The staroste appoints a poviat building supervision inspector, during a natural disaster, the staroste may issue binding orders to heads/mayors/city presidents, heads of poviat services, inspections and guards. What is more, the staroste is the competent authority for crisis management in the poviat.
11. consumer rights protection - there is a poviat (municipal) consumer ombudsman in the poviat, and every resident should have access to it.
12. Poviat promotion.
13. activities in the field of telecommunications.

14. preparation of general elections and referenda.
15. ensuring that tasks and competences of the heads of poviats services, inspections and guards specified in the acts are performed.
16. vehicle registration.

Tasks commissioned in the field of government administration for the poviat include:

1. supervision over private forests.
2. conducting poviat veterinary and sanitary inspection.
3. conducting poviat labour offices.
4. issuing and taking driving licenses.⁸

The province's own tasks include:

1. in the field of public education - establishing and running public education establishments and teacher training institutions, libraries and schools of regional and supra-regional importance. Managing the regional educational policy, creating profiled secondary schools. The province is also responsible for higher education.
2. in the field of promotion and health protection - it is responsible for specialized hospitals, implementation of national programs, e.g. drug prevention or HIV infection prevention.
3. in the field of culture and monument protection - for example, taking care of monuments or registration of regional products, as well as running the largest cultural institutions, such as operas and philharmonics.
4. in the field of social assistance - e.g. maintaining Regional Social Policy Centres, developing projects to equalize opportunities for people with disabilities, educating social assistance staff, diagnosing social problems, preparing reports and submitting them to the competent Provincial Governor.
5. conducting pro-family policy.
6. modernizing rural areas.
7. protecting the environment.⁹

Chapter VII is devoted to the territorial self-government in the Constitution of the Republic of Poland, which best shows the strength and role of self-governments in country management. Details have been contained in a number of acts regulating the principles of operation of individual self-government levels. The important, legally supported role of self-governments is partly obvious. It is at the level of communes and poviats that the social infrastructure is located and basic social needs are satisfied. A supplement to the national self-government regulations is the European Charter of

⁸ Based on the Poviat Self-Government Act of 5 June 2001, Journal of Laws of 2020.920. i.e. 2020.05.25

⁹ Based on the Provincial Self-Government Act of 5 June 2001, Journal of Laws of 2020.1668. i.e. 2000.09.29

Territorial Self-Government adopted by the Council of Europe on 15 October 1985, ratified by Poland on 26 April 1993.¹⁰

2. Territorial self-government in the European Union countries

The foundations of the territorial self-government in the Member States of the European Union are very diverse in terms of history. Today's self-governments differ in many respects, both in the "old" member states and in the "new" countries. Therefore, the EU works on introducing legal rules for the functioning of the territorial self-government, which have been included in the European Charter of Territorial Self-Government.

In the European Union countries, the structure of self-government authorities is situated on one, two or three levels, and does not always coincide with the number of administrative divisions in a given country. Territorial organization models of self-government in individual EU member states are presented in the table.

Tab. 1. Territorial organization models of self-government in the European Union countries

Item	Country	Territorial self-government structure		
		Structure type	Territorial division units	Number of units
1.	2	3	4	5
Unitary countries				
1.	Cyprus	single-level	district commune	6 385
2.	Estonia	single-level	poviats communes	15 227
3.	Finland	single-level	provinces regions communes	5 20 431
4.	Luxembourg	single-level	districts communes	3 118
5.	Malta	single-level	regions communes	3 68
6.	Slovenia	single-level	planning regions communes	12 210
7.	Bulgaria	single-level	planning regions provinces communes	6 28 264
8.	Denmark	two-level	regions communes	5 99
9.	The Netherlands	two-level	provinces communes	12 467
10.	Lithuania	two-level	counties communes	10 60
11.	Latvia	two-level	district city, poviats, parish	26 573
12.	Czech Republic	two-level	region - countries communes	14 6248
13.	Romania	two-level	regions provinces	7 41

