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Changing the Model of the Polish Electoral Administration

Keywords: elections, electoral law, State Election Commission, Electoral Code, judges, Code of Good Election Practice, Venice Commission

Słowa kluczowe: wybory, ordynacja wyborcza, Państwowa Komisja Wyborcza, Kodeks wyborczy, sędziowie, Kodeksie Dobrej Praktyki w Sprawach Wyborczych, Komisja Wenecka

Abstract

The conduct of free elections depends to a large extent on the efficient functioning of electoral bodies. The doctrine distinguishes a number of models of functioning of election administration bodies. The standards of functioning of electoral bodies at the European level are defined by the standards of the Venice Commission, and in particular the Code of Good Practice in Electoral Matters. In Poland, after World War II, the adopted model of election administration did not meet democratic standards. It was only after 1990 that the State Election Commission was established as a permanent body consisting exclusively of judges of the Supreme Court, Constitutional Tribunal and Supreme Administrative Court. This concept was abandoned in an atmosphere of massive criticism of the judiciary. Although the model adopted now does not directly violate international standards, it seems to be a step backwards from the regulations existing after 1990.

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Streszczenie**Zmiana modelu polskiej administracji wyborczej**

Przeprowadzenie wolnych wyborów w dużej mierze uzależnione jest od sprawnie funkcjonujących organów wyborczych. W doktrynie wyróżnia się szereg modeli funkcjonowania organów administracji wyborczej. Standardy funkcjonowania organów wyborczych na poziomie europejskim, określają standardy Komisji Weneckiej, a w szczególności Kodeks Dobrej Praktyki w Sprawach Wyborczych. W Polsce, po II wojnie światowej przyjęty model administracji wyborczej nie spełniał standardów demokratycznych. Dopiero po 1990 r. powołano Państwową Komisję Wyborczą jako stały organ, składający się wyłącznie z sędziów Sądu Najwyższego, Trybunału Konstytucyjnego i Naczelnego Sądu Administracyjnego. Od tej koncepcji odstąpiono w atmosferze zmasowanej krytyki środowiska sędziowskiego. Przyjęty obecnie model nie narusza wprawdzie wprost standardów międzynarodowych, ale wydaje się być krokiem wstecz w stosunku do regulacji istniejących po 1990 r.

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In the doctrine of electoral law, election administration is understood as a hierarchically structured, multi-level, usually three- or four-level structure of bodies which task is to prepare or conduct elections. These bodies have different character and different competences. Among them we find collegiate bodies, such as election commissions and single-person election commissioners. They can be institutional, professional (such a body is the State Election Commission) or social, e.g. district commissions. Some of them function permanently, like the State Election Commission, while others are established to perform specific tasks in the already administered elections, e.g., district commissions².

The doctrine attempts to assess the functioning models of election administration bodies functioning in practice in various countries. This classification is based on the criterion of their relations with government admin-

² A. Sokala, *Kontrowersje wokół kształtu polskiej administracji wyborczej*, "Studia Wyborcze" 2014, vol. 18, pp. 8–9; idem, *Administracja wyborcza w obowiązującym prawie polskim*, Toruń 2010, pp. 181–252.

istration in individual states³. IDEA distinguished three models of election administration, namely: the model of an independent institution, the model of government election administration and the mixed model. The first one is characterized by the fact that elections are organized by a body that is not subordinate to the government or any of its members, but is separated from the structures of government administration, independent and has its own budget. This body, on the other hand, may be accountable to the legislature, the courts or the head of state. Usually, in this model there is a collegiate body in the form of a committee made up of qualified officials or judges, whether they are in the service or retired. It is noted that it is particularly popular in emerging democracies.

In the model of government election administration, the tasks of organizing elections are carried out by a government administration body, most often the Minister of the Internal Affairs, to which the officials preparing for elections and supervising the conduct of voting, appointed by the same minister, are subject. As a rule, the body that conducts the elections is made up of one person, although this function sometimes is entrusted to a collegiate body, for example in Austria and the Czech Republic. This model functions mainly in countries with established democratic traditions.

The mixed model is based on a dual structure of electoral bodies, since, on the one hand, there is an electoral authority independent of the government with supervisory or quasi-judicial powers, while, on the other hand, most of the technical activities related to the organization and conduct of voting are carried out by government administration bodies⁴.

