

ORIGINS OF WARSAW'S POLITICAL OTHERNESS

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On 27 May 1990, on the day of municipal councils elections, the Polish local government revived after the communist period during which it was far from being an institution of political life and an administrative structure. The system of self-governing communes was uniform all over Poland, with only one exception being the Polish capital City, Warsaw, for which a special legal act was passed, establishing a system unique to that city. That was the Act of 18 May 1990 on the Local Government of the Capital City of Warsaw¹. The law defined the political system in Warsaw between 1990 and 1994. The capital of Poland was divided into seven districts-boroughs, each with a legal personality and competence deriving from the Act of 8 March 1990 on Local Government². In terms of territory, those seven local government units coincided with the former districts, inherited after People's Poland. The seats and material structure of those new, as far as the political system is concerned, institutions of Warsaw public life were also left after the preceding period when administration had dominated the citizen and had been far from constituting an element of democratic public power or civil society. On 1 January 1993 one of the seven municipal districts was divided into two, and thus Warsaw comprised not seven but eight municipal districts-boroughs.

The idea of restructuring the Warsaw local government in the direction of its decentralization, adjustment to the contemporary urban space of the capital of Poland, diversification, and, most importantly, towards bringing local authorities closer to the citizen, was born in the milieu of Warsaw Solidarity Citizens' Committees. They evolved from the network of territorial electoral structures created by the Solidarity movement for the needs of June 1989 elections. As a consequence of the evolution, at the beginning of 1990 there were about 50 such committees in the area of Warsaw and Warsaw Voivodeship, and at its apogee of development, at the time directly preceding the local government elections. In spring 1990, the number was nearing 70. They were of various structure and nature, starting from large mother-committees operating in the scale of whole districts or Warsaw suburban towns, with diverse links connecting them with the Solidar-

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¹Dz. U. 1990, No. 34, item 200.

²Dz. U. 1990, No. 16, item 95 and No. 34, item 199.

ity trade union and large work places, to community committees to a greater or lesser degree subordinate to municipal district's committees or trade union structures. The committees constituted a type of federation, with the dominating part played by those electoral units that had been operating on the district level since the parliamentary elections of June 1989. It was thanks to their parliamentary activity and work on the political system of country's capital city that the Act of 18 May 1990 was adopted...

The document very generally and imprecisely defined districts' duties. The provision on that issue says that „the scope of district's activity shall comprise all locally significant public affairs that are not restricted to other entities”³. Duties of the Association, i.e. Warsaw as a whole, were specified equally unclearly and enumerated in the act in the following way: „(...) public affairs, from among the commune's duties, important to the city as a whole (...), especially those whose performance exceeds the possibilities of districts and requires inter-council cooperation”⁴. *De facto*, district competence was not separate from citywide competence. In the same way, tasks deriving from the fact that Warsaw functioned as the capital city of Poland were not clearly specified either⁵. This ambiguity of provisions simply provoked competence conflicts between individual constituents of Warsaw local government authority. On many occasions that power was used by municipal district-borough authorities to deal with practically all public affairs in the area of a given municipal district, including the assumed, yet not defined citywide ones. Such extremely imprecise power was exercised by Warsaw local government bodies.

Municipal district's bodies were identically constructed as in other Polish communes at that time. The decision-making authority was a district council consisting of councilmen chosen in direct elections. Its work was organisationally administered by a chairman who, together with deputy chairmen, constituted the presidency of the council. Decisions were made by the council during plenary sessions. That was the way of adopting the most important document in each district, the district statute. Its content required an agreement of the Prime Minister in the case of the biggest districts with a population of more than 300 thousand residents. The council worked in sessions summoned at least once a quarter and was run by the chairman or an authorised deputy chairman. In between sessions it worked within its specialised units called council committees that had a defined scope of duties. They were only advisory bodies with no decision-making power since that remained in the hands of the council which worked and took decisions during its sessions. It was the council that passed another important municipal district's document, namely the budget, which specified and scheduled undertakings planned to be realised in a given year by individual municipal districts. In terms of the political system, the main function of the council was to appoint, supervise and dismiss, if needed, the board, the second most important body in each municipal district. It was a collegial body comprising from five to eight

³ Article 5 of the said act.

