

Summary

According to Article 3 of the European Charter of Local Self-Government, local self-government is the right and capacity of local communities, within the limits set by law, to manage and administer an essential part of public affairs under their own responsibility, and in the interests of their residents. The organisation of local self-government in Poland is primarily regulated by the Constitution of the Republic of Poland of 2 April 1997. The basic unit at the local government level is the municipality, while the creation of other units is enshrined in the following Acts: of 8 March 1990 on communal self-government, and of 5 June 1998 on county self-government and voivodeship self-government. The inhabitants of a municipality form a self-governing community, which has a legal personality and a separate territory of operation. The Act on municipal self-government also provides for the creation of auxiliary units: village councils, districts, housing estates, and others. The basic features of territorial self-government include uniformity of solutions, tripartism, independence and sovereignty of territorial self-government units subject to legal protection, and decentralisation of public tasks. The city of Warsaw plays a special role in territorial self-government, as it is the official seat of the country's authorities; units associated with the municipality and the district, units of other levels of territorial self-government and the government level are located there.

The Act of 15 March 2002 on the organisation of the Capital City of Warsaw imposes an obligation to establish subsidiary units, which are the districts. At the same time, it defines the scope of their activity: maintenance and operation of municipal housing resources, maintenance and operation of district administrative buildings, supervision over lower-level units, as well as

taking action on their own to satisfy the collective needs of the inhabitants' community. Other tasks may also be included in the competencies of the districts, such as the maintenance of various facilities, health care, maintenance of green spaces or local roads. These are enshrined in the city's statutes and the statutes of the individual districts. Warsaw's districts are constituent parts of the municipality, having no independent legal existence outside this framework. The obligation to create them contributes to reducing the burden on the city's bodies resulting from the variety of tasks they perform. Managing such a large municipality as a capital city, which is also a county, necessitates many activities and the need for well-organised cooperation between city authorities and government administration bodies. Shifting some responsibilities to the district results in a more even distribution of some of the challenges, enables a number of issues to be dealt with locally and should contribute to the inhabitants' greater involvement in community life. The districts of large cities, including Warsaw, are therefore an important tool for decentralising the power of the local government unit and thus play an important role in the functioning of both the local community and the city as a whole.

In order to meet the problems outlined, it seems reasonable to address the issue of the diversity of conditions in the development of the Warsaw district.

The innovative element is to focus on the somewhat neglected subject of the specific individual policy of the state, i.e. local policy, in the context of indicating the diversity of constitutive conditions for the functioning of a local government unit, on the example of the Bielany district of the capital city of Warsaw, in the period from 2008 to 2015. These determinants have their particular specificity, and this is the focus of this thesis. This is what the aim and

the structure of the thesis correspond to, allowing to capture this specificity, which has not been scientifically researched so far. This is the first study of this type to focus on the Bielany district. As literature research has shown, the topic has only been approached holistically in relation to the city of Warsaw, but never from the perspective of individual districts.

The basic aim of the dissertation is to present the variety of conditions constitutive for the development of the Bielany district of the capital city of Warsaw in the years 2008-2015. I intend to achieve this aim by answering the question: What were the constitutive conditions for the development of the Bielany district of the capital city of Warsaw in the years 2008-2015. The aim of this dissertation is therefore to indicate the priority conditions for the development of the municipality, i.e. political and legal, as well as social, economic and cultural conditions. In order to meet the problem outlined in the dissertation, it seems justified to state that for the development of the Bielany district of the capital city of Warsaw in the years 2008-2015 the constitutive conditions were political-legal, social, economic, and cultural.

The theoretical and methodological assumptions were a challenge for the realisation of the subject undertaken.

The research procedure relied on a diverse methodology and research techniques. Thus, the dissertation used a content analysis of legal documents and an analysis of statistical data. However, the analysis of the content of documents was particularly important for the analysis process in relation to the dissertation as a whole.

Moreover, the analysis of source materials and auxiliary literature allows us to show the activity of the district authorities in the implementation of the provisions of the statute and the tasks resulting from them, and thus to present the place and role of the statute in the functioning of the auxiliary unit of local

self-government, i.e. the district of Bielany, in particular planes of the life of the local self-government community: social, cultural, economic. Therefore, in the first chapter the factor analysis method was applied, in the second chapter the analysis and synthesis methods, while in the following chapters the concept of evidence policy was used.