UNDP also distinguishes three models, namely: independent electoral administration, a model in which elections are conducted by government administration but under the supervision of an independent body⁵. It is point-

³ This criterion is used by the Swedish NGO, the Institute for Democracy and Election Support and the United Nations Development Programme. D. Sześciło, *Modele administracji wyborczej w wybranych państwach*, "Studia Wyborcze" 2013, vol. 15, pp. 93–119; J. Marszałek-Kawa, D. Plecka (eds.), *Dictionary of Political Knowledge*, Toruń 2019.

⁴ A. Sokala, *Administracja wyborcza...*, passim; A. Wall, A. Ellis, A. Ayoub, C.W. Dundus, J. Rukambe, S. Stainos, *Electoral Management Design: The International IDEA Handbook*, International Institute for Democracy and Electoral Assistance 2006, pp. 5–8.

⁵ R.L. Lopez-Pintor, *Electoral Management Bodies as Institutions of Governance*, Bureau for Development Policy United Nations Development Programme 2000, p. 25; D. Sześciło,

ed out that the model of independent election administration is dominant, but the analysis shows that none of the countries in Central and Eastern Europe has decided to entrust the conduct of elections to governmental administrative bodies alone.

In the doctrine, characterizing the principle of free elections, other models of election administration also stand out. Bogusław Banaszak, pointing out that state authorities may under no circumstances engage in the electoral process, as this would risk deforming the function of elections “by influencing their own legitimacy”, lists four models of election administration on the central level, namely a model in which the proper conduct of elections and the performance of statistical and technical functions is centrally attributed to one of the ministers, most often the interior ministers, exceptionally finance ministers; a model in which special election commissions are composed of representatives of the government and major political parties that perform technical tasks and create material conditions for the conduct of elections; and a third model concerns situations in which special election bodies with the status of state authorities exist. Finally, the fourth model is one in which there is no central authority and the election is organized by federal states (the United States) or lower territorial units⁶. M.C. Alanis Figueroa identified five models for creating a central election body: administrative, political, parliamentary, judicial and mixed⁷. The issue of how to organize elections was noted in the Code of Good Election Practices developed by the European Commission for Democracy through Law (Venice Commission) adopted by the Commission together with its election guidelines and explanatory report at the 52nd Session on October 18–19, 2002⁸.

Modele..., pp. 96–97; P. Jakubowski, *Modele administracji wyborczej – przegląd rozwiązań prawnych w wybranych państwach*, “Przegląd Sejmowy” 2014, No. 6(125), pp. 75–92.

⁶ B. Banaszak, *Porównawcze prawo konstytucyjne współczesnych państw demokratycznych*, Warsaw 2012, p. 261.

⁷ A. Sokala, *Administracja wyborcza...*, pp. 37–40.

⁸ Council of Europe Strasbourg, 23 May 2003 CDL-AD (2002) 23 rev. Opinion No. 190/2002, <https://bisnetus.wordpress.com/biblioteka/akty-ustrojowe/kodeks-dobrej-praktyki-komisji-weneckiej/kodeks-dobrej-praktyki-w-sprawach-wyborczych-calosc> (1.07.2020); compare <http://www.venice.coe.int/webforms/documents/default.aspx?pdf-file=CDL-AD%282002%29023rev-e> (1.07.2020). The Code of Good Practice in Electoral Matters was developed as a result of Resolution 1264 (2001) of the Standing Committee of

The model of election administration introduced in Poland after the World War II significantly differed from democratic standards. Therefore, during the period of political transformation attempts were made to rebuild it. It was initiated by the Ordinance on Election to the Sejm of the Republic of Poland of May 28, 1993⁹, which completely transformed the State Election Commission by stating in Art. 62, para. 1, that the State Election Commission included three judges of the Constitutional Tribunal, appointed by the President of the Tribunal, three judges of the Supreme Court appointed by the First President of the Supreme Court, and three judges of the Supreme Administrative Court appointed by the President of this Court. Judges to the State Election Commission were appointed by the President¹⁰. The reconstruction process was completed by the enactment of the Electoral Code, which adopted the “Judicial Model of Election Administration”¹¹. However, the nature of the State Election Commission from the point of view of the concept of separation of powers was disputed¹². The literature emphasized that although the State Election Commission is not a judicial body, it is composed of judges adjudicating in the three highest court instances,

the Parliamentary Assembly acting under the authority of the Assembly, in which the Venice Commission was commissioned, among other things, to develop such a code to take into account the guidelines included in the annex to the explanatory report on the basis of which that resolution was adopted. The guidelines for elections, adopted by the Venice Commission at the 51st Plenary Session (July 5–6, 2002), set out the principle of the European electoral heritage, and then discussed in detail the principles of: universality of elections, equality, freedom, secrecy, directness and frequency of elections. The conditions for implementation of the principles were discussed, including issues related to election observation. The later explanatory report adopted at the 52nd Session (October 18–19, 2002) referred to these principles, with more attention paid to legal restrictions on freedom of speech (para. 61).