⁴ *Ibidem*, Article 6, point 1, item 2.

⁵ *Ibidem*, item 1.

members. Its work was managed by the municipal district mayor. There were eight districts-boroughs organised in the aforementioned manner in the capital: Bielany, Mokotów, Ochota, Praga Południe, Praga Północ, Śródmieście, Wola and, after 1993, also Ursus.

Citywide tasks were realised by the bodies of municipal districts-boroughs' association called the *Capital City of Warsaw* (Polish: *Miasto Stołeczne Warszawa*). Its decision-making and controlling authority was the Warsaw Council⁶. It was not established by direct election, but it was a representation of all then-existing municipal districts of the capital of Poland. The Warsaw Council comprised representatives appointed by district-borough councils, four people from each municipal district. The Council worked in an analogical manner as other councils, i.e. through its committees, but what was a bit odd, it did not have either a chairman or a council presidency. The secretary acted as the chairman. The Council was responsible for passing the most important document in the city, i.e. the statute, which was also subject to the agreement of the Prime Minister, analogically to the one adopted by large municipal districts. The body also passed the budget of the municipal districts' association called the Capital City of Warsaw each year. Moreover, its objectives were to adopt Warsaw development plans and land use plans for many years; to set the payment rates for the use of city services rendered by enterprises, plants and institutions, and citywide devices, and to decide on administrative payments; and to pass resolutions on the participation in taxes and general subventions constituting districts' income – the latter was undermined by districts on many occasions and was not put into practice. Among other duties of that body, it is worth highlighting those that revealed the often real role of the Warsaw Council in the capital's self-governing system: deciding about municipal monuments in consultation with a relevant district council; granting the freedom of the city of Warsaw; assessing the operation of districts and other council bodies in the area of Warsaw which was practically with no consequence to the evaluated subordinate districts or municipal institutions; organising mediation between districts regarding controversial issues; calling extraordinary sessions of district councils; representing the interest of the Association before state administration; organising studies, analyses and trainings relating to local government⁷. Such duties heralded the possibility of serving only a decorative and representative function by Warsaw authorities. The practice of the term 1990–1994 often confirmed that. An important task of the Warsaw Council was the appointment of the executive body of the Association, namely the board of the Capital City of Warsaw, and also the candidates for the position of Warsaw mayor who was chosen by special Warsaw Election Assembly from among the said candidates⁸. The assembly consisted of all councilmen from all Warsaw municipal district-borough councils and amounted to 345 people. The mayor appointed in such a manner listed candidates for the

⁶ Act of 18 May 1990 on the self-government system of the capital city of Warsaw..., op. cit., Article 15.

⁷ Ibidem, Article 16.

⁸ Ibidem, Article 21.

Warsaw board consisting of three deputy mayors and five members, who were chosen by the Warsaw Council. The meetings of the board were chaired by the mayor who was an executive body of the Association, just like the board⁹.

The self-governing system in Warsaw was largely discussed and criticised in terms of political solutions, the practice of its operation, and competence conflicts between local authorities, i.e. districts, and the citywide central authority with the mayor of Warsaw, the capital city, as the head. A change in the political system of the Polish capital was commonly called for¹⁰.

Subsequent local government elections took place in 1994, this time under a new act¹¹, which introduced a real revolution in the shape of the public authority in Warsaw, the capital city. The territorial division into eight municipal districts-boroughs was abolished, and instead of that the following was introduced: firstly, one large borough called Warsaw-Centre was created covering the area of Warsaw from more or less 1939, which was a relatively dense terrain of municipal developments; secondly, a kind of loop was established around the Warsaw-Centre district comprising ten boroughs surrounding the Centre and covering an area that had been made part of Warsaw relatively late, because only after the second world war. The capital city of Warsaw remained a municipalities' association, but comprising eleven boroughs in total: Warsaw-Bemowo, Warsaw-Białołęka, Warsaw-Bielany, Warsaw-Centre, Warsaw-Rembertów, Warsaw-Targówek, Warsaw-Ursus, Warsaw-Ursynów, Warsaw-Wawer, Warsaw-Wilanów, and Warsaw-Włochy. This time some attempts were made to specify the authority of municipalities and oblige them to follow the functions characteristic of country's capital, in other words a city where the main governmental offices, representatives of foreign states and international organisations had their seats¹². That was aimed at preventing the previous avoidance or even refusal to perform such tasks by Warsaw municipalities.

