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**Early Elections of the Mayor of the City in Poland.
Analysis of the Case of Ruda Śląska in 2022**

Keywords: local government, local elections, early mayoral elections, Ruda Śląska

Słowa kluczowe: samorząd lokalny, wybory lokalne, przedterminowe wybory prezyden-
ta miasta, Ruda Śląska

Abstract

The paper concerns the subject of the early mayoral elections at the town level in Ruda Śląska, held in September 2022. As a background for the presentation of the central case, the article refers to other earlier mayoral elections held in the same term (after the elections of 2018). The main aim of the analysis is to verify the research hypothesis that early elections of town mayors, held in Poland after 2018, confirm that application of the principle of direct elections favors candidates independent of state-wide parties. The source material for the research consisted mainly of documents of the National Electoral Commission, as well as Polish legal acts related to local electoral processes. The authors have investigated selected sources using the content analysis method. To achieve the research aim, results for particular elections were compared.

Streszczenie**Przedterminowe wybory prezydenta miasta w Polsce.
Analiza przypadku Rudy Śląskiej z 2022**

Publikacja obejmuje problem prezydenckich przedterminowych wyborów samorządowych w Rudzie Śląskiej, przeprowadzonych we wrześniu 2022 r. Jako tło dla przedstawienia głównego problemu badawczego, artykuł odwołuje się do innych lokalnych wyborów prezydenckich, które odbyły się po 2018 r. Głównym celem analizy jest weryfikacja hipotezy badawczej, która zakłada, że przedterminowe wybory prezydentów miast, przeprowadzone w Polsce po 2018 r., potwierdzają, iż zastosowanie zasady wyborów bezpośrednich faworyzuje kandydatów niezależnych od partii ogólnopaństwowych. Materiał źródłowy dla przeprowadzonych prac badawczych stanowiły głównie dokumenty Państwowej Komisji Wyborczej, a także polskie akty prawne, dotyczące samorządowych procesów wyborczych. Autorki zbadały wybrane źródła przy pomocy metody analizy treści. Aby osiągnąć przyjęty cel badawczy, wyniki uzyskane dla poszczególnych elekcji zostały finalnie porównane.

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I. Introduction

For 12 years after reinstatement of the territorial self-government in Poland (1990–2002), the executive organs in communes were elected indirectly, and

thereafter this solution was replaced by a new one: direct elections of vogts, burgomasters and mayors. At the same time the collective communal board was replaced with one-person executive. In the other two tiers of self-government – poviats and voivodeships – an indirectly elected collective executive was maintained.

Voting rights in elections of the local executive are vested in every Polish citizen and European citizen who holds a voting right in the communal council elections. This means all people who turn 18 on the day of the vote at the latest. On the other hand, the conditions of eligibility to stand in the elections are met by each Polish citizen who has voting rights in the communal council elections and turns 25 on the election day at the latest¹.

Candidates in mayoral elections may be submitted by political parties, coalitions of political parties, associations and social organisations, as well as voters. To have a right to submit a candidate for the executive post, a committee must meet one condition concerning registration of candidate lists in at least a half of constituencies in the commune in question (provided that the number of candidates on each registered list must be at least equal to the number of spots available in this constituency). This provision favors committees established by parties and coalitions of parties, justifying an opinion on introduction of procedures designed to increase politicization of local governments and to translate terms and experiences from the national stage onto this level².

In the case of early elections when only the executive is elected, submitted candidates should provide evidence of support of a set number of voters listed in the respective voters registers: from 150 to 3000, depending on the commune's population. In the analyzed case of Ruda Śląska the number was 3,000, according to art. 478 §4 item 6 of the Election Code³.

The method of electing the local executive can be likened to the election of the President of the Republic of Poland. Each voter can vote only for one candidate. The candidate is deemed elected, if they obtain more than a half

¹ The Act of January 5, 2011, the Election Code (Dz.U. 2011, No. 21, item 112).