Evidence-based policy is policy based on objective evidence. By evidence in this context we mean research findings, statistical, sociological, scientific, comparative and other data that can help at different stages of the policy development process.

The concept of evidence-based policy can be considered from two aspects:

1) evidence-based policy refers to the implementation of those measures by state authorities and institutions at different levels, and policy programmes whose effectiveness, feasibility and usefulness have been proven in practice and supported by research;

2) evidence policy can be understood as a methodology for policy implementation based on evidence related to policy decisions.

The effectiveness, feasibility and utility of a concept requires evidence from research from other countries or other policies. The same applies to evidence-based policy analysis, which should be based not only on theoretical development, but also on tools that confirm the logic of the policy, and on analytical, empirical material. When developing a policy that is supposed to belong to the 'evidence-based' concept, it is important to support judgements at each stage with some evidence that constitutes its logic. To do this, certain tools and methodologies must be used.

The research area of this dissertation covers the Bielany district of the capital city of Warsaw in the years 2008-2015. The proposed temporal scope results from the fact of linking the implementation of the district statute with the practice of its application, i.e. the practical activity of the district. That is, the aim is to answer the research question: What were the constitutive conditions for the development of the Bielany district of the capital city of Warsaw, in the years 2008-2015, resulting from the implementation of the statute.

It is not without significance that since the year 2008 uniform statutes were introduced for the first time in the districts of the capital city of Warsaw. This was possible after the adoption of the uniform statute for the entire city of Warsaw in 2008. Separating the temporal scope and closing it allowed the case study to be deepened and created the possibility for further research. An additional argument in favour of separating the temporal scope is the fact that, firstly, after the adoption of the uniform statute of the Capital City of Warsaw, work on the statutes of individual districts, including the Bielany district, continued for two years. Secondly, following their preparation, in 2010 the City of Warsaw adopted a resolution on their introduction (Resolution No. LXXI/2228/2010 of the Council of the Capital City of Warsaw of 28 January 2010 amending the resolution on the granting of statutes to districts of the capital city of Warsaw).

Thirdly, in the analysed period, only two more resolutions concerning statutes were adopted: resolution no. LXXXIX/2235/2014 of the City Council of the Capital City of Warsaw of 28 August 2014 amending the resolution on granting district statutes to districts of the capital city of Warsaw and resolution no. XCII/2344/2014 of the City Council of the Capital City of Warsaw of 16 October 2014 amending the resolution on granting district statutes to districts of the capital city of Warsaw.

This is important from the point of view of the proposed timeframe, as it allows to carry out an adequate analysis of a given local community in the social, cultural and societal areas after uniform statutes were introduced in 2010.

The structure of the work is problem-oriented, reflecting the way in which the Bielany district affects its functioning in the priority areas of the life of the community: political, legal, social, economic and cultural. The whole work consists of an introduction, six chapters, a conclusion and a bibliography.

Chapter 1 considers basic concepts. Defining the topic of the work, *'Diversity of conditions in the development of the Bielany district of the capital city of Warsaw in the years 2008-2015'*, posed many difficulties. These stemmed primarily from the fact that the main subjects of these considerations, i.e., the concepts of 'local government', 'municipality', 'district', and 'political decisions', have lost their original meaning and have become colloquial terms, appearing as ambiguous, not very clear, not always possible to define precisely. The realisation of their specific semantic character, which distinguishes these phenomena from other forms of cooperation, goes beyond the intra-national scope and is not yet widespread. In order to somewhat dispel the ambiguities, and thus the semantic difficulties, and to put these considerations on solid ground, it is worth outlining the range of meanings of its key concepts. I will therefore define the basic concepts relevant to this dissertation, which include: 'local government', 'municipality', 'district', and 'political decision'.

