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Bartłomiej Składanek

THE EVOLUTION OF TERRITORIAL SELF-GOVERNMENT IN THE REPUBLIC OF POLAND BEFORE 1918 – OUTLINE OF ISSUE

Introduction

Local self-government is an institution, part of the democratic order, which carries out the tasks of public administration, on its own responsibility, through entities separate from the state, not subject to any state interference in the performance of its tasks. Modern self-government was created after the collapse of the feudal state. It is assumed that the moment, from which self-government was developed, was the Great French Revolution in 1789. The effect of it was the overthrow of the state system, recognition of citizens as equal before the law and ensuring them freedom of speech and religion.

In Poland, first attempts of creating territorial self-government, in today's understanding of this concept, could be seen from 1791, i.e. the date of issue of the "Law on Royal Cities" and the Constitution of May 3. However, the loss of independence prevented the further development of Polish self-government, and modern territorial self-government was shaped only within the framework imposed by the partitioning states.

This article presents the process of building the state administration apparatus leading to the creation of a system of local self-government functioning. Historical conditions concerning the discussed issue are presented here in a special way. There were presented the changes, introduced through evolution in the system of functioning of territorial self-government on Polish soil. The considerations in question are time-limited to the establishment of the Second Republic of Poland in 1918.

BARTŁOMIEJ SKŁADANEK, M.A., assistant in the Department of Public Law, Faculty of Law and Administration, Kazimierz Pułaski University of Technology and Humanities in Radom; ul. Chrobrego 31, 26-600 Radom, Poland; e-mail: b.skladanek@uthrad.pl; https://orcid.org/0000-0001-9915-4218

1. The concept and essence of local self-government

The concept of self-government has become one of the most important concepts in the study of administrative law and in the doctrine of public law. However, it is neither unequivocal nor uniformly accounted for. Many concepts explaining the essence of this institution have appeared in the literature.

Basically, in the science of administrative law, the notion of self-government appears in two meanings – wide and narrow. In a broader sense (political, sociological), self-government is a way of satisfying the needs of the local community with the participation of all its members, one of the forms of participation in the exercise of power, or regulated management of public matters, except for those reserved to other state bodies [Poskrobko 1998, 343]. In the dictionary of the Polish language, self-government means independent and autonomous performance of administrative functions through a specific executive body [Dubisz 2003, 18].

In a narrower sense, self-government is understood as functioning in terms of a legal institution established to deal with some matters of state administration as a state authority. It is therefore a decentralised state administration based on statutory provisions, exercising its powers through bodies hierarchically independent of other bodies and acting independently within the limits of statutes and general legal order [Iwanowicz 2016, 23]. The literature of administrative law contains an enormous number of definitions and concepts of self-government. Under this notion, M. Sczaniecki understands "independent and essentially self-contained control by groups of citizens of their affairs, the control which consists in performing the functions of public administration" or "the independent performance of local state administration by elected bodies" [Sczaniecki 1985, 235]. According to B. Dolnicki, self-government means performing the tasks of public administration in a decisive manner, as well as on its own responsibility, through entities separate from the state, which are not subject to any state interference in the performance of their tasks [Dolnicki 2012, 17]. P. Śwital understands local government as the implementation of its own tasks and those commissioned on the basis of an act or agreement with the government administration, which meets the needs of residents [Śwital 2016, 67]. In turn, H. Sochacka-Krysiak defines self-government as a form of local community organization, establi-

shed to manage and control public affairs in the interest of residents, as well as assisting the state in the implementation of public tasks, by taking over part of them, together with the possibility of making independent decisions towards them [Sochacka-Krysiak 2013, 17].