² P. Uziębło, *Zgłaszanie kandydatów w wyborach samorządowych na poziomie gminy* [in:] *Aktualne problemy samorządu terytorialnego po 25 latach istnienia*, eds. R.P. Krawczyk, A. Borowicz, Łódź 2016, pp. 85–96.

³ Dz.U. No. 21, item 112.

of the votes. As in any majority (two-round) system, if no candidate obtains the set number of votes, a repeat vote is held fourteen days after the date of the first round of the elections. In such cases, two candidates who acquired the highest number of votes compete in the second round⁴.

Direct election of the local executive resulted in a change of the functioning of the local government. The burden of taking key decisions for the local community was shifted from the council and collective board to a one-person organ. This is quite an interesting experiment with respect to the local governance and effectiveness of the local administration. Many politicians claimed that the direct elections contributed to increased citizens' participation in public life, evidenced by increased voter turnout⁵.

The changed form of appointment of the executive was designed to make local elections more attractive and to enhance to executive's position in relation to communal council. It also strengthened voters' role and extended the catalogue of electable positions in local authorities⁶. The actual outcomes showed also that the new solutions favored strong local personalities, as confirmed by elections of city mayors in 2018. In 107 mayoral cities, candidates of the Civic Platform won 28 posts, the Law and Justice – only five, and one elected mayor (in Przemyśl) represented Kukiz '15, while as many as 73 posts were taken by independent candidates⁷.

II. Early local elections in the term of 2018–2023

From the all-Polish local and regional elections in autumn 2018 until September 2022, there were 1,529 additional local elections held. A vast majority of them (1386, i.e. 90%) concerned supplementation of the local council upon

⁴ A. Sokola, B. Michalak, P. Uziębło, *Leksykon prawa wyborczego i referendalnego oraz systemów wyborczych*, Warszawa 2013, pp. 85–96.

⁵ M. Chmaj et al., *Ustrój samorządu terytorialnego w Polsce*, Warszawa 2007, pp. 78–81; R. Alberski, A. Antoszewski, M. Cichosz, A. Ferens, H. Lisicka, *Wybory samorządowe do rad gmin w 2002 roku w województwie dolnośląskim*, Wrocław 2003, p. 27.

⁶ A. Gendźwiłł, *Dlaczego sukces? Analiza wyników wyborów prezydentów największych polskich miast* [in:] *Studia nad wyborami Polska 2005–2006*, ed. J. Raciborski, Warszawa 2008, pp. 13–47.

⁷ <https://wybory2018.pkw.gov.pl> (20.10.2022).

resignation or loss of the mandate by a councilor. In the case of the executive organs, the elections were held in 36 rural communes (including 2 elections resulting from the vogt being removed from the post by a referendum and one related to stated invalidity of the prior election), in 20 rural-urban communes (including 3 resulting from a successful removal referendum and 1 to invalidity) and in five mayoral cities. This means that early elections of the executive organ were held in 2.5% of communes in Poland⁸.

The first early mayoral election of this term was held in March 2019 in Gdańsk, necessitated by the public murder of the mayor Paweł Adamowicz, who was involved in pro-democratic opposition. He was fiercely criticized by certain pro-government politicians and media (especially public television), but also by some politician of the Civic Platform (most notably during the mayoral campaign in 2018). The case of Adamowicz's election in 2018 was discussed in detail in prior literature⁹. After his death, there were suggestions by media and commentators that the campaign against Adamowicz pushed his murderer to the crime¹⁰, although such allegations can hardly be proven and as in early 2023, the murderer's trial has not been validly concluded. However, these circumstances were broadly discussed in the period after the murder and they were among the factors leading to the ruling right not entering a candidate in the early elections which were subsequently won by a landslide in the first round by a close associate of Adamowicz and his Deputy Mayor, Aleksandra Dulkiewicz, who obtained 82.22% of the vote¹¹, eliminating two independent candidates supported by extreme right parties and organizations.

In January 2020, there were two early elections held in Gliwice and Nowa Sól, both for the same reason: the towns' mayors, Zygmunt Frankiewicz and Wadym Tyszkiewicz respectively were elected senators in 2019 with the sup-

⁸ *Ibidem*.