¹⁰ The European Charter of Territorial Self-Government of 15 October 1985, Journal of Laws No. 1994, No. 124, item 607 as amended, Journal of Laws No. of 2006, No. 154, item 1107

			poviats (counties) Communities/city/city communes	42 2800/200/103
14.	Sweden	two-level	regions communes	20 290
15.	Hungary	two-level	poviats communes	19 2908 (rural) 217 (city) 1 Budapest
16.	United Kingdom	two-level	Administrative regions/counties parishes/districts the authority of Greater London	135 319 1
17.	France	three-level	regions departments communes	26 100 36,679
18.	Greece	three-level	regions prefectures city/rural communes	13 54 900/131
19.	Spain	three-level	autonomous communities provinces communes	17 50 8109
20.	Ireland	three-level	regions/assemblies regional communes counties/town councils	8/2 80 34/5
21.	Portugal	three-level	regional committees coordinating/autonomous regions districts parishes/communes	5/2 18 4241/308
22.	Italy	three-level	regions provinces communes	20 107 8101
23.	Poland	three-level	provinces land poviats/townships communes	16 314/65 2479
24.	Slovakia	three-level	counties poviats communes	8 79 2883
Federal countries				
25.	Austria	single-level	lands communes	9 2300
26.	Belgium	two-level	regions autonomous communities provinces communes	3 3 10 589
27.	Germany	two-level	lands poviats communes	16 300 14,000
28.	Croatia	two-level	provinces communes and cities	21 429/126

Source: M. Maciejuk, *The diversity of territorial self-government in the European Union countries*, Wrocław University of Economics, Wrocław 2013 and K.Krysieniel, *Croatia, Annales Universitatis Paedagogicae Cracoviensis. Studia Politologica 4, 31-41 Polish History Museum 2010*¹¹

¹¹ K.Krysieniel, *Croatia, Annales Universitatis Paedagogicae Cracoviensis. Studia Politologica 4, 31-41 Polish History Museum 2010*

The information presented shows that in 8 countries of the European Union, the territorial self-government functions at one level, in 12 countries at two levels, and in 8 countries at three levels. It is worth noting that apart from the differentiation of the levels of territorial self-government, there are also different nomenclatures for them, especially at the second and third levels. The commune's counterparts are: districts, provinces, departments, counties, and even regions. There is a variety of nomenclature of the third level of territorial self-government, where the counterparts of our provinces are regions, autonomous communities, regional assemblies, regional coordinating committees or countries.¹²

The vast majority of countries have the same name of the lowest and most numerous local government level, which is the commune. It turns out that there are nearly 96,000 communes in the European Union. These are self-government units, which often differ greatly in terms of area and number of inhabitants. For example - France, where the fragmentation of self-government is the greatest. It is the most fragmented self-government system in the EU. In modern France, there are over 36,000 local units. After an in-depth analysis, it turns out that as much as 70% are units that have up to 700 inhabitants¹³

Poland is among the countries where the number of administrative units corresponds to the number of territorial self-government units. However, it should be pointed out that the territorial self-government and government authorities functioning at the provincial level are often criticized. Thus, in each province, a representative of the territorial self-government is the Marshal and the Provincial Governor appointed by the Prime Minister is the classic representative of the Government.

Countries with record numbers of communes are: France, Germany, Spain, Italy, the Czech Republic and Portugal. As can be seen, Poland is not a leader here, although we often hear statements from politicians about the need to reduce the number of communes for financial reasons, and the capability to perform obligatory public tasks.

The conducted analysis of the territorial self-government organization model in 28 European Union countries does not present the complexity and solutions for the functioning of self-governments in the Member States. It should be emphasized that the presented selection made in accordance with the criteria of the territorial system is of significant importance within the state's constitutional system. As prof. Alfred Lutrzykowski said: "The territorial system is not a self-contained structure and value, but a territorial structure intended to serve and ensure decentralization of power mechanisms in the state, along with the principles of its functioning, which is a substantial feature of a democratic political system"¹⁴

¹² M. Maciejuk, The diversity of territorial self-government in the European Union countries, Wrocław University of Economics, Wrocław 2013.

¹³ P. Machalski, Self-governing Europe. Self-government in selected countries of the European Union, ed. Adam Marszałek, Toruń 2015, pp.78-79

¹⁴ A. Lutrzykowski, The territorial system of the country, Spaces of public authority, The state's territorial system and decentralization of the public authority system, ed. A Lutrzykowski, Toruń 2012, p. 9

3. Bagel communes as special rural communes functioning in Poland

Currently, it has been accepted in Poland that rural communes surrounding all or part of a city, which have seats in cities that do not belong to the commune, located in a separate city commune, are called bagel communes. This is the definition presented by the Ministry of Administration and Digitization in 2013.

One might wonder what the purpose of such separation of bagel communes is. The mere fact of compiling 158 communes into one group should be thoroughly justified and requires an analysis of the need to separate them, which has not been presented.