Several conditions must be met for the existence of self-government, as a real institution, corresponding to its name. One of them is that primarily the authorities but also the citizens must respect proper rules of conduct and principles of law. The existence of a democratically elected parliament that complies with the provisions of the Constitution and the general standards of conduct of parliament is further a guarantee that the public will not be surprised by unexpected changes in legislation, including self-government. This is most closely related to the possibility for different sections of society to express their opinion, freedom of speech, assembly and association. The existence of a real self-government is only possible if the state apparatus respects not only the powers of self-government, but also has no possibility to infringe its assets [ibid.]. As P. Śwital believes, the legal subjectivity of individual self-government units means that these units, understood as a local community of self-government of legally designated territory, have their own and only their own rights and obligations under public and private law, which makes them entities separate from other entities [Śwital 2019, 151].

2. The origins of local self-government

The history of local self-government dates back to ancient times [Niewiadomski 2011, 104]. The Roman local self-government laws of Lex Iulia Municipalis became the prototype of some later local self-government institutions [Stahl 2016, 365]. Already with the creation of the first ancient states, we can see their division into smaller territorial units, which are local decision-making and executive centres of power [Zdyb and Stelmasiak 2016, 239]. It should be noted, however, that self-government in ancient and medieval times cannot be regarded as the predecessor of contemporary local self-government, at the basis of which lies the idea of public administration by local communities [Niewiadomski 1995, 142]. Local self-government was then identified with a certain degree of autonomy granted by empires to subordinate countries. It was closer to territorial autonomy than the institutions of local self-government in its modern form [Panejko 1934, 17]. It

would therefore be wrong to refer to these constructions of the notion of local self-government in its present sense and to identify it with the solutions functioning today. The legal sciences indicate the important role played by medieval state self-governments in shaping the concept of territorial self-government. However, they did not exercise public authority. They were also not characterized by the attribute of independence. Therefore, they cannot be considered as precursors of the existing local self-government [Behr 2015, 286-87].

The modern local self-government was created by the Great French Revolution, including the transition from a police state to a constitutional state. Among the legal acts adopted by the Constituent Party, the most important one was the Act on municipalities of December 14, 1789. This act pointed the self-government as the fourth authority, after legislative, executive and judicial. On its basis, the system of municipalities was unified, constitutive and executive bodies were differentiated, and a democratic principle of self-government bodies election was established, too. Two years later, in 1791, the first Republican Constitution was enacted, which defined self-government as "municipal authority." This act had a significant impact on self-government theories, which have been shaped since the beginning of 19th century in other European countries. The changes were favored by the period after the defeat of Prussia in the war with France in 1806, where the starting point for the construction of self-government and related theories was the city struggling against royal and princely absolutism. Introduced in 1808, thank to minister Karl von Stein, the city ordinance was propagating the idea of the power decentralization, assuming that giving it to the inhabitants is an expression of trust and it extends the range of public activity [Stawicki 2015, 4].

3. Local self-government in the former Republic of Poland

In the times of the feudal state, the scale of the empowerment of society was small, limited mainly to the gentry, which constituted no more than 10-15% of the total population of the country. The percentage of the urban population was small, as almost 80% of the state's population was made up of peasant subjects, who were attached to their land, which they could not leave without the permission of its owner, the feudal lord. It should be emphasized

that the state of the gentry was strongly diversified in terms of wealth. The elite of this state was a small aristocracy. They ruled the largest property, and their representatives held the most important functions giving them a real influence on power. The largest aristocratic families formed the most important pillars in a highly hierarchical system of feudal monarchy, headed by an absolute ruler. If this ruler had a strong personality, the influence of the aristocracy was smaller, but if the opposite was true, then the monarch's power was in practice limited to representation and ceremonial functions [Wykrętowicz 2001, 14].

The collapse of the feudal state and, at the same time, the abolition of state society were of key importance for the establishment of local self-government in Poland. As J. Panejko notes, "self-government as a legal concept was only created when the attitude of the prevailing in an absolute state to subordinates from a power relationship has begun to change into a legal relationship where a natural person, in addition to his private rights, has begun to acquire public rights, where, in particular, the emerging constitutional and law-abiding state has organised municipal associations for its purposes by virtue of its legislative authority and incorporated them as public entities into their bodies. This moment is the moment of the institution of self-government in the modern sense, and thus the moment of creation of science about local self-government" [Panejko 1934, 9-10].