⁹ Dz.U. No. 45, item 205.

¹⁰ In Art. 4(1) of the Act of May 28, 1993 – Sejm Election Ordinance, the Act of May 10, 1991 – Senate Election Ordinance of the Republic of Poland (Dz.U. 1994, No. 54, item 224) indicates that elections to the Senate are to be conducted by the State Election Commission and district and regional election commissions, with the State Election Commission being established according with the Art. 5 of the Sejm Election Ordinance.

¹¹ K. Urbaniak, *Wybory jako demokratyczny sposób kreowania organów władzy publicznej a dobro wspólne*, “Ruch Prawniczy, Ekonomiczny i Socjologiczny” 2018, vol. LXXX, vol. 1, p. 158; W. Łączkowski, *Prawo wyborcze a ustrój demokratyczny*, “Ruch Prawniczy, Ekonomiczny i Socjologiczny” 2009, vol. LXXI, vol. 2, p. 51.

¹² For an analysis of views on this issue see A. Sokala, *Administracja wyborcza...*, pp. 69–72.

which guarantees its independence and legal expertise. It was pointed out that the State Election Commission is a “permanent state body, competent for the preparation of the organization and conduct of elections, and thus does not belong to the guardians of judicial power, so the judges who sit on it do not violate the principle of separation of powers”¹³. Undoubtedly, from the point of view of fully guaranteeing subjective election law and the right to free elections, it is important that the supervision of the election process, including compliance with electoral law, be exercised by an electoral authority independent of the legislative and executive authorities and that it takes its decisions solely on the basis of electoral law standards. Judicial oversight in this regard has been entrusted to the Supreme Court, in the course of conducting elections to the Sejm and Senate, according with the principles and procedures set forth in the Election Code.

The doctrine indicated that the method of appointment of the State Election Commission, as defined in the Electoral Code, ensures the achievement of three objectives: professional stabilization of the State Election Commission’s members; democratization of their legitimacy; and finally, consideration of substantive criteria in their appointment¹⁴. The system of electoral bodies was created on the basis of their independence from government administration bodies. This was guaranteed by the fact that the members of the State Election Commission were only judges and the election commissioners and members of district and district election commissions. Literature emphasized that “shaped by legal regulations defining the position of judges, their professional habit of acting under conditions of impartiality and independence from the influence of political factors”, their well-established independence and internal independence, the ban on membership in political parties provided a guarantee not only of professionalism but of impartiality¹⁵.

It should be noted that, at least since 2005, a massive and overwhelmingly unfounded, unjustified and vindictive criticism of the justice system be-

¹³ F. Rymarz, *Udział sędziów w organach wyborczych*, [in:] *Demokratyczne prawo wyborcze w Rzeczypospolitej Polskiej 1990–2000*, ed. F. Rymarz, Warsaw 2000, p. 43.

¹⁴ B. Banaszak, *Kodeks wyborczy. Komentarz*, Warsaw 2014, p. 271.

¹⁵ A. Rakowska-Trela, *Zasada demokratyczne państwa prawnego a zmiany w prawie wyborczym*, “*Studia Wyborcze*” 2018, vol. 25, pp. 23–24.

gan. Judges were accused of bias, injustice, heartlessness, inaccuracy, unreliability of work, prolonged proceedings, bribery. Strong demands were made to improve the work of the judiciary and to put the work of judges under the control of the executive bodies, especially the Minister of Justice. It cannot be denied, of course, that the course of court proceedings should be much shorter, although the thesis that the duration of proceedings places Poland in one of the last places in Europe was untrue. The lack of trust in the courts and judges was noticeable and very strongly emphasized in the mass media. These charges were also accompanied by various types of political accusations. These included slogans about the “lack of self-cleaning” of the judicial community, stigmatization of its alleged, closed, corporate character, accusations of corrupting judges, attempts at proving that they are Communists, from families and circles of the Security Service origin, are Russian minions, traitors to the nation, etc. Judges were accused of committing murder, drunkenness and fraud. The disciplinary proceedings against the judges were allegedly secret and thus inaccessible to the public. The judicial community was unable to deal with these allegations, disregarding their overtones and content¹⁶.