The argumentation of the negative effects of the functioning of bagel communes presented by MAD included 4 points:

1. increasing administrative costs related to the functioning of commune offices;
2. existence of two legislative and executive bodies;
3. intensification of the “stowaway effect”, i.e. residents whose taxes are paid to another commune make use of services;
4. no coordination in the performance of services.

This approach can be easily transferred to all rural communes and small towns. The governmental study also includes a table that presents data to convince us that the smaller the commune, the greater the costs of task implementation. We do not know on what basis such conclusions were drawn. Even if the presented data is to be accepted, there is no way to connect these calculations with bagel communes, which are mostly large communes with a considerable number of inhabitants and own income. In 2016, a total of 1,784,318 people lived in bagel communes in Poland, which gives an average of 11,293 inhabitants for 158 communes. In 2016, in the Lower Silesia Province, 160,437 people lived in 14 bagel communes, which gives an average of 11,460 inhabitants¹⁵. Bagel communes occupy over 32,000 km², which gives an average of 202.5 km² per commune, and have a budget of over PLN 6,960,000,000, i.e. on average PLN 44,050,632.9 per commune. Therefore, it is difficult to argue that bagel communes are small entities generating high operating costs.

It is worth taking a look at where bagel communes are located. There are no bagel commune in two provinces: Opole and Silesia. The greatest number, as many as 18, is located in the Lublin Province, and the smallest in the Świętokrzyskie Province - only 1 commune. The classification was presented by the Ministry of Administration and Digitization. As can be seen, the classification is not entirely consistent with the adopted definition, because in 7 cases the communes' seats are located in a rural commune, and not as defined and emphasized in their names - the city.

“Bagels” are very characteristic self-governments, which, contractually speaking, are a subgroup characterized by a different style of operation, different expectations of residents, closely related to urban conditions. Over the years, they have focused on the implementation of tasks related to the

¹⁵ Own study based on data for 2016 presented on www.polskawliczbach.pl/

development of technical and social infrastructure. Piotr Gibas made research aimed at determining whether it is necessary to take actions for the joint management of these separate territorial units (their administrative merger), and at specifying the purpose of indicating whether the functioning of the bagel systems of small towns and their rural base of the same name after a hypothetical merger into one city-rural commune is able to generate a specific "added value", improving the development rankings of these units. As a result of the research it can be confirmed that a small town and a rural commune in a bagel arrangement improve their development position in general, but their combination into a city-rural commune does not directly translate into achieving "added value"¹⁶.

In the Act on commune self-government¹⁷, the legislator determined in Art. 4, 4a and 4b that there may be two types of communes: city commune and rural commune, however, he did not define which communes are called rural and which city. He also did not specify which commune's needs are more important. The word "commune" connects the functioning of these self-governments, which clearly indicates the same scopes of activities and own tasks carried out in their area. Thus, one commune's interests cannot be at the expense of the other. In the light of the law in force, these are communes that should be treated equally and without favoritism.

There are three levels of self-government in Poland: provincial, poviast and commune, and their functioning is closely connected with the state's administrative division. Each self-government develops individually, trying to meet the needs of its own residents. Over the past 30 years of self-government, there has been a wave of development. Rural communes have been chasing cities, small towns and large agglomerations, large agglomerations have tried to match the best, and we all are still chasing Europe. The basic assumption of progress has been sustainable development. It is a broadly understood concept under which self-governments define goals and tasks, looking for new possibilities of their implementation. It is very possible that this is one of the main reasons for the attack on the goods of the bagel communes. It has been noticed that these communes are becoming economically attractive. More and more investors are looking for well-connected areas, without urban infrastructure barriers. Rural communes have such offers. Investments contribute to their development and create the possibility of sustainable development. This is an opportunity for the villagers. Therefore, aspirations to go to these areas are more of a political issue which self-government corporations often argue about. In order to increase the income, cities have an appetite to take advantage of attractive areas at the expense of rural residents. This is not what sustainable development is about, because the inhabitants of rural areas will always be disadvantaged. This is not the assumption of the commune self-government's functioning.