Chapter 2 shows the political determinants of policy decisions. Hence, this chapter will firstly be devoted to a critical attempt to analyse standard academic conceptions of 'politics'. As the analysis shows, even without detailed conceptual comparisons, major differences between the various approaches to 'politics' are immediately apparent, reflecting the authors' viewpoints

or the diversity of conceptions of politics. Most political scientists assign a broader scope to 'politics' than the definition proposed for the purposes of this dissertation. Secondly, this chapter will present an analysis of the attitudes of local political parties to the Bielany district statute and the issue of voter turnout, which is very relevant to political conditions. The diversity of conditions in the development of the Bielany district is a specific and complicated area of political analysis. Hence, the aim of this subsection is to present the vision and essence of the political conditions of the Polish political groupings in the years 2008-2015 in terms of the development of the Bielany district. It is an attempt to show the key issues for particular political groupings, which found their representation in the district council, in the area of development and the way in which the postulates presented by the political party groupings at the local level were implemented from the point of view of procedure, adoption and their impact on development. Hence, an analysis is presented of the programme postulates of the political parties in the years 2008-2015 that were represented in the Bielany district. For the analysis I have chosen programmes of local political parties, which were represented in the Bielany district council of the capital city of Warsaw in the years 2008-2015. These include, in order, the election programme of Civic Platform (Polish: Platforma Obywatelska, PO), followed by Law and Justice (Polish: Prawo i Sprawiedliwość, PiS), and Democratic Left Alliance (Polish: Sojusz Lewicy Demokratycznej, SLD). The analysis is based on the officially published programmes of the political parties.

Chapter 3 attempts a normative categorisation of the various legal forms related to the operation of the Bielany district of the capital city of Warsaw, indicating that it is carried out at various levels, i.e. on the basis of the constitution, acts, and statutes.

Chapter 4 analyses the significance of the activities of the Bielany district for the development of the community of residents in the area of social life. The first part of the chapter was devoted to analysing the socio-demographic situation of the Bielany district. The following part attempts to indicate to what extent the tasks specified in the statute reflect the most important social problems of the district, and to what extent these tasks are implemented by the responsible bodies.

Chapter 5 presents an analysis of the activities of the Bielany district for the economic development of the community of residents. The chapter begins with an analysis of the economic situation of the Bielany district. The following part deals with the significance of statutory regulations for the increase in activity of the district authorities in the economic sphere and the realisation of initiatives in this area in the district. The scale of budget expenditures in the implementation of current tasks as well as investment plans are presented. The aim of this part of the dissertation is to show to what extent the district authorities fulfil their statutory tasks and thus contribute to the district's economic development.

Chapter 6 is devoted to an analysis of the significance of the activities of the Bielany district for the development of the community of its inhabitants at the cultural level. The cultural panorama of Bielany is presented. The main issue dealt with in this part of the dissertation is the presentation of how the tasks of the district are fulfilled concerning, among others, creating opportunities for the inhabitants of the district to participate in cultural events, the development and activity of cultural institutions and centres, creating the image of the district.

The whole paper concludes with a summary of the issues addressed and the conclusions of the analyses carried out. The subject of local government

is of broad interest to researchers in law, sociology and political science. Many years of research on the essence and significance of local self-government, as well as on its development in Poland, Europe and worldwide, have resulted in a significant scientific output. The Polish experience of the formation of the model of self-government since its restoration in 1990 testifies to the enormous dynamics of change that has taken place in this period and that is still taking place today.

In accordance with Article 16 of the Constitution of the Republic of Poland, the basic role of the territorial self-government is to exercise public authority and to perform on its own behalf and under its own responsibility a significant part of the public tasks assigned to it by statute. The same article indicates that 'the entire population of the units of the basic territorial division constitutes a self-governing community by operation of law'. The basic unit of the territorial self-government is the municipality, which has its own legal subjectivity and is synonymous with the local community living within its territory. Local self-government is an expression of one of the fundamental rights of citizens of a democratic state to manage their affairs at the local level. As M. Malikowski points out, 'municipal self-governance is the ability and the will to decide about oneself and one's community in all its local dimensions. It can be understood as striving to achieve a local social order that realises both the interests of all individuals and the interests of the human community in which they participate'.