⁹ M. Drzonek, *Władza lokalna nie dla partii? Przypadek Pawła Adamowicza w rywalizacji 2018 roku*, "Przegląd Politologiczny" 2020, no. 2, pp. 105–117.

¹⁰ P. Sarna, E. Tyc, *Śmierć prezydenta Gdańska Pawła Adamowicza w nagłówkach polskich dzienników i tygodników*, "Rhes Rhetorica" 2020, vol. 7, iss. 1, pp. 1–21.

¹¹ Early mayoral elections in Gdańsk. Protocol of voting results and electoral results in the election of the mayor of Gdańsk, https://gdansk.kbw.gov.pl/uploaded_files/1551792919_Protokol_wynikow_glosowania_i_wynikow_wyborow_Prezzydenta_Miasta_Gdanska.pdf (25.10.2022).

port of the united opposition, and according to the Polish law it is not allowed to hold a position in the parliament and local government at the same time¹². The outcome of those two elections was similar, too. In both cases recommendation of the outgoing mayor was key to the new elections: Adam Neumann received 51.18%¹³ of the votes and Jacek Milewski – 76.75%¹⁴, both representing committees registered with their predecessors' names. In Gliwice, Janusz Moszyński, the independent candidate who represented the ruling Law and Justice Party (PiS) finished second, receiving two times fewer votes than the winner and in Nowa Sól, the result of PiS' candidate Przemysław Ficner was five times lower than the winner's.

The next early mayoral election was held in June 2021 in Rzeszów and gained a lot of attention from media and politicians. It resulted from a resignation of the previous mayor Tadeusz Ferenc who had held the position for almost 20 years, elected five times. He explained his decision by old age and deteriorating health. Although for years Ferenc had been associated with and had represented leftist and then centrist parties, upon his resignation he supported Marcin Warchoł related to the pro-government rightist party Solidarity Poland. This unexpected declaration was not appreciated by the city's residents, who preferred the local urban activist Konrad Fijołek (56.51% of the vote, elected in the first round)¹⁵. Though an independent, Fijołek was supported in the elections by all opposition parties. During the campaign, this support was expressed by many leading figures of the opposition, including the leader of the Civic Platform Party, Borys Budka and the mayor of Gdansk Dulkiewicz. Meanwhile, on the government side, support split between Warchoł

¹² The Act of March 8, 1990 on the Commune Self-government (Dz.U. No. 16, item 95), Art. 27.

¹³ Early mayoral elections in Gliwice. Protocol of voting results and electoral results in the election of the mayor of Gliwice, https://katowice.kbw.gov.pl/uploaded_files/1578277466_PROTOKOL_WYNIKOW_GLOSOWANIA_I_WYNIKOW_WYBOROW_PREZYDENTA_MISTA_GLIWICE.pdf (28.10.2022).

¹⁴ Early mayoral elections in Nowa Sól. Protocol of voting results and electoral results in the election of the mayor of Nowa Sól, https://zielona-gora.kbw.gov.pl/uploaded_files/1578270252_protokol_tkw.pdf (28.10.2022).

¹⁵ Early mayoral elections in Rzeszów. Protocol of voting results and electoral results in the election of the mayor of Rzeszów, https://rzeszow.kbw.gov.pl/uploaded_files/1623702755_1623635665swbp1-20210613-drz-186301-wyb.pdf (28.10.2022).

and PiS' official candidate, Ewa Leniart. The main leader of Law and Justice, Jarosław Kaczyński, came to Rzeszów to speak in her favor¹⁶. This involvement of mainstream politicians led commentators, too, to treat the preliminary mayoral elections as a predictor of further political developments in Poland¹⁷. It should be stressed that Rzeszów is the main city of Podkarpacie region, where rightist parties and PiS itself are traditionally very strong¹⁸, increasing the symbolic significance of the election. Many commentators highlighted that the opposition's victory was only possible with two factors: all opposition parties and groups united around Konrad Fijołek, who was also a very good candidate, known in Rzeszów for his long-time urban activism.