Since the establishment of the current self-government system in Poland, there have been about 500 cases of changes in the borders of communes, their names, etc., related to the natural regulation of

¹⁶ P. Gibas Changes in the level of development of "bagel" small towns and city-rural communes in Poland - a comparative analysis, University of Economics in Katowice, Economic Studies. Scientific Journals of the University of Economics in Katowice ISSN 2083-8611 No. 279 · 2016

¹⁷ Act of 8 March 1990 on commune self-government (Journal of Laws 2020.713, i.e. of 2020.04.21).

borders, but also - which is very painful for rural communes - with annexation by cities¹⁸. Therefore, environmental postulates referring to the urgent need for a legal regulation covering the rules and procedures for dividing and making changes dependent on the consent of the inhabitants of this part of the communities that are to undergo transformation processes are right. The effort and financial commitment of self-governments, most often rural ones, to raising the standard of living and increasing the attractiveness of areas by defining the rules for settling the effects of division processes, especially financial and property settlements between communes affected by border changes, have to be taken into account as well. The system should provide compensation for the incurred expenditure and lost income, as well as transfer of financial obligations to financial institutions and the state budget. In all these activities, environmental leaders who are commune heads supported by the systematic support of their inhabitants, play an important role.

Summing up, everything indicates that the attack on bagel communes and the inept pointing to their flaws is more a political decision rather than an economic one. This is a short-sighted policy, because soon there will be no more attractive areas in bagel communes as well, and then it will be the time for other rural areas. The merger of bagel communes with the towns around which they are located will obviously result in a shift of city boundaries, and thus subsequent communes will quickly become bagel communes, and the problems and expectations of the inhabitants of rural areas may recede into the background. The name of the commune or the seat of the office located in places most easily accessible to residents must not determine the purposefulness of functioning of bagel communes (often historical). The system of public transport, health care, public safety services, secondary education, etc., are proof of the availability.

4. Lower Silesian bagel communes

Self-government units are responsible for delivering most public services. Their efficiency, good management and competent staff determine the quality of life of the community. At the commune level, social initiatives, cultural and sports projects are undertaken by residents; It is here that the economic activity of thousands of small and medium-sized companies and non-governmental organizations, which are the backbone of the Polish economy, flourishes. Self-governments make the greatest effort in the field of public investments. They have been building technical infrastructure, community centres, schools and libraries, sewage treatment plants and sports facilities, and offer leisure forms. This is what determines whether the inhabitants are satisfied with their localities and see how they are changing for the better. As a systemic principle, self-government would not work if not for society that is ready and willing to govern independently. We can safely assume that the Polish self-government does not need a revolution. It is the most successful political experiment in the modern history of our country. It functions in a modern environment that is full of uncertainty, chaos, changeability and emerging new

¹⁸ Compiled based on materials from the Union of Rural Communes of the Republic of Poland

rules that strongly influence its decision-making. However, it needs a maximum open approach and intellectual ferment. Self-government leaders - commune head/mayor/city president - must deal with such stipulations.

Since 2002, the commune head has been elected in general, equal, direct and secret elections. Thanks to direct elections, as residents we have a real influence on policy-making in the region. Programs presented by candidates are to convince us whether our candidate is the right one and whether we want to trust him or her. If majority of residents think the same, the candidate takes power for a term - from 2018 it is five years. We choose people whom we know the most. Our candidates are not anonymous and they are often identified with a specific group, we know whether they have proven themselves in action and what they have achieved. The introduction of direct elections of the executive authorities strengthened their position as well. One-person management of communes means implementation of own tasks through the office, organizational units and in cooperation with auxiliary units, first of all. It is a system that works well. As I have already emphasized, efficiently functioning self-governments do not need a revolution, and this also applies to bagel communes, and the emerging opinions about the need to liquidate bagel communes are not supported by their inhabitants or by strange arguments.

One of the prerequisites for the assessment of self-government's functioning, and more specifically - the executive authority, is the assessment made by the inhabitants during elections. For the purposes of this manuscript, a study was carried out covering the Lower Silesia Province with its 14 bagel communes. These communes include: Bolesławiec, Chojnów, Dzierżoniów, Głogów, Kamienna Góra, Kłodzko, Lubań, Lubin, Nowa Ruda, Oleśnica, Oława, Świdnica, Zgorzelec, Złotoryja. The level of trust in the executive authority has been examined since 2002, i.e. from the moment when direct elections for heads/mayors/city presidents were introduced. Since 2002, the elections have been held five times in 2002, 2006, 2010, 2014 and 2018. It is commonly believed that the results of direct elections are the best assessment of the performance of commune heads, city mayors and presidents. They are proof of social support for the economic and social line of development of the commune, and trust in decision-making bodies.