⁹ Ibidem, Article 25.

¹⁰ Especially interesting publications on that topic can be found on the pages of a weekly titled „Wspólnota”. The following seem to be represent the subject best: S. Wyganowski (an interview with I. Marcisz), *W sercu Europy*, ibidem, No. 17 of 07 July 1990; J. Rutkiewicz (an interview with J. Walewskim), *Śmiać się czy płakać?*, ibidem, No. 2–3 of 12–19 January 1991; *Jaka będzie Warszawa?* Notowała M. Krassowska, ibidem, No. 6 of 09 February 1991; P. Fogler (an interview with A. Świątek), *Kto rządzi Warszawą?*; ibidem, No. 11 of 16 March 1991; A. Markiewicz, „Model” do naprawy. O samorządną i sprawnie zarządzaną Warszawę, ibidem, No. 23 of 08 June 1991; S. Wyganowski, *Uwagi do „Ustroju samorządu m. st. Warszawy” autorstwa 6 burmistrzów i przewodniczących Rad Dzielnic-Gmin Warszawy*, ibidem, No. 11 of 14 March 1992; L. Winiarski, *Komisarz dla Warszawy?*, ibidem, No. 51–52 of 19–26 December 1992; idem, *Między dzielnicami a ratuszem*, ibidem; *Memoriał w sprawie zarządzania m. st. Warszawą skierowany do pana Bohdana Jastrzębskiego o przesłanie H. Suchockiej*, ibidem; *Tylko ewolucja. Dyskusja redakcyjna nad ustrojem Warszawy*, ibidem, No. 43 of 24 October 1993; M. Czarnota, *Nowy ustrój Warszawy. Jak wam się to podoba?*, ibidem, No. 7 of 12 February 1994; G. Buczek, J. Radziejowski, *Dyskusja o ustroju Warszawy*, ibidem, No. 14 of 02 April 1994. An independent and very interesting publication on the topic of the variants of changes in the years of 1990–1994 in the Warsaw political system is the work by A. Krasnowolski, *Problemy ustroju samorządowego Warszawy*, a study prepared in the Interventions Bureau of the Chancellery of Senate, 1 December 1993.

¹¹ *Act of 25 March 1994 on the Political System in the Capital City of Warsaw*, Dz. U. 1994, No. 48, item 195.

¹² Ibidem, Article 2.

An especially important element of the new act was the fact that it substantially extended the scope of authority pertaining to the Warsaw municipalities' association, i.e. the capital city of Warsaw. It depicted the area of operation of the Association: planning the strategy and development of the capital city of Warsaw; carrying out all public undertakings, mainly those referring to infrastructure, important to whole Warsaw or a few of its municipalities, especially initiating and extending cooperation in that scope between municipalities and supporting such activity; and also supporting Warsaw municipalities in their actions aimed at levelling the degree of meeting collective needs within the whole city¹³. What is characteristic about the document is that the subjectivity of Warsaw municipalities and the subsidiary Association's role were very strongly stressed there. Such a way of presenting the issue resulted from two facts. First of all, from the decision about the strong establishment of local issues in the act and from the eagerness to create a mechanism of developing local relations and civil society activity at that level of civil society operation; and, second of all, from the desire to establish a mechanism of „opening Warsaw to the outside” and to ensure its stronger links with its direct environment so that the capital of Poland possibly most effectively influenced the surroundings and was even more related to it. A mechanism of establishing municipalities' associations was to serve that goal. Not only was the possibility of forming associations within Warsaw important to that end as it was aimed at taking citywide enterprises over by Warsaw municipalities, but also the opportunity for Warsaw suburban communes to join Warsaw municipalities' associations¹⁴. In such a way the communities' infrastructure was expected to stop being a barrier or interference for the development of Warsaw metropolis, but to become a support for growth. The capital city was supposed to deal with aforementioned issues in the end, i.e. after Warsaw municipalities' associations were formed. Nonetheless, the municipalities' associations did not come into existence and the metropolitan political system in the capital was dismantled (it was called metropolitan because of the said „opening of Warsaw”). However, that took place not earlier than in 2002...