Before 1764 there were no modern administrative bodies in Poland – neither central nor territorial. The central level lacked, above all, a permanent government college, which could not be established by either the elected king without real power, or the noble Sejm, which formally decided about everything, but was practically paralysed from the second half of the 17th century by the *liberum veto*. Appointed for life, two each in the Crown and in Lithuania, ministers of the Republic, i.e. marshals, chancellors of treasurers, as well as hetmen not counted among ministers, actually acted independently. The territorial board rested in the hands of the nobility's sejmiks and life-long land officials, such as provincial governors, castellans and, above all, starosts. The latter, originally, in the 14th-15th centuries, constituted the "royal arm" and were fully subordinated to the king, but later their status became similar to that of the older territorial offices. The tasks of all these officials were largely shaped by custom, so there was no rational division of

labour between them. Moreover, they acted in territorial districts whose borders generally did not overlap [Izdebski 2001, 36].

The local self-government system underwent more serious modernization during the reign of Stanisław August Poniatowski in the years 1764-1795. This system was based on the monopoly of the gentry, which was exceptionally numerous in comparison with other countries. The monopoly lasted until 1791, i.e. until the issue of the Law on Royal Cities[1] and the May 3 Government Law,[2] which opened the way for extending civic rights to members of other states, starting with the rich bourgeoisie [Izdebski 2008, 54]. They formulated the cities' right to "freedom," i.e. their own scope of self-government matters (although the judiciary was also included in its scope). In the so-called royal cities, they could elect their organs: magistrates, mayors, aldermen and other officials. *Sui generis* state supervision was also introduced here, which indicated connections with the state administration [Staryszak 1931, 7-12].

The basis for the territorial administration of the Crown of the Kingdom of Poland within the basic territorial division unit was the aristocratic land government. The land was a former duchy from the day of the district division, which preserved the traditions of individuality and, above all, had its own clerical hierarchy, land court and parliament. The landowners and land judges could only be recruited from among the gentry settled in the land. The land remained in different relation to the voivodeship (province), which name was used since the 15th century in relation to the territorial unit in which the voivode was present – the highest office in the hierarchy of land offices. The principle was the identity of the land and provinces, although even then, a land parliament or a land court, not a provincial court were referred to. The land could also be a part of the province – a special (separate land within the rest of the province) or ordinary (which in such a case was divided into lands, e.g. the Mazowieckie province consisted of ten lands) [Maciejewski 2002, 54-55].

[1] Our royal cities free in the states of the Republic of Poland – a law adopted by the Four-Years Sejm (1788-1792) in 1791, then incorporated *in extenso* (in full) into the Constitution of 3 May 1791 as its Art. III.

[2] Also known as the Constitution of 3 May 1791 – Act regulating the legal system of the Republic of the Two Nations.

The Grand Duchy of Lithuania had a more modern and systematic territorial-administrative division since the times immediately preceding the Union of Lublin in 1569. The provinces were divided into counties there, and the Lithuanian county was the equivalent of a crown land from this point of view. In the Crown the county was an auxiliary unit, established in the 14th century solely for the purposes of the gentry's judiciary, although later it also included matters of taxation and administration. The Crown County had nothing to do with the office of a starost – originally a representative of the monarch in the land complex, then gradually more and more a land official, primarily with judicial tasks, but also the administrator of the monarch's estate. There were far fewer starosts in the Crown than poviats. In Lithuania, on the other hand, there was a starost in every county [Górski 2002, 94ff].

The basic body of the gentry self-government was the Sejmik. During the period of the degeneration of the state system, expressed in the growing inefficiency of the central government, including the Sejm paralysed by the *liberum veto*, the Sejmiks, convened by the monarch, emancipated themselves from this formal dependence and gathered without special authorization, taking up all matters of interest to the nobility (sejmiks rule). In 1717, an atempt was made to abolish the rule of the Sejmiks, but in practice this did not mean any changes, due to the failure to appoint bodies that could take over the previous tasks of the Sejmiks [Izdebski 2001, 37].