This situation had a significant impact on the perception of the work of the State Election Commission, which at the next elections presented itself definitely badly, and its members were shown by TV stations as made-up, detached from reality, old people who could not make a proper statement. The prolonged recounting of votes at the next elections, resulting from purely technical defects, was interpreted as a lack of preparation and incompetence of the State Election Commission members. Some social media were accused of rigging the elections, as evidenced by the fact that their results did not correspond to pre-election expectations and forecasts. It was postulated that a “Corps for the Protection of Elections” should be established to monitor the course of the elections and document any violations of election procedures. Similar goals were pursued by the “Election Watch Movement”, which was to be established before the 2014 European Parliament elections¹⁷.

¹⁶ J. Sobczak, *Niezawisłość sędziowska i niezależność sądów i trybunałów. Między oczekiwaniami administracji centralnej a partykularyzmem procesów sądowych. Z uwzględnieniem aspektu polityki informacyjnej*, [in:] *Konstytucja w państwie demokratycznym*, eds. S. Patyra, M. Sadowski, K. Urbaniak, Poznań 2017, pp. 335–350.

¹⁷ For an analysis of views on this issue see A. Sokala, *Kontrowersje wokół...*, pp. 7–8.

Undoubtedly, all this had an impact on the change in the system of the Polish electoral authorities, namely the State Election Commission and the District Election Commissions. On November 10, 2017, the Speaker of the Sejm received a parliamentary bill to amend certain laws in order to increase citizens' participation in the process of electing, functioning and controlling certain public bodies¹⁸. One of the general objectives of this draft was to drastically reduce the participation of judges in electoral administration. However, the actual basis for such a solution was not provided in the draft. The applicants limited themselves to stating that as a result of the changes in the composition of the State Election Commission, one judge of the Constitutional Tribunal and one judge of the Supreme Administrative Court will remain a judge. Thus, in practice, it was assumed that judges of the Supreme Court, who were perceived by the parliamentary majority as being in opposition to the political and legal concepts proposed by that majority, would be removed from the composition of the State Election Commission. According to the draft law, however, the State Election Commission was still to consist of 9 members, with the remaining 7 members to be recommended by the parliamentary clubs and appointed by the Sejm, with qualifications to hold the position of judge.

The qualification requirements for the position of judge shall not apply to persons who have at least three years' seniority as a prosecutor, President of the General Prosecutor's Office of the Republic of Poland, its vice-president or advisor, or who have worked in Poland as an advocate, legal adviser or notary public, or who have worked in a Polish college, Polish Academy of Sciences, scientific research institute or other scientific institution, having the title of professor or the academic degree of doctor habilitated in legal sciences. The number of members appointed to the State Election Commission, from among those indicated by one parliamentary club, shall not exceed 3 persons. Members of the State Election Commission will not be allowed to belong to political parties. The term of office of members of the judges will be 9 years. The term of office of persons appointed by the parliamentary clubs will correspond to the term of the Sejm, but the term of office of these persons will expire by law after 150 days from the date of elections to the Sejm.

¹⁸ Sejm Printing No. 2001.

Justifying the changes, it was pointed out that the project “meets the recommendations of the Code of Good Practice in Electoral Matters”¹⁹ adopted by the Venice Commission at the 51st Plenary Session (Venice, 5–6 July 2002) and the explanatory report adopted by the Venice Commission at the 52nd Plenary Session (Venice, 18–19 October 2002). The parliamentary bill states that “according to the provisions of the Code, the Central Election Commission should be composed of a judge or lawyer and representatives of political parties already in parliament or those that have won a certain percentage of votes, with the political parties being represented equally on the Central Election Commission; “equality” may be interpreted as absolute or proportional, that is to say, taking into account current electoral power²⁰.

From the wording of the explanatory memorandum, an uninformed reader could take the view that the previous state of law, according to which the State Election Commission consisted of 9 judges, was contrary to the Code of Good Practice and that only the proposed changes make the appropriate solutions for the Election Code, relating to its composition, compatible with these standards. In the meantime, there is no doubt that the previous solution did not contradict the guidelines of the Venice Commission, while the current one does not formally contradict them, and it meets the required standards.