The local government of the Capital City of Warsaw is a special one, due to the concentration of many different functions and dimensions: the presence of state authorities, and the functioning of central offices as well as the performance of both municipality and county functions. Moreover, in line with the Act on the system of the capital city of Warsaw, auxiliary units, i.e.

districts, have been mandatorily established, which 'do not have legal personality and constitute a socio-territorial structure which takes over the performance of public tasks on its territory, facilitating the performance of the municipality's tasks'. In such a large urban agglomeration as Warsaw, districts play an important role. It consists in taking over the implementation of the city's responsibilities in local matters concerning the inhabitants of a given district in all areas of life: social, economic, cultural. Managing such a large municipality would be a huge logistical and organisational problem, as for obvious reasons direct contact between the mayor and the inhabitants is difficult. Delegating some local matters to Warsaw's districts is therefore advisable, and even necessary. In addition to providing greater opportunities for communication with residents, responding to their needs and representing their interests in relations with the city authorities, districts are also separate parts of the city with which their inhabitants identify (which results, among other things, from the fact that in the past the districts had the status of separate municipalities and greater autonomy).

The local government system is defined by the Constitution of the Republic of Poland and the acts on municipality, county and voivodeship self-government. Nevertheless, these acts leave some freedom to shape the organisation of the local government, which also functions on the basis of statutes. This document is a special type of local law and an important legal basis for the functioning of local government bodies. It is characteristic that the same issues may be resolved differently in the statutes in different areas, which is why these documents are an interesting object of sociological analysis. Statutes are of particular importance in the context of the operation of large metropolitan areas. They set the boundaries of a given entity's activities, according to the principle that all actions must be in line with the statute (must result from it) and cannot contradict it.

Being a municipality, the City of Warsaw also bases its activities on a statute document. All Warsaw's districts, including the Bielany district, also have their own statutes. On the basis of this document, the mayor of the city assigns them tasks and responsibilities that cover the residents of a given district. From the point of view of the functioning of the entire city, as well as the community of a given district, this document is very important, as it has a direct impact on the quality of life of its residents. The statutes contain a detailed catalogue of the tasks carried out by the district authorities, which include the management of the district's property; the management of local economic development; the running of cultural, educational, sporting facilities; the implementation of social policy at district level; and the promotion of the district. The district is thus largely responsible for the same issues as any other Polish municipality. Despite this high level of responsibility in the area of shaping the life of the district's inhabitants, the auxiliary units do not have legal personality and consequently cannot take legal action in their own name and on their own responsibility. Their functioning is entirely dependent on the municipality and, in the case of Warsaw, on the city authorities. However, this does not diminish neither the importance of the districts as auxiliary units nor the statutes, which are the basis of their operation, for the functioning of the entire city. It is largely up to the district authorities to communicate with the inhabitants, to read their aspirations; their actions and care for the district's affairs affect the degree of integration of the inhabitants' community.

Local needs can be articulated by district managers to the city authorities and thus better catered for. Involvement of inhabitants in the neighbourhood's local affairs clearly translates into interest in Warsaw's affairs. Looking at the issue in the opposite direction, it is worth noting that a well-functioning community of district residents also influences the condition of the entire Warsaw municipality, its integration and further development opportunities.

In view of the above, it should be stated that the activity and functioning of Warsaw's local government, including its subsidiary units in the context of statutory provisions, provides an interesting perspective for sociological analysis. There is no doubt that statutory acts directly affect the quality of life of the inhabitants of both the district as an auxiliary unit of local government and the city as a whole.

The conducted analysis is reflected in the individual areas of life of the inhabitants, i.e. social, cultural, and economic, which fully confirms the statement that for the development of the Bielany commune of the Capital City of Warsaw in the years 2008-2015 the constitutive conditions were political, legal, social, economic, and cultural.

In addition, the analysis made it possible to indicate the relationship between the subsidiary unit and the city authorities, the interplay between the Warsaw statute and the Bielany statute. A closer look at the actual aspects of the functioning of the city and the district has made it possible to point out shortcomings in the statutory material of both documents and in mutual cooperation. At the same time, the identification of the negative aspects of Warsaw's self-governance provides opportunities to formulate practical recommendations and solutions aimed at improving mutual cooperation between the district and city authorities.

The conducted analysis allows for the formulation of several fundamental theses relating to the social, economic and cultural dimensions of the life of the inhabitants of the Bielany district, in the context of the functioning of the entire local government unit, operating on the basis of the statute.