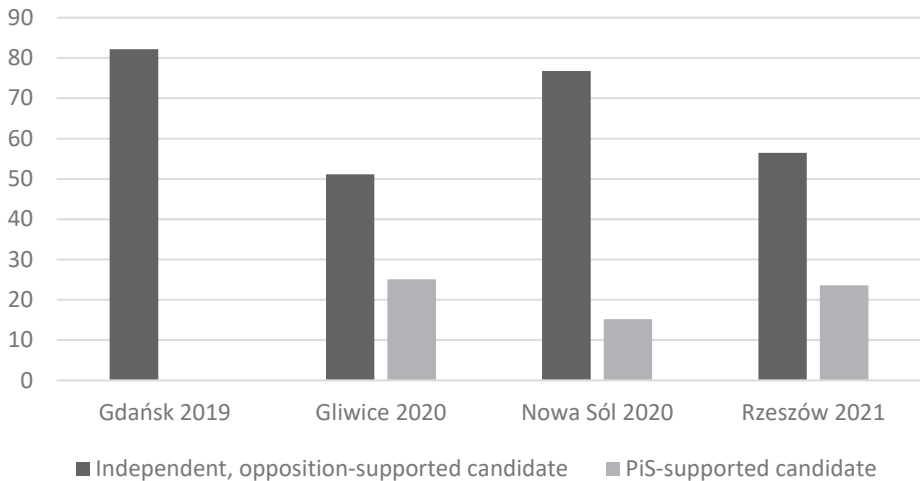
Concluding, although support by the outgoing mayor seems to be an important predictor, continuation of the residents' prior political choices is clearly more significant. In all four cases the elections were won by independent candidates supported by the opposition, however it was a choice similar to the one made in 2018 by the residents of all municipalities in question. None of the four early elections saw a victory of a rightist, pro-government candidate, but this was also in line with the United Right's weaker stance in major cities¹⁹. It should be also noted that on multiple occasions parties waived submitting their own candidate, instead supporting a formally independent contender – this pattern concerned both the ruling right parties, and either centrist or rightist opposition. On the other hand, some of the preliminary elections catch a lot of attention of the media, politicians and analysts, gaining additional recognizability and symbolic significance, as evidenced by the cases of Rzeszów, as well as Ruda Śląska.

¹⁶ A. Kyc, W. Huk, *Rzeszów. Ponad cztery miesiące trwała rywalizacja przed wyborami na prezydenta miasta*, <https://www.pap.pl/aktualnosci/news%2C889100%2Crzeszow-ponad-cztery-miesiace-trwala-rywalizacja-przed-wyborami-na>. (28.10.2022).

¹⁷ M. Danielewski, *Exit poll: Konrad Fijołek wygrywa w Rzeszowie! Sygnał, że kończy się zwycięska passa PiS?*, <https://oko.press/exit-poll-konrad-fijolek-wygrywa-w-rzeszowie-sygnał-ze-konczy-sie-zwycieska-passa-pis> (30.10.2022).

¹⁸ P. Maj, *'Bastion PiS' obroniony. Wybory do sejmiku województwa podkarpackiego* [in:] *Gra o regiony 2014*, eds. R. Alberski, M. Cichosz, Wrocław 2017, pp 171–188.

¹⁹ J. Szymczak, P. Pacewicz, *Prezydenci nie dla PiS. Na 107 miast wygrał tylko w 10 mniejszych. Triumf niezależnych – 68, KO – 24*, 2018, https://oko.press/prezydenci-nie-dla-pis-na-107-miast-wygral-tylko-w-10-mniejszych-triumf-niezaleznych-68-ko-24/?fb_comment_id=1759221547522274_1759381394172956 (2.11.2022).

Fig. 1. Results of early mayoral elections

Source: developed by the authors based on data of the Polish Electoral Commission.

III. Ruda Śląska – fifth case

Ruda Śląska is one of the cities in the conurbation of Upper Silesia. Administratively, it was formed relatively recently, in 1959 by joining of two smaller towns: Ruda and Nowy Bytom. Currently, its population slightly exceeds 136,000 residents.