The table below presents the numerical and percentage results achieved by commune heads, mayors and presidents of cities in the 1st and 2nd round of elections in individual years. The "other" line presents mainly communes where the election did not take place due to the lack of a candidate. In such a case, the commune head is selected by a new commune council.

Tab. 2. Direct elections of commune heads, mayors and presidents of cities

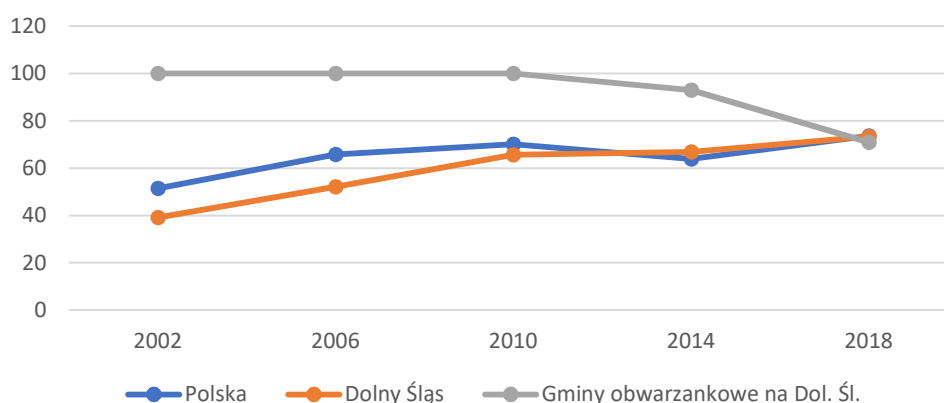
Territorial scope		2002	%	2006	%	2010	%	2014	%	2018	%
Poland	Total	2478	100	2478	100	2478	100	2478	100	2478	100
	1st round	1273	51.4	1630	65.8	1739	70.18	1584	63.9	1826	73.7
	2nd round	1202	48.5	845	34.1	738	29.79	891	26.0	649	26.2
	other	3	0.1	3	0.1	1	0.03	3	0.1	3	0.1

Lower Silesia	Total	169	100	169	100	169	100	169	100	169	100
	1st round	66	39.1	88	52.1	111	65.7	113	66.9	124	73.4
	2nd round	102	60.3	81	47.9	58	34.3	56	33.1	45	26.6
	other	1	0.6	0	0	0	0	0	0	0	0
Bagel communes in Lower Silesia	Total	14	100	14	100	14	100	14	100	14	100
	1st round	14	100	14	100	14	100	13	93	10	71
	2nd round	0	0	0	0	0	0	1	7	4	29
	other	0	0	0	0	0	0	0	0	0	0

Source: Own study based on the data of the National Electoral Commission

It is obvious that it is impossible to compare data in rational numbers. Therefore, the most illustrative comparison is the percentage data presented in the chart. The year 2018 is noteworthy. It is when additional voting took place four times in the Lower Silesian bagel communes, of which in two cases of voting, the commune heads from the previous term did not run in the elections, and in two other cases, the commune heads who held the position in the previous term won. It is the year in which the results of the national elections, Lower Silesian elections, and the Lower Silesian bagel commune elections came close to each other.

Fig. 1. Number of commune heads/mayors/city presidents who won in the first round of local elections



Source: Own study based on the data of the National Electoral Commission

In the comparative scale, the results were averaged, which allows presenting long-term trends and directions of the studied phenomena. That is why I present one more list presenting the average results from five rounds of local elections which were held as direct elections.

Tab.3. Average results of the elections of commune heads/mayors/city presidents in the first round in 2002 - 2018

Territorial scope	Total number of elected commune heads, mayors and city presidents in 2002, 2006, 2010, 2014, 2018		
	Total	Winners in the first round	Result in %

Poland	12.390	8.052	64.94
Lower Silesia	845	502	59.41
Bagel communes in Lower Silesia	70	65	92.85

Source: Own study based on the data of the Central Statistical Office

In this case, it should be noted that bagel communes operating in Lower Silesia stand out. Although we analyse only 9% of bagel communes in Poland, it cannot be ruled out that this indicator will differ significantly on a national scale. The authorities of bagel communes in Lower Silesia enjoy great trust among the inhabitants, as shown in the above analyses of the election results. This result is proof of an incredible social capital that bagel communes in Lower Silesia have at their disposal.