The decision-making and controlling body of the discussed, obligatory Warsaw municipalities' association was the Council of Warsaw, the capital city¹⁵. It comprised 68 councilmen chosen in multi-mandatory constituencies. Its work was overseen by the chairman of the council who was supported by deputy chairmen, analogically to other decision-making bodies in Polish local government. The group constituted so-called presidency of the council. Councilmen worked in committees and through committees. There was a body in the council that was not provided for in the act – the council of senior members. It dealt with the initial arrangement of the most important issues referring to the operation of the council. The body did not limit the statutory competence of the chairperson, but enabled him to consult the decisions made by him so that they were made in

¹³ *Ibidem*, Article 5.

¹⁴ *Ibidem*, Article 6.

¹⁵ *Ibidem*, Article 7.

harmony and consultation with politically various councilmen who worked within their groupings. The council of senior members comprised the council presidency and the leaders of the groupings. The authority of the Warsaw Council was partly analogical to its counterparts all over Poland and comprised: passing the statute of Warsaw, determining the directions of operation of the Board of Warsaw, the capital city, and assessing its performance, appointing the Warsaw treasurer (there was no secretary), passing the budget, deciding on property issues exceeding the general administration scope, deciding on the vote of approval for the Board for the accomplishment of the budget, deciding on the names of square and street in Warsaw and about granting the freedom of the city of Warsaw. The question of Warsaw area development was also part of Warsaw Council's duties, i.e. passing development programmes, land use plans, and also regulations binding upon Warsaw communes in that scope. As it occurred in the course of implementing the relevant act, the issue of area development became an important subject of authority dispute between the Association and the municipalities. It can be easily noticed that the list of duties in the act lacks the most significant one, the political competence that other city councils in Poland were equipped with. The choice of the board was beyond the authority of Warsaw Council. But still within its duties there was a whole set of issues regarding the operation of Warsaw as a municipalities' association, such as initiating and developing cooperation with Warsaw municipalities and applying to the Council of Ministers for appointing an obligatory municipalities' association¹⁶. Establishing municipalities' associations in Warsaw under the subject act was another sticking point between the City – which was a colloquial and short way of referring to the Association's authorities – and Warsaw municipalities.

The Board was an executive body of Warsaw, the capital city¹⁷. Its shape and manner of appointing were to facilitate a unanimous and effective operation of self-governing public power in Warsaw, both at the level of municipalities and the Association, i.e. the whole city. The president of that collegial executive body was the mayor of Warsaw, the capital city. Nonetheless, the man for that position was not chosen by the Warsaw Council, but by the biggest of Warsaw municipalities, the council of Warsaw-Centre in which the mayor performed the function of a one-person board¹⁸. Thus there was a personal union between the politically and economically strongest of Warsaw's municipalities and the association of all municipalities in the capital. Apart from the mayor, acting as the president, deputy mayors of Warsaw also constituted the Board of the capital city. That was the make-up of the board of the obligatory municipalities' association, called the capital city of Warsaw. The rules of its operation were specified in the statute of Warsaw that was subject to Prime Minister's approval. The shape of that document, which was supposed to be a kind of a constitution for Warsaw, was another bone of contention between the authorities of the City and the authorities of War-

¹⁶ *Ibidem*, Article 8.

¹⁷ *Ibidem*, Article 9.

¹⁸ *Ibidem*, Article 20.

saw municipalities. The statute determined, among others, the rules of planning Warsaw expansion and area development, deadlines for payments to the Warsaw budget, also those made in the form of contributions by Warsaw municipalities, and the rules according to which neighbouring communes were allowed to join the municipalities' association¹⁹.