The proposal of changes met with the favorable position of some experts. Among them, Bartłomiej Biskup from the Institute of Political Sciences of the University of Warsaw indicated that the project was “moving away from the character of a purely judicial State Election Commission to a mixed composition”. He stressed that “in the practice of many countries of the so-called developed democracy, similar bodies are of a mixed nature (Italy, Spain, Sweden) or even unrelated to the judicial environment (Canada, USA, Great Britain, France). There are also different ways of appointing the members of such a body, from nominations to legislative appointments. The judicial authorities always are an appeal instance in electoral procedures. The body that organizes the election is appointed primarily for the efficient conduct of elections and often reports to the government (Great Britain, France). He did not no-

¹⁹ The Code of Good Practice in Electoral Matters was adopted by the Parliamentary Assembly of the Council of Europe at its 2003 Session – 1st part, and by the Congress of Local and Regional Authorities of Europe at its 2003 Spring Session.

²⁰ Sejm Print No. 2001.

tice that despite the “judicial composition” of the State Election Commission, the control of the validity of the election remained with the Supreme Court.

The person issuing the opinion proposed to consider “extending the group of people who could be members of the State Election Commission to include people who have the statutory qualifications not only in the field of law but also in political science and sociology, as is the case in Spain, for example. The State Election Commission does not have the role of a court of law (although it decides on various appeal issues), but provides the framework needed for the National Election Office to organize elections and interprets unclear issues and regulations”²¹.

In his opinion, Jarosław Szymanek expressed a similar view, pointing out that the composition of the State Election Commission, existing until 2017, contradicts the recommendations contained in the Code of Good Practice in Election Matters, which indicates that members of the Central Election Commission should be experts in law, political sciences, mathematicians or people with good knowledge of election matters. In his view, the Code states that the composition of the Commission should reflect political and professional pluralism, without compromising professionalism and assuming independence. He was critical of the position of the representatives of the Polish doctrine of constitutional law who, in his opinion, “quite thoughtlessly assume that the only guarantee of impartiality and professionalism is the judicial profile of the composition of the State Election Commission”. He further argued that judges do not have to be electoral experts. He criticized that the current model of the State Election Commission does not guarantee participation of representatives of political parties in its work, emphasizing that in organizational and technical matters decided by the State Election Commission, lawyers may have more expertise than judges. He strongly emphasized that judges of the Supreme Court should not sit on the State Election Commission, as the Supreme Court will decide on the validity of elections²².

²¹ Bartłomiej Biskup was an expert appointed by Aneta Kordowska, General Director of the Cabinet of the Speaker of the Sejm. Text on the website of the Sejm of the Republic of Poland VIII term, at Print No. 2001.

²² Text of the opinion on the website of the Sejm of the Republic of Poland VIII term of office, at Print No. 2001.

In another opinion, Marcin Rulka positively evaluated from the perspective of European standards the project's departure from the purely judicial factor in the composition of the State Election Commission, noting that "judges even holding the highest positions in the structure of judicial power do not always ensure" professionalism. He concluded that the current legal status does not ensure the participation of political representation in the composition of the State Election Commission²³.

Another expert, Andrzej Sokala concluded that the judicial composition of the Polish electoral bodies undoubtedly has an impact on the impartiality and political neutrality and professionalism of its operation. He stated that he considers the change proposed in the project "to replace the judges' composition of the highest electoral body, the State Election Commission, with a composition of a political nature as highly damaging and unjustified in terms of substance". In his opinion, it may lead to "a loss of confidence of citizens in the honesty and integrity of elections held in Poland". In moving away from the judicial model of electoral bodies, he saw real threats to the professionalism of Polish electoral services²⁴.

Marek Chmaj stated that the proposed changes concerning the organization and functioning of the State Election Commission should be assessed unequivocally negatively. He argued that "it is unacceptable to politicize such an important body as the State Election Commission in a democratic state governed by law". He added that "the politicization of the State Election Commission may undermine confidence in its tasks and thus call into question the role of this body in ensuring compliance with electoral law and protection of democratic values²⁵".

Anna Rakowska-Trela also strongly negatively assessed the solution of the project concerning changes in the composition of the State Election Commission, considering that it leads to politicization of this body and consti-

²³ He referred to the justification of his views in the judgment of the European Court of Human Rights of 8 July 2008 in the case of *Georgian Labor Party v. Georgia* (complaint 9103/04), which stated that there is no uniform standard in the composition of election commissions. Text of the opinion on the website of the Sejm of the Republic of Poland VIII term of office, at Print No. 2001.

²⁴ *Ibidem*.

²⁵ *Ibidem*.

tutes a return to the pre-1990 regulations. She also stated that the proposed change in this respect constitutes an unjustified departure from the standards of constructing the highest electoral body, which determined its apolitically and legal expertise²⁶.