Local leaders play a very important role in rural communities. Leaders in territorial self-governments in rural communities are heads, mayors, systematically verified in local elections. Whether such people are accepted leaders in the community is determined by verification results, i.e. results of regular direct elections. For example, in the commune of Zgorzelec (Lower Silesian bagel commune), the function of the head of the commune was held by Kazimierz Janik for 24 years since the self-government was established. Since 2014, it has been Piotr Machaj who has been associated with the self-government from the very beginning, i.e. 1990. He has been a councilor, member of the Management Board, and Vice-chairman of the Commune Council. Both leaders are highly active and accepted by the social environment. They are perceived as trustworthy, respected people who initiate actions that meet the needs of the local community. Such leaders must be transformational leaders¹⁹

The transformational leadership that is required to make fundamental changes needs five unique skills:

1. predicting the idea of the future change,
2. articulating a vision of a new way of doing business,
3. ensuring compliance of values between old and new practices of the organization's functioning,
4. empowerment, self-understanding²⁰.

Multiple verification processes prove that the elected have developed a local self-government leader brand. This is not just a personal brand but a broadly defined image. It is obvious that it is not only associated with universal recognition in the environment. Such a brand was built on solid foundations such as credibility, consistency of action, predictability and good substantive preparation. In the commonly accepted reasoning, although it should be emphasized that it is simplified to a great extent, a

¹⁹ Wolanin M., Jasiul R., Determinants of education process management in bagel communes, ed. M. Kęsy, Research considerations in the management area. Published by Higher School of Economy, Bydgoszcz 2019, p. 130.

²⁰ A.K. Koźmiński A.K., Management under uncertainty, Book for advanced students, A.K. Koźmiński, wydawnictwo Naukowe PWN SA, Warszawa 2004. (2003). *Comunikation Best Practices at Dell, General Electric, Microsoft and Monsanto*, State University of New York Press, Albany, N.Y. p.40

personal brand is what others say about us when we are not in the room. The self-government leader brand should always be taken care of, because, as one of the largest, modern investors and one of the richest people in the world, Warren E, said: *"it takes 20 years to build a reputation, 5 minutes to ruin it. If you think about it, you will do things differently."*

The president, mayor or councillor must evoke specific associations as a brand, answer questions and satisfy specific expectations and needs. Thus, a personal brand is a set of values that distinguish us from others, among others. Obviously, this depends on skills, observation of the environment, and the ability to convey the need for action. It is always good to create needs for change in a target group and propose yourself as the best way to solve them²¹.

5. Conclusion

The assumption of this manuscript was to analyse the scale on which trust in the self-government authorities is expressed by voters, residents of bagel communes of the Lower Silesian Province, based on the analysis of the election of commune heads. Are the management style, economic and social effects accepted and allow for a fully democratic decision to whom we give our vote of trust for the years to come?

Bagel communes are special self-governments - this subgroup of rural communes is differently assessed and perceived in the country. There are opinions that these communes are unnecessary, that they generate unnecessary administrative costs, use the city infrastructure without incurring any costs. Meanwhile, the facts are quite different. Bagel communes have dealt with investment negligence for many years. They have to keep up with residents' expectations who want to live in the same conditions as city residents, use playgrounds, outdoor gyms, recreation and rest areas in the place of residence. Residents support their candidates because they see changes, they appreciate efficiency and effectiveness. They trust their leaders and do not seek change. Certainly, the social trust that residents have in their mayors, who see the effects of their work and feel the improvement of their living conditions, should not be wasted.

Bagel communes most often have positive migration rates, which cannot be said about the cities by which they are located. It may be possible that the nature of rural communes suits many people who move to such territories and plan to live in rural areas, which were developed by the authorities of communes by giving water supply, sewage systems, good communal roads, lighting, places of rest and recreation. Everything has been achieved at the cost of many austerities and social contracts. Bagel communes have invested to increase the standard of living of their communities, which is why inhabitants appreciate the authorities' management, and they support it systematically.

²¹ R. Stepowski, Marka Lidera samorządowego, , Marketing w Urzędzie Nr 6, 12.2017-01.2018R. ISSN 2543-8441, pp. 31-34

When analysing the results of research on the quality of life conducted by Polish researchers, it can be noticed that the quality of life in a given area is largely influenced by both the quality of public services and many factors independent of the decisions made by the region's authorities, such as geopolitical location, spatial configuration, historical events or many years of underinvestment²². If to add the trust in the authorities and satisfaction with the effects of development, then it can be concluded that we have a social potential that cannot be wasted.

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