Such bodies were only established by the Four-Year Sejm in 1789. These were civil-military order commissions, using some of the experience of the commissions of good order, established from 1765 onwards in order to put in order the affairs of some royal cities. The members of the order commissions were elected for two years by the respective Sejmik (in Lithuania, in addition to elected members, the commissions also included, *ex officio*, the highest land officials). At the time of the Kosciuszko Uprising, representtatives of the bourgeoisie were included in the composition of the order commissions [ibid., 38].

There was also, but very limited, local self-government of other states. In cities (royal and private) in particular, there were city councils, more and more often referred to as magistrates, with mayors at the forefront (later also with presidents), and sometimes broader representations of all city citizens. These bodies rarely came from any elections, and the situation in this respect

was only changed by the 1791 Law on Royal Cities. In "free cities" (which all the royal cities became) were to function assemblies that passed resolutions composed of property owners and magistrates elected by the assemblies with presidents or mayors at the head. A higher-level municipal self-government was also created: the country was divided into twenty-four districts, called departments, which served as the area of activity of the departmental assemblies, and a representative of each of the departments sat in the Sejm as a representative (plenipotent) of the bourgeoisie. The rural government was part of the community and its organs were the head of the village council and the sworn, strictly subordinated to the village owner. During the time after the Kosciuszko Uprising an attempt was made to create public administration in the village. The country was to be divided into guards covering 1000-1200 farms. The supervision was headed by a guard, appointed by an order commission – it was expected that in the future the guard will come from among the candidates presented by the self-government bodies of the gentry, burghers, and even peasants [ibid.].

Further modernisation of the old Polish model of territorial administration was interrupted by the third partition of Poland in 1795. Later, there was no chance to refer to its traditions, even in the so-called semi-sovereign Polish state bodies of the beginning of the post-partition period: The Duchy of Warsaw constitutional Kingdom of Poland and the Free City of Cracow, known as the Republic of Cracow. These bodies-partly except for Republic of Cracow – were based on the principle of centralism, introduced into the Duchy of Warsaw, and after its fall into the bodies created in its former lands [Izdebski 2004, 54ff].

4. Territorial self-government during the partitions

During the period of partitions, the local self-government system in Poland depended on the policies of the partitioning countries. As H. Izdebski writes, "the basic criterion for the distribution of tasks between centralised and local administration was the territorial importance of a given category of issues: issues of national importance were assigned to centralised bodies, and issues of local importance to local authorities" [Izdebski 2001, 104-105]. In this mutual arrangement, the authority belonged to government administration bodies. They generally had the right to supervise and control persons

and acts of local government. This manifested itself in the sphere of personal matters: the right to approve the election of a local government executive body, to suspend it from its activities, and to dissolve collective local government bodies, and in the sphere of supervision over its activities: the right to approve, suspend or revoke decisions and resolutions of local government authorities. This advantage manifested itself in the fact that the executive body was *ex officio* head of the local government administration. Also, the government administration could delegate to local self-government bodies a statutorily defined scope of functions defined as the competences granted. In the scope of these competences, local government bodies were obliged to carry out orders from centralised administration authorities and were accountable to them [Bardach, Leśnodorski, and Pietrzak 2009, 409]. In the territory of the Austrian partition, political issues were regulated by the provisions of the Municipal Act of 12 August 1866.[3] The provisions of this Act defined a commune as a settlement, village, town or city with its own management. The territorial self-government functioned within the autonomy of the Crown countries formed from the 1860s, and included such countries as Galicia and Silesia. Each crown country had a national parliament, which was responsible for issuing laws on national matters, and a national department elected by the parliament, which was the executive body of the parliament and also the supervisory body of the local government. The Galician self-government was characterised by a lack of distinction between urban and single-rural communes, as well as a formal separation of executive tasks between the head of the commune and the "college of communal sovereignty." The Austrian Silesian municipal self-government was not fundamentally different from the Galician one, however, its bodies had different names: the equivalent of the Galician council was a department and the equivalent of the college of superiority was an authority or council. Unlike in Galicia, there was no county government in Silesia at all [Izdebski 2001, 106]. In Galicia, the county (poviat) government was concentrated in the county council and the county department, in bodies organized similarly to those in Prussia. The difference was that the role of supervision by the (Parliament) Sejm and the National Department was greater. Unlike in Prussia, the poviat starosty, who headed the