The system was not uniform at the municipality level of political power in Warsaw. The authorities of the biggest borough in Warsaw, Warsaw-Centre municipality (covering more or less the area of Warsaw from before 1939) were constructed differently than those in the municipalities constituting the so-called „loop” around the core which were the areas that had surrounded the pre-war Warsaw, i.e. before 1939. The main discrepancy in the system of Warsaw-Centre was that it had a one-person executive body, i.e. the board – which was not found anywhere else in the whole country! The person who served the function of that board was at the same time the mayor of Warsaw. Yet, the mayor, acting as a one-person board, appointed his own deputies to act on his behalf, but still they did not formally constitute a joint collegial board in the Warsaw-Centre municipality, because such a collegial body did not exist there. The deputies possessed only those competences that were delegated to them directly by the one-person board of that municipality, i.e. the mayor of Warsaw²⁰. Another difference consisted in the fact the Warsaw-Centre municipality had statutorily established auxiliary units, i.e. districts. There were seven of them: Mokotów, Ochota, Praga Południe, Praga Północ, Śródmieście, Wola, Żoliborz. They took their names after the former municipal districts that existed in the area now covered by Warsaw-Centre municipality²¹. The political system in those auxiliary units was also determined in binding legislation. Each of the districts had its council, which was a resolution-passing body comprising councilmen of the Warsaw-Centre municipality elected within given district's constituencies and councilmen chosen only to the district council. The rules and mode of choosing district councilmen were determined in the municipality statute. However, the district councils were not presided by chairmen chosen by the councils but by the chairman of the executive body in the district, i.e. the director of district board²² who was chosen by the district council upon a motion put forward by the mayor of Warsaw. Apart from the director, the collegial executive body in a district, i.e. its board, comprised also two other members who were deputy directors chosen by the district board upon a motion of the director²³.

Therefore, the structure of the then Warsaw system of public power was highly complicated. All in all there were four levels of local government administration.

¹⁹ *Resolution No. XVII/93/95 of the Council of the Capital City of Warsaw of 27 March 1995 on the adoption of the statute of the Capital City of Warsaw*, M. P. of 28 April 1995, No. 20, item 251.

²⁰ There was a collegial board in the City that comprised deputy mayors appointed by the Warsaw Council (on mayor's motion), who possessed a kind of „co-ruling” competence deriving from their membership in the collegial Warsaw board.

²¹ *Act of 25 March 1994 on the...*, op. cit., Article 35, point 3.

²² *Ibidem*, Article 27.

²³ *Ibidem*, Article 28.

Apart from the three described above: citywide, municipality, and district (the districts of the Warsaw-Centre municipality with their competence deriving from the district statutes had similar possibilities of operation as the municipalities in the „loop”²⁴), there were also housing estates within districts. It should be stressed that Warsaw operated relatively well and effectively under that act. The element that complicated that operation was that two decision-making bodies that were the biggest in terms of the number and most powerful in terms of their authority competed with each other politically; these were the Warsaw Council and the council of Warsaw-Centre municipality. The specific, above depicted position of the mayor of Warsaw failed to provide effectively harmonious operation of local government in the area of the capital of Poland. Most importantly, however, the municipalities’ associations that were supposed to be a form of taking over by Warsaw municipalities the property of municipal enterprises that were temporarily administered by the Association were not in the end established during the time the act was in force. Unfortunately, Warsaw municipalities were not able to come to a compromise about this issue that was fundamental for the operation of Warsaw at that time, and, as the future showed, a lack of the compromise significantly contributed to their liquidation in the act of 2002²⁵.