An analysis of the realisation of the tasks of the Bielany district specified in the statute, relating to the social life level of the Bielany residents, shows that these tasks mainly concern the realisation of social policy, as well as diagnosing

and solving social problems. It seems that the district authorities are skilful in responding to social expectations and needs. Residents affected by such problems as unemployment, disability, alcoholism, or domestic violence, receive appropriate assistance: social benefits, legal advice, consultations, and meetings with specialists. The district authorities are involved in a variety of programmes aimed at tackling social exclusion, social and professional activation, and integration into the local community. There is no doubt that most of the activities are undertaken by the Social Welfare Centre and its units. Due to the increasing number of elderly people, the offer is constantly being extended and enriched to provide not only the necessary assistance, but also to organise leisure time. The demographic problem, noticeable at the scale of the whole city and the country, also affects the community of the Bielany district. It seems that it requires greater involvement and grassroots initiative on the part of the local government, aimed at taking action in support of family policy, implementing appropriate programmes. On-going activities to solve social problems should be included in a long-term development strategy, taking into account socio-demographic changes. An example of recognising these issues is the implementation of the Child and Family Support Programme, which is an integral part of local family policy, and at the same time forms part of the Social Strategy of Warsaw, taking into account the need to take action in support of the development of the city's residents.

This dissertation has been written on the basis of the literature on the subject of local government in Poland and the source literature concerning the activities of the Bielany district authorities and other organisational units operating in the area of Bielany. Among the literature on the issues of territorial self-government, of particular importance are monographs and collective works, by Z. Leoński, M. Chmaj, H. Izdebski, M. Augustyniak, Z. Bukowski, T. Jędrzejewski, P. Rączka, P. Chmielnicki, and D. Dąbek, in which the problems

of organisation and functioning of the municipality as the basic unit of local government and its auxiliary units, taking into account the specific system of the capital city of Warsaw, the concept, functions and essence of the statute, as well as its place in the system of local government law, are described in detail. Academic articles published, i.a. in such scientific periodicals as 'Samorząd Terytorialny' have also been used. The analysis of source materials focuses on the interpretation of provisions of legal acts, both Polish internal regulations and European normative acts to which Poland is a signatory.

The source materials analysis was based on Z. Leoński, 'Ustrój i zadania samorządu terytorialnego w Polsce', Polski Dom Wydawniczy ŁAWICA 1994; H. Izdebski, 'Samorząd terytorialny. Podstawy ustroju i działalności', Warszawa 2009; M. Augustyniak, 'Jednostki pomocnicze gminy', Warszawa 2010; Z. Bukowski, T. Jędrzejewski, P. Rączka (ed.), 'Ustrój samorządu terytorialnego', Toruń 2011; P. Chmielnicki, 'Statuty jednostek pomocniczych gminy. Wzory z komentarzem', Warsaw 2004; D. Dąbek, 'Prawo miejscowe samorządu terytorialnego', Bydgoszcz - Kraków 2003; P. Chmielnicki, 'W sprawie pojęcia "materia statutowa"', "Samorząd Terytorialny" No. 12/2003, pp. 19-26; B. Adamiak, 'Statut gminy', "Samorząd Terytorialny", No. 7-8/1993, p. 63; J. Korczak, 'Statutes of territorial self-government units', "Samorząd Terytorialny" No. 5/2000, p. 65; Constitution of the Republic of Poland of April 2, 1997 (Dz.U. No. 78, item 483 as amended); European Charter of Local Self-Government drawn up in Strasbourg on 15 October 1985. (Journal of Laws No. 124, item 607, as amended); Act of 8 March 1990 on communal self-government (Journal of Laws of 2001, No. 142, item 1591, as amended); Act of 5 June 1998 on county self-government (Journal of Laws of 2001, No. 142, item 1592, as amended); Act of 5 June 1998 Act of 5 June 1998 on Voivodeship Self-Government (Journal of Laws of 2001, No. 142, item 1590, as amended); Act of 15 March 2002 on the System of Authority of the Capital City of Warsaw

(Journal of Laws No. 41, item 361, as amended); Statute of the Capital City of Warsaw, Resolution No. XXII/743/2008 of the Warsaw City Council of 10 January 2008, Official Gazette of the Mazowieckie Voivodeship No. 23 of 27 February 2008, item 875, as well as the documents constituting the activities of the Bielany district authorities of the capital city of Warsaw, including: statutes of the Bielany district, activity reports of individual institutions and facilities, and resolutions of the Bielany District Council.

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