[3] The Act on Court Areas and Poviat Representation, the Election Ordinance for Municipalities and Poviat Authorities applicable to Galicia together with the alphabetic register.

government administration in the district, was not part of the poviat department. There were councils and magistrates in the municipalities, in Cracow and Lviv with presidents at the head. Similarly, in the villages, there were community councils, the so-called community superiors, composed of a village leader and sworn officers (the sworn) [Bardach, Leśnodorski, and Pietrzak 2009, 410].

Similarly, in the Prussian partition, the state authorities sought to limit the self-government of royal cities and the rights of private city owners. In both cases, the choice of the municipal authorities was subject to approval by the Prussian authorities.

In 1808, the city ordinance was introduced in Prussia, which gave the cities considerable self-government. A city council elected by townspeople with city citizenship (the property census was in force) became a local government body. The council elected the municipal board (magistrate) headed by the mayor, as the managing and executive body. The cities which were incorporated into the Duchy of Warsaw were bound by the decree of 23 February 1809.[4] It stipulated that each town was a separate municipality, headed by a mayor appointed by the king. The mayors of departmental authorities were subordinate to prefects, of the other cities to subprefects. The mayor was obliged to: manage the municipal property and public institutions founded for the benefit of the inhabitants, give orders to the state authorities, support the collection of public taxes, manage public works, perform the role of police supervision, as well as ensure order, safety and health protection of the inhabitants. The local government body was the city council, whose members were appointed by the prefect from among candidates presented by the meeting of city owners. Its competencies included the adoption of the city budget and the distribution of public and municipal burdens. According to the new Prussian city ordinance of 30 May 1853[5] the self-government was competent to deal with "own" matters, i.e. matters that did not cross the city limits and were not common with the interests of the inhabitants of other municipalities. At the same time, almost all matters of general administration

[4] Dz.P. KW, vol. 1, no. 9, p. 201-209.

[5] Collection of Prussian Laws, p. 261; Germ. Preußische Gesetzsammlung – the Prussian official collection of legal acts issued by the King of Prussia, and since 1871 also the Emperor of the Second Reich.

were transferred to local government bodies, mainly the mayor. Already in 1850, the mayor became a police authority, thus becoming a part of government administration. The local government was entrusted, among other things, with running the registry office, collecting state taxes and some activities in the field of military matters (censuses of conscripts, quarters for the army, taking care of widows of orphans from fallen soldiers). As a result of the unfavourable for the Poles electoral law, the local self-government institutions, having in fact broad competences, were taken over by the Germans.[6]

In the Prussian partition, territorial self-government occurred in three out of four levels of territorial-administrative division, namely in the commune (which was single-rural), district (poviats were relatively small there) and province (the province was e.g. Wielkopolska). The Prussian self-government, slightly different in individual provinces, was characterized by: a) in communes – the equivalence of the city council and the magistrate, with the presence of professional institutions of the magistrate members elected for a double term; b) in poviats – combining by a landrat (starost) of the tasks of a government administration body and the chairman of a self-government executive body; c) in the provinces, the presence of an apparatus of the Provincial Sejm, separate from the government administration, with a President (Marshal) and a Director (national starost); d) the relatively close relationship between the self-government and the administrative judiciary (organisational relationship with respect to the first and second instance courts, and entrusted to the administrative courts certain supervisory powers towards the self-government); e) hardly democratic electoral system [Izdebski 2008, 78-79].