The system in Warsaw became even more complicated by introducing on 1 January 1999 another level of local government administration in the capital, i.e. a county. However, before it took place, various variants of implementing the system of counties in Warsaw had been taken into account during discussions and debates among Warsaw local government authorities. Two of the versions prevailed as the most probable. One said that county’s tasks in Warsaw would be fulfilled by those boroughs that had a population of more than 100 thousand residents, and the bodies of those municipalities would automatically become the bodies of municipal counties – such a solution was implemented all over Poland. The second option made the capital city of Warsaw one county, and the Warsaw Council and the Warsaw Board would serve the function of respective county bodies in that system²⁶. Nonetheless, the eventually adopted solution came as a surprise to everybody except for those who decided on it. In the end another level of local government administration was created in Warsaw – a rural county equipped with its own bodies, i.e. a county council, a county board and a starosta (the head of county administration). The first mayor of Warsaw after 1989 and an

²⁴ *Resolution of the Council of the Warsaw-Centre Municipality No. 390/XXXI/96 on the adoption of the statute of Warsaw-Centre Municipality of 19 September 1996.*

²⁵ *Act of 15 March 2002 on the Political System in the Capital City of Warsaw*, Dz. U. 2002, No. 41, item 361. The subject of the then political system in Warsaw see: M. Niziołek, *Problemy ustroju aglomeracji miejskich ze szczególnym uwzględnieniem Warszawy*, Warszawa 2008, pp. 110–115; S. Wyganowski, *Ustrój samorządu miasta stołecznego Warszawy*, in: *Dzielnica Śródmieście wczoraj, dziś i jutro. Materiały z sesji z okazji 20-lecia samorządności w Dzielnicy Śródmieście m.st. Warszawy Zamek Królewski, 25 maja 2010*, Warszawa 2010, pp. 26–28.

²⁶ More on the subject of different variants of implementing the Warsaw county see, among others: *308 plus 65*, „Wspólnota”, No. 33 of 15 August 1998; B. Komorowski, *Dziwoląg warszawski*, ibidem, No. 36 of 05 September 1998.

outstanding urban planner called that solution a „capital’s catastrophe”²⁷. Indeed, already very complicated and requiring correction by clarifying the competence of its individual components, the system of local government in Warsaw became even more complex. The change introduced a relative restriction of the role of Warsaw municipalities because they had not been granted analogical or similar rights as other Polish municipalities in the administrative reform of 1998. Such rights were not granted to the Warsaw municipalities’ association called the capital city of Warsaw either. It could herald, which it in fact did as it later occurred, the beginning of changes in the Warsaw system towards its centralisation. The process did not start by giving Warsaw municipalities or their associations the rights of a city county. Consequently, an evolution of gradual departure from the metropolitan system based on a strong position of Warsaw municipalities started. The metropolitan system was characterised not only by strong, local legitimization of public rule and strong identification of local communities with boroughs that they perceived as their own, but also by opening Warsaw, through the municipalities of the „loop”, to neighbouring communes that were not administratively part of Warsaw but were closely functionally related to the capital of the country.

The administrative system of local government that was created in Warsaw as a consequence of the administrative reform of 1998 became even more complicated and bodies constituting it often held authority that objectively coincided or, which was much more frequent, concurred with each other according to the representatives of various levels of local government. Conflicts were frequent and the atmosphere among politicians and officials acting for different levels of local authorities was far from the ambience of amicable cooperation. The system required a repair and modification. Its change took place less than half a year after the local government elections, but it is rather disputable whether it really meant a repair or at least a slight improvement of the system in the capital of Poland. The change was introduced with the Act of 18 March 1999. Pursuant to it, the political differences between the Warsaw-Centre municipality and other Polish communes were removed, and the personal union between the Warsaw municipalities’ association, i.e. the capital city of Warsaw, and the said Warsaw-Centre municipality disappeared²⁸. From that moment there was supposed to be the same type of a collegial board in the City as was found all over Poland. The board was to be chosen by the Warsaw Council, unlike it had been before when the mayor was chosen by the council of the Warsaw-Centre municipality. The municipality was to have a collegial board chosen by the council of Warsaw-Centre municipality. The mayor of Warsaw-Centre municipality was to be the head of that board. Therefore, the mayor of Warsaw stopped being a one-person board of Warsaw-Centre municipality and the mayor of Warsaw at the same time. It seems that eliminating that personal union determined the near and final abolishment of the metropolitan system. It was impossible to keep two so economically and

²⁷ S. Wyganowski, *Stołeczna katastrofa*, ibidem, No. 38 of 19 September 1998.