The change in the composition of the State Election Commission made by the Act of January 11, 2018 is formally not in contradiction with international standards headed by the Code of Good Election Practices of the Venice Commission. However, the writer feels that it represents a step backwards from the regulations that were included in the original text of the Electoral Code. Undoubtedly, the adopted solution leads to politicization of the State Election Commission, which seems to have been one of the goals of the project's proponents, although it was never explicitly articulated. The change was, on the one hand, a reflection of the lack of trust in the competence and organizational efficiency of the State Election Commission, which during the previous elections presented itself exceptionally badly in the social media, as a body with little competence, working chaotically, poorly prepared for its role, in which people of age and clear fatigue, unable to cope with their duties, sit. On the other hand, there is no doubt that the changes made were based on the aversion of the parliamentary majority to the judicial environment, manifested in numerous speeches from the parliamentary stand, as well as in interviews and publicist speeches of representatives of that majority. This lack of trust in judges was largely shared by citizens. Therefore, the organizational transformation of the State Election Commission was accepted by the public with no interest or even some relief, as the difficulties that occurred when the results of the previous elections were announced were remembered.

It cannot be denied that the work at the State Election Commission, or the function of an election commissioner, detracted a certain but insignificant group of judges from their basic professional duties, which was to judge them. The State Election Commission is an extremely important state body, although not regulated by the Constitution. It cannot be assumed in advance that its current members, who often are outstanding lawyers with unquestionable achievements, will violate any requirements of electoral law. One should be convinced that despite the politicization of the State Election Commission,

²⁶ Ibidem.

it will guarantee proper conduct of elections. The other tone of the change is much more dangerous. It is based on the statement that one cannot trust judges. They cannot be trusted; it is better to distance them from the possibility of deciding on the course of elections and their results. The fact that the judges are removed to participate in State Election Commission's committees, in which there are practically only two of them left, is a dangerous signal for citizens that judges are bad people, maybe corrupt. Hence, only a step to the conviction that in such a situation one should take the justice system into one's own hands.

Literature

- Banaszak B., *Kodeks wyborczy. Komentarz*, Warsaw 2014.
- Banaszak B., *Porównawcze prawo konstytucyjne współczesnych państw demokratycznych*, Warsaw 2012.
- Jakubowski P., *Modele administracji wyborczej – przegląd rozwiązań prawnych w wybranych państwach*, "Przegląd Sejmowy" 2014, No. 6(125).
- Lopez-Pintor R.L., *Electoral Management Bodies as Institutions of Governance*, Bureau for Development Policy United Nations Development Programme 2000.
- Łączkowski W., *Prawo wyborcze a ustrój demokratyczny*, "Ruch Prawniczy, Ekonomiczny i Socjologiczny" 2009, vol. LXXI, No. 2.
- Marszałek-Kawa J., Plecka D. (eds.), *Dictionary of Political Knowledge*, Toruń 2019.
- Rakowska-Trela A., *Zasada demokratyczne państwa prawnego a zmiany w prawie wyborczym*, "Studia Wyborcze" 2018, vol. 25.
- Rymarz F., *Udział sędziów w organach wyborczych*, [in:] *Demokratyczne prawo wyborcze w Rzeczypospolitej Polskiej 1990–2000*, ed. F. Rymarz, Warsaw 2000.
- Sobczak J., *Niezawisłość sędziowska i niezależność sądów i trybunałów. Między oczekiwaniami administracji centralnej a partykularyzmem procesów sądowych. Z uwzględnieniem aspektu polityki informacyjnej*, [in:] *Konstytucja w państwie demokratycznym*, eds. S. Patyra, M. Sadowski, K. Urbaniak, Poznań 2017.
- Sokala A., *Administracja wyborcza w obowiązującym prawie polskim*, Toruń 2010.
- Sokala A., *Kontrowersje wokół kształtu polskiej administracji wyborczej*, "Studia Wyborcze" 2014, vol. 18.
- Sześciło D., *Modele administracji wyborczej w wybranych państwach*, "Studia Wyborcze" 2013, vol. 15.

- Urbaniak K., *Wybory jako demokratyczny sposób kreowania organów władzy publicznej a dobro wspólne*, "Ruch Prawniczy, Ekonomiczny i Socjologiczny" 2018, vol. LXXX, No. 1.
- Wall A., Ellis A., Ayoub A., Dundus C.W., Rukambe J., Stainos S., *Electoral Management Design: The International IDEA Handbook*, International Institute for Democracy and Electoral assistance 2006.