From 1772 in the Russian partition, there was a noble self-government in the form of poviat and province regional councils. The entire nobility took part in the sessions of the regional councils. During the sessions of the regional councils, the nobles chose poviat and governor marshals from among themselves, who also chaired the councils, as well as representatives before the administrative authorities. From 1810, the poviat regional council could meet only once every three years. The tasks of the regional councils were to select officials, chamberlains, judges, writers, prisoners and ensigns. On No-

[6] State Archive in Kalisz, Grabów City Records, 11/18/0,6,1796-1950, http://www.szukajwarchiwach.gov.pl [accessed: 20.01.2020].

vember 27, 1815, Emperor Alexander gave the Kingdom of Poland a Constitutional Act.[7] The acts that developed the Constitutional Act were restricted statutes. Pursuant to Art. 1 of the Constitution, the Kingdom of Poland was forever connected to the Russian Empire. Until 1837, the old administrative division of the state was preserved. The country was divided into eight voivodships, voivodships into 39 wards and wards into 77 poviats. General administration in the voivodship were voivodship commissions. There were municipal offices in the cities, and head of commune in the communes.

Under the governor's decision in 1816 about organization of the administrative authorities, a new organizational structure was introduced in the cities.[8] The city authorities took over the city dominion, it consisted of the president of municipalities or the mayor and lay judges. The presidents were appointed by the king at the request of the Governmental Committee on Internal Affairs and Police. Voivodship commissions put forward candidates for mayors. According to the governor's decisions on the voyts of May 30, 1818, new regulations came into force.[9] The city authority was replaced by municipal office. In voivodship cities it consisted of the president and councilors, while in the remaining cities – the mayor and lay judges. The tasks of the city authorities included: security, commune ownership management, communication, population records, and economic issues. At that time, municipal offices were divided into police and war departments as well as tax and administration departments.

In the years 1861-1862 a number of reforms were carried out, which resulted in the issuance of laws on poviat, gubernial and municipal councils. Pursuant to the Law on poviat and governor councils of June 5, 1861, each poviat had its own council (Art. 1).[10] It was composed of 15-18 members, elected for a 6-year term (Art. 2). Its tasks included poviat matters. In the

[7] Constitution of the Kingdom of Poland, Journal of Laws of the Kingdom of Poland of 1816, No. 1, p. 2-103.

[8] Journal of Laws of the Kingdom of Poland of 1816, No. 2, p. 115-20.

[9] Order of the governor of voyts of May 30, 1818, Journal of Laws of the Kingdom of Poland, vol. VI, p. 34.

[10] Imperial-royal ukase of June 5, 1861, on gubernial councils, Journal of the Kingdom of Poland, vol. LVIII, p. 227-93; Imperial-royal ukase of 1861, on poviat councils, Journal of the Kingdom of Poland, vol. LVIII, p. 295-327.

light of this, local government could expand almost without limit as the well-being and civil spirit of the population developed. Under the Imperial-Royal Law of June 5, 1861 on city councils,[11] a city council and town hall were introduced (Art. 1).

On March 2, 1864, the imperial ukase introduced the municipal self-government system.[12] Each commune consisted of villages, colonies, farms and manor houses, regardless of the division of court property. Village clusters were also formed, headed by the district meeting and the village head. The commune's legislative body was the commune meeting, which met under the chairmanship of the commune head once every three months. Its powers included: the election of a commune head, lay judges, writer and other commune officials, adoption of resolutions regarding the commune, allocation of financial resources for commune schools, disposal of the entire commune's property, selection of proxies to deal with commune matters.

In Russia and the Kingdom of Poland, many ordinances and orders of central and territorial administrative organs were issued, among others "Journal of Laws of the Polish Kingdom," continuing the "Journal of Laws" of the Principality, "Civil Code" of 1825, "Punishing Code of the Kingdom of Poland" of 1818, "Collection of Administrative Regulations of the Kingdom of Poland" from 1866-1868, "Swod Zakonow Rossijskoj Imperii," introduced in 1832. All the above-mentioned sources constituted the legal basis.

Conclusion

In conclusion, it is important to note the significant impact of the evolution of local self-government on its current form. This is due to both rich local government traditions in Poland and the extremely important importance of local government in the process of building Polish democracy. From the very beginning of statehood, people wanted to have influence over the management of their affairs, acting directly or through a chosen representative office.