²⁸ *Act of 18 March 1999 Amending the Act on the Political System in the Capital City of Warsaw*, Journal of Laws, No. 92, item 1044.

politically powerful independent centres of public power as the capital city of Warsaw and Warsaw-Centre municipality in effective and harmonious operation for a long time. The cooperation of such strong centres of public authority should be institutionally guaranteed in order to enable the city to work as a whole and to make it possible for the relatively independent municipalities to operate within it. That was the last change in the Warsaw system before eliminating Warsaw municipalities and thus also limiting the decentralization of local authorities in the capital of Poland.

Warsaw boroughs stopped existing pursuant to the Act of 15 March on the System of the Capital City of Warsaw that has been determining the organisational system in the capital of Poland since then²⁹. That act was the basis for organising local government elections on 27 October 2002. Since then Warsaw has been one commune with a population of over 2 million residents. It is also a city county. Warsaw districts act as auxiliary units that have their own councils appointed by general election. The councils choose boards that are presided by district mayors. It is the only real competence of district council determined by the act. All other resolutions passed by it are of advisory nature and are not binding. The decision-making body in Warsaw, the same as in any other Polish municipality (or commune), is a council, and the executive body is the mayor of the city that is a one-person board chosen by direct election. Hence, Warsaw is organised pursuant to a special act determining its unique system of local government. But the uniqueness of solutions provided for in the act refers only to the auxiliary units. The bodies of the municipality are identical as in other Polish communes. There are no political or administrative solutions that would support Warsaw metropolitan functions and its developmental impact on the surrounding areas. The cooperation of nearly two-million municipality of Warsaw with neighbouring communes that are several-times smaller is largely lost.

It is worth presenting a proposal of explanation of the reasons for which Warsaw municipalities that were the basis of the metropolitan system became eliminated. Why did the state of Poland backed out from the solutions supporting the biggest Polish city in performing metropolitan functions that were important to the region and the whole country and solutions establishing a local democracy, local patriotism and, finally, also civil society? The motives of that decision can be divided into two groups: objective causes and subjective causes. The former comprise the incapability of Warsaw municipalities to take over city enterprises unanimously and thus the failure to perform instructions set forth in relevant acts on the Warsaw system. It seems that it was the legislator's mistake to leave the issue of taking the control over city enterprises within the authority of Warsaw municipalities. That issue, similarly to precise determination and separation of duties of the city and the municipalities, should be settled in a legislative act. Then, the metropolitan system based on a network of municipalities would have worked well within the whole capital city and within each of its municipalities, and additionally it would have enabled a cooperation between Warsaw and neighbouring

²⁹ *Act of 15 March 2002, op. cit.*

communes. Unfortunately, that option was not realised. What did happen was an introduction of another administrative level independent from the municipality and city local authorities in the form of a Warsaw county. That step provided arguments to the supporters of centralizing the power within the whole city by getting rid of Warsaw municipalities.

Considering the subjective reasons, we should pay attention to the most important three. The first and general one is the disappearance of favourable ambience among state political elites for the existence of a decentralized metropolitan system in Warsaw. The second, is the desire to take over the whole power in Warsaw by those elites. When municipalities still operated, the power was scattered and diversified according to various political groupings. When the system of municipalities was dismantled, it was not known who would become the mayor of Warsaw, with the enormous power and pull. There were several political options and supporting them politicians that had their eyes on taking over the power in the city. Each of them counted on raking in the whole pot... And here the third subjective cause appeared, i.e. the urge to eliminate by party apparatuses of large political groupings the competition from local politicians that owed their position to their influence in a given municipality and its residents' support and not to the position in hierarchical party machines. Those machines, both left- and right-wing, jointly forced though the liquidation of municipalities that provided local politicians with the possibility of emancipation. That step resulted in the limitation of self-governing. On the other hand, the development of self-governance at the times of municipalities was accompanied with the serious hindering of the administration of the whole city and, unfortunately, also with a lack of responsibility for the city as a whole among some boroughs' leaders³⁰.