Ruda Śląska welcomed the 21st century governed by the mayor Andrzej Stania. Ruda Śląska native, he had been the chairman of the municipal council and an influential member of Związek Górnośląski (Upper Silesian Society) – the most important Upper Silesian organization in the 1990's²⁰. In the 21st century he joined the Civic Platform. In the first direct mayoral elections in 2002, Andrzej Stania succeeded by defeating Zbigniew Domżański in the second round²¹. This victory was significant (62.62% of the votes), but

²⁰ A. Muś, *The Political Potential of Upper Silesian Ethnoregionalist Movement: A Study in Ethnic Identity and Political Behaviours of Upper Silesians*, Leiden-Boston 2021, pp. 106–108.

²¹ Elections of the voivots, burgomasters and mayors: voting results and results of the elections in the second round. The town of Ruda Śląska, Śląskie Voivodeship, <https://wybory2002.pkw.gov.pl/wojt/t2/gw1/w24/m2472.html> (3.11.2022).

not spectacular. The next four years enhanced his political position, as evidenced by a confident re-election in 2006. Andrzej Stania won in the first round, gaining 30,986 votes, i.e. 74.78% of all valid ballots cast²². However, this success did not translate to stabilization of his political position for the entire term. The elections held in 2010 led to Andrzej Stania losing in the second round, which forced him to hand power over to Grażyna Dziedzic. This politician, representative of the Agreement for Ruda Śląska committee prevailed by as few as 304 votes²³, but thus the rule of local affairs in Ruda Śląska was taken over by representatives of a local organization for the next 12 years. In the second round of the mayoral elections in 2018, Grażyna Dziedzic faced Marek Wesoły supported by Law and Justice, but despite this party's strong position in the town, the reigning mayor prevailed over her opponent by 25,177 votes (61.77%) to 15,579 (38.23%)²⁴. However, she did not have a chance to last until the end of her term, as she died after a prolonged disease on 16 June 2022, and her mandate was formally terminated on 21 June 2021²⁵.

Due to the mayor's death, early election had to be held. The city was temporarily ruled by Jacek Morek, the compulsory administrator appointed by the Prime Minister. The election was set for 11 September 2022²⁶. In all, seven candidates were registered, but the greatest attention was attracted by the competition of two deputies of the late mayor: Krzysztof Mejer and Michał Pierończyk. Another important candidate was the member of the parliament, representative of PiS, Marek Wesoły who had lost in 2018 to Grażyna Dziedzic. First polls were held in late August. Due to high recognizability among voters, Krzysztof Mejer was regarded as the candidate with the highest chance

²² Results of election of the mayor, Ruda Śląska, <https://wybory2006.pkw.gov.pl/kbw/geoPowiatf9f7.html?id=247201&type=0> (3.11.2022).

²³ Results of election of the mayor, Ruda Śląska, <https://wybory2010.pkw.gov.pl/geo/pl/240000/247201.html#tabs-7> (3.11.2022).

²⁴ Elections of the commune head, mayor and town president: voting results, <https://wybory2018.pkw.gov.pl> (3.11.2022).

²⁵ Decision No. 27/2022 by the Election Commissioner in Katowice I of June 21, 2022 on declaration of the expiry of the mandate of the Mayor of Ruda Śląska, https://katowice.kbw.gov.pl/uploaded_files/1655904808_1655813430postanowinie-27-2022-dziedzic-intretnet.pdf (5.11.2022).

²⁶ Regulation of the Prime Minister of July 6, 2022 on early election of the mayor of Ruda Śląska in the Śląskie Voivodeship (Dz.U. 2022, item 1429).

of winning, while Michał Pierończyk and Marek Wesoły were also seen as major contenders. It was seen as highly probable that a second round would be required to elect the mayor²⁷.