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[11] Imperial-royal ukase of June 5, 1861, on city councils, Journal of the Kingdom of Poland, vol. LVIII, p. 329-63.

[12] Ukase on the Organizing Commitee of March 2, 1864, Journal of Laws of the Kingdom of Poland, vol. LXII, p. 135.

From the 15th century, the system of noble democracy formed in the Republic. It was based on the monopoly of the noble state. During this period, the functions of territorial self-government were played by regional councils. There were extremely many regional councils. They were meeting within the territories – territorial division units similar to modern poviats.

In 1791, the Law on Royal Cities was enacted, which was later included as an article of the Constitution of 3 May. This was the first request to establish a local government in today's understanding of the term. In cities, it was possible to choose magistrates with presidents or voyts as heads. A senior municipal council was also created – called as faculty assemblies.

After the partition of Poland by Russia, Prussia and Austria, the development of Polish self-government was halted. Its functioning was shaped only within the limits imposed by the partitioning powers. In the Polish territories of the Prussian partition, territorial self-government occurred at three levels of the territorial and administrative division: provincial, poviat, and in urban and rural communes. In the Russian partition, local government institutions were very weak. By virtue of the ukase of March 2, 1864, during the January Uprising, the self-government system of the rural commune was introduced. Self-government at other levels was not introduced. In the Polish territories, in the Austrian partition, local government operated at the commune and poviat level. A characteristic feature of this self-government was the introduction of a uniform system for urban and rural communes by the self-government act of 1862 and Galician regulations of 1866. Despite the abovementioned changes, the position of local government institutions performing tasks within their competences remains unchanged.

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The Evolution of Territorial Self-Government in the Republic of Poland Before 1918 – Outline of Issue

Summary

The aim of the article is presentation of territorial self-government institution on Polish soil before 1918. The subject of the discussion it to show changes made through evolution, in the system of functioning of territorial self-government in Poland. The following research methods have been used to analyze this article: the historical-legal method, consisting in the analysis of the process of development of local self-government institutions and the search for specific cause-and-effect relationships, the method of analysis of sources, consisting mainly in the analysis of the texts of legal acts and the comparative method, which has been applied in relation to the functioning of local self-government institutions. The legal regulations relating to local self-government units are analysed in the context of the then historical situation. The subject considerations are time-limited to the establishment of the Second Republic of Poland in 1918.

Key words: administration, evolution, local government

Ewolucja samorządu terytorialnego w Rzeczypospolitej przed 1918 rokiem – zarys problematyki

Streszczenie

Celem artykułu jest przedstawienie instytucji samorządu terytorialnego na ziemiach polskich przed rokiem 1918. Przedmiotem rozważań jest ukazanie przemian dokonanych w drodze ewolucji w systemie funkcjonowania samorządu terytorialnego w Polsce. Do dokonania analizy niniejszego artykułu wykorzystano następujące metody badawcze: metodę historyczno-prawną polegającą na analizie procesu rozwoju instytucji samorządu terytorialnego i poszukiwaniu określonych związków przyczynowo-skutkowych, metodę analizy źródeł polegającą głównie na analizie tekstów aktów prawnych oraz metodę porównawczą, którą zastosowano w odniesieniu do funkcjonowania instytucji samorządowych. Uregulowania prawne odnoszące się do jednostek samorządu terytorialnego analizowane są w kontekście ówczesnej sytuacji historycznej. Przedmiotowe rozważania zawężone są czasowo do powstania II Rzeczypospolitej Polskiej w 1918 r.

Słowa kluczowe: administracja, ewolucja, samorząd terytorialny

Informacje o Autorze: Mgr BARTŁOMIEJ SKŁADANEK, asystent w Katedrze Prawa Publicznego, Wydział Prawa i Administracji, Uniwersytet Technologiczno-Humanistyczny im. Kazimierza Pułaskiego w Radomiu; ul. Chrobrego 31, 26-600 Radom, Polska; e-mail: b.skladanek@uthrad.pl; https://orcid.org/0000-0001-9915-4218