³⁰ More on the topic of changes in the operation and political system of Warsaw between 1990 and 2002 see: S. Faliński, *Warszawski samorząd terytorialny w latach 1990–2002. Geneza, ustrój, idee ustrojowe, aktywność*, Warszawa 2013; idem, *Ewolucja ustroju miasta stołecznego Warszawy*, „Myśl Ekonomiczna i Polityczna” 2011, No. 4 (35); idem, *Metropolitalny ustrój miasta stołecznego Warszawy (1990–2002). Narodziny, ewolucja, likwidacja*, „Administracja Publiczna. Studia krajowe i międzynarodowe” 2012, No. 1 (19).

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STRESZCZENIE

Od odrodzenia się w Polsce w 1990 roku samorządu terytorialnego, stolica państwa i największe polskie miasto ma odmienny ustrój niż inne polskie miasta. Ustrój ten w latach 1990–2002 był oparty na istnieniu w ramach Warszawy odrębnych, posiadających osobowość prawną gmin. W okresie tym ustrój ewoluował. Podczas kadencji 1990–1994 miasto było podzielone na siedem dzielnic – gmin: Warszawa-Mokotów, Warszawa-Ochota, Warszawa-Wola, Warszawa-Żoliborz, Warszawa-Praga Północ, Warszawa-Praga Południe i Warszawa-Śródmieście. Na czele Warszawy stał wybierany przez wszystkich radnych prezydent miasta stołecznego Warszawy. Ustrój źle funkcjonował. W 1994 roku wszedł w życie nowy ustrój, w którym centralna, dysponująca zwartą zabudową, część miasta została jedną, liczącą około miliona mieszkańców, gminą Warszawa-Centrum, dzielącą się na dzielnice. Wokół niej istniało dziesięć gmin: Warszawa-Ursynów, Warszawa-Wilanów, Warszawa-Wawer, Warszawa-Targówek, Warszawa-Rembertów, Warszawa-Białoleka, Warszawa-Bielany, Warszawa-Bemowo, Warszawa-Ursus i Warszawa-Włochy. W 1998 roku zdecydowano o wprowadzeniu do miasta kolejnego szczebla samorządu – powiatu warszawskiego z własnymi, odrębnymi organami. Ten bardzo skomplikowany ustrój istniał do 2002 roku, kiedy wszedł w życie ustrój z całą Warszawą jako jedną gminą i osiemnastoma dzielnicami.

Słowa kluczowe: Warszawa, samorząd terytorialny, decentralizacja.

SUMMARY

After the revival of a local government in Poland in 1990, the capital of the country and at the same time the biggest city in Poland worked in a different system than other Polish cities. The system in years 1990–2002 was based on the operation of separate municipalities in the area of Warsaw, each with their own legal personality. The system evolved in that period. During the term 1990–1994 the city was divided into seven municipal districts-boroughs: Warsaw-Mokotów, Warsaw-Ochota, Warsaw-Wola, Warsaw-Żoliborz, Warsaw-Praga Północ, Warsaw-Praga Południe and Warsaw-Śródmieście. The head of Warsaw was the mayor of the capital city of Warsaw, chosen by all councilmen. The system was faulty. A new system was introduced in 1994. Consequently the central part of the city with dense developments and a population of about one million residents became one municipality called Warsaw-Centre, which was divided into districts. There were ten boroughs around it: Warsaw-Ursynów, Warsaw-Wilanów, Warsaw-Wawer, Warsaw-Targówek, Warsaw-Rembertów, Warsaw-Białołęka, Warsaw-Bielany, Warsaw-Bemowo, Warsaw-Ursus and Warsaw-Włochy. In 1998 it was decided that another level of local government would be introduced; that was the Warsaw county with its own separate bodies. The very complicated system existed until 2002 when a new one came into force. In the end whole Warsaw became one commune comprising eighteen districts.

Keywords: Warsaw, local government, decentralization.