Organization of the electoral campaign was difficult for the candidates, as it coincided with summer holidays. Initially, the related news did not draw attention of the public or major political commentators. The situation changed with the unexpected environmental crisis associated with contamination of the Oder and revealed in late July 2022. The delayed reaction by the members of the government and dispersing responsibility for this situation among a dozen different public services, inspections and agencies triggered social outrage. The public opinion expected to hear not only from ministers, but also from Jarosław Kaczyński himself. The chairman of PiS attended a press conference on 17 August 2022, but he failed to address the environmental disaster as all. However, in his speech, which lasted only 76 seconds he expressed support for Marek Wesoły as the candidate in mayoral elections in Ruda Śląska, associated with PiS²⁸.

The first round of the election was held on 11 September 2022. As predicted by public opinion surveys, it was not decisive. When the final results were announced, Michał Pierończyk became the clear leader of the competition, gaining 11,590 votes (36.41%). Krzysztof Mejer came second with 8,547 votes (26.85%) – only 141 more than the Law and Justice MP Marek Wesoły. It should be highlighted that the voter turnout was quite low with 31.55%²⁹.

The second round of the elections was held on 25 September 2022. The right to vote was exercised by even fewer authorized voters than in the case of the first round, as the turnout was only 25.13%. The vote was concluded

²⁷ M. Świerczek, *Pierwsze sondaże przedwyborcze. Kto na prowadzeniu?*, <https://rudasla-ska.com.pl/i,pierwsze-sondaze-przedwyborcze-kt-na-prowadzeniu,1407469,1502604.html> (5.11.2022).

²⁸ G. Bruszewski, J. Borowski, *Prezes PiS: Popieramy kandydaturę Marka Wesołego w przedterminowych wyborach na Prezydenta Rudy Śląskiej*, <https://www.pap.pl/aktualnosci/news%2C1400457%2Cprezes-pis-popieramy-kandydature-marka-wesolego-w-przedterminowych> (7.11.2022).

²⁹ Early mayoral elections in Ruda Śląska. Protocol of voting results and electoral results in the election of the mayor of Ruda Śląska, https://katowice.kbw.gov.pl/uploaded_files/1663006679_1662942698protokol-wynikow-glosowania-i-wynikow-wyborow-prez.pdf (7.11.2022).

with Michał Pierończyk winning by a landslide. He gained trust of 18,446 voters, i.e. 73.05% of valid ballots. Krzysztof Mejer was supported by 6,805 people (26.95%)³⁰.

The electoral success of Michał Pierończyk was determined by his multi-year experience in local government, but also highly professional staff. The major role was played by two political scientists: Wojciech Kostka, Ph.D. and Arkadiusz Wiczorek. They applied a successful strategy of seeking pre-election support from local associations, as well as local units of state-wide-parties. Thus, they managed to maintain the social message that the election concerned only the future of inhabitants of Ruda Śląska and it was not a confrontation of major parties. With the victory of Michał Pierończyk, the post of the mayor of Ruda Śląska remained with a local politician. Continuing the political stance of Grażyna Dziejcz, Pierończyk joined the group of independent mayors of Polish cities. This is a very important political message before the upcoming year of 2023 – a year of elections in Poland. No state-wide-party can list the result in Ruda Śląska as its success. This may also be a political forecast for the local elections, to be held probably in spring 2024. It cannot be excluded that they will mark a repeat of successes of local candidates in mayoral elections, as recorded in 2018. They may confirm the assumption that in the current political situation, “the monopoly of state rule is disintegrating, and diverse organizations and institutions contribute to governance itself”³¹.

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³⁰ Early mayoral elections in Ruda Śląska. Re-vote. Protocol of voting results and electoral results in elections of the mayor of Ruda Śląska, https://katowice.kbw.gov.pl/uploaded_files/1664204668_1664147162skat-dyr22092600000.pdf (7.11.2022).

³¹ F.L. Sell, J.W. Tkaczyński, *Racjonalność wyborcy według ekonomicznej teorii demokracji Anthony'ego Downsa*, “Przegląd Prawa Konstytucyjnego” 2011, no. 3 (7), pp. 49–66.

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