

**Ukraińcy i ich sąsiedzi
na przestrzeni wieków:
polityka, gospodarka, religia,
kultura i życie codzienne**

Tom VI

Ukraińskie Towarzystwo Historyczne w Polsce
Uniwersytet Pomorski w Słupsku

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Tom VI

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Local government in Poland and Ukraine: differences and similarities

Igor Ksenicz

Samorząd terytorialny w Polsce i Ukrainie: różnice i podobieństwa

Streszczenie

Celem artykułu jest porównanie wybranych aspektów samorządu terytorialnego w Polsce i Ukrainie: społeczno-politycznego (historyczne doświadczenia decentralizacji, wizja reform, polityczna instrumentalizacja samorządu terytorialnego), prawnego (podmiotowość wspólnot samorządowych) oraz zarządzania (konstrukcja organów stanowiących, konstrukcja organów wykonawczych, podział terytorialny, budżety lokalne). W artykule postaramy się odpowiedzieć na następujące pytanie badawcze: jakie konsekwencje dla konsolidacji demokracji lokalnej i państwowej w Polsce i Ukrainie miały wspomniane powyżej zagadnienia? Przeprowadzono analizę aktów prawnych i dostępnych dokumentów oraz dokonano przeglądu literatury. Autor wykorzystał również własne obserwacje. Ustalono, że konsolidacja demokracji lokalnej wywiera pozytywny wpływ na konsolidację demokracji państwowej dopiero po przełamaniu monopolu państwa autorytarnego i stworzeniu warunków dla decentralizacji. Czynniki społeczno-polityczne, prawne i zarządzania w demokracji lokalnej były bardziej sprzyjające w Polsce niż Ukrainie. Wspólnym wyzwaniem dla samorządu terytorialnego obu państw pozostaje jego instrumentalizacja polityczna przez partie ogólnokrajowe.

Słowa kluczowe: samorząd terytorialny, Polska, Ukraina, konsolidacja demokracji.

The aim of this article is to compare selected aspects of the functioning of local government in Poland and Ukraine. This is an interesting issue because, on the one hand, the Polish model of local management is widely recognized as a reference point for the Ukrainian decentralisation reform initiated in 2014, even by official, Polish-Ukrainian documents;¹ on the other hand, it was the efforts of Ukrainian municipalities that were key to defending against Russian aggression in 2022, in addition to the obvious contribution of the army.² It is worth adding in this context that the wartime experience of Ukrainian local communities

¹ Ministerstwo Spraw Zagranicznych, Memorandum o współpracy w zakresie wsparcia reformy samorządowej na Ukrainie z 17 grudnia 2014 roku.

² See: Valentyna Romanova, *Ukraine's resilience to Russia's military invasion in the context of the decentralisation reform*, Warsaw 2022.

can be valuable for their Polish counterparts. This is confirmed by the signing of a Polish-Ukrainian memorandum of understanding on cooperation between ministries of regional development.³ In it, the Polish side pledged to continue sharing its expertise in decentralisation and regional policy implementation, while the Ukrainian side pledged to transfer its experience in the areas of civil defence, critical infrastructure and regional resilience. The transfer of knowledge in the field of local government will no longer be just one-way, from Poland to Ukraine. Indeed, Ukrainian local authorities have something to share with their Polish partners.

Actually, Ukrainian local self-government has become a security issue well before.⁴ Between 2014 and 2022, Russia pushed for the decentralisation (indeed, federalisation) of Ukraine within the Minsk agreements, which threatened to break up the state. In this way, the topic of the future system of local and regional government became one of the dimensions of the Russian-Ukrainian conflict. Poland sided unequivocally with Ukraine, declaring its support for decentralisation, supported by the establishment of a working group of Polish experts under the auspices of President Bronisław Komorowski.⁵

The topic of local authorities in Poland and Ukraine has already been the subject of scientific considerations, e.g. Paweł Swianiewicz⁶ and Olga Oleinikova.⁷ The author will try to complement the results of existing research. For this purpose, an analysis of legal acts and available documents as well as a literature review will be carried out. The author will also use his own observations, which he made as an employee of the

³ <https://www.gov.pl/web/fundusze-regiony/nowe-porozumienie-o-wspolpracy-polski-i-ukrainy-podpisane---skorzystaja-regiony-i-przedsiębiorcy> (accesses in footnotes here and further: 23.05.2025).

⁴ See: Igor Ksenicz, *Decentralizacja a bezpieczeństwo Ukrainy*, „Sprawy Międzynarodowe” 2015, nr 1.

⁵ Ibidem, p. 105.

⁶ Paweł Swianiewicz, *Poland and Ukraine: Contrasting Paths of Decentralisation and Territorial Reform*, ‘Local Government Studies’ 2006, vol. 32, no. 5; idem, *An Empirical Typology of Local Government Systems in Eastern Europe*, ‘Local Government Studies’ 2014, vol. 40, no. 2; idem, *Kręte ścieżki reform decentralizacyjnych w Ukrainie*, „Studia Regionalne i Lokalne” 2022, t. 2, nr 88.

⁷ Olga Oleinikova, *Decentralization Reform: An Effective Vehicle for Modernization and Democratization in Ukraine?* [in:] *Decentralization, Regional Diversity, and Conflict: The Case of Ukraine*, eds. H. Shelest, M. Rabinovych, Cham 2020.

Polish regional government and an expert in Polish-Ukrainian projects of local government experiences' exchange.

Democracy consolidation as a theoretical framework

Political science literature considers the local autonomy an element of democratic consolidation. It is a general rule that in states with consolidated democracies the level of local autonomy is higher than in unconsolidated democracies,⁸ however examples of military dictatorships in Latin America showed that it is possible to deconcentrate power (by transferring responsibilities to mayors appointed by central government) without simultaneous democratisation of local government.⁹

In Samuel Huntington's classic work,¹⁰ the term 'local government' does not appear at all, although the author mentioned local elections several times in the context of the democratisation of authoritarian regimes. Larry Diamond underlined the importance of civil society in the democratic transition, as it

provides an especially strong foundation for democracy when it generates opportunities for participation and influence at all levels of governance, not least the local level. For it is at the local level that the historically marginalized are most likely to be able to affect public policy and to develop a sense of efficacy as well as actual political skills. The democratization of local government thus goes hand in hand with the development of civil society as an important condition for the deepening of democracy and the 'transition from clientelism to citizenship' [...] in the developing and postcommunist worlds.¹¹

⁸ However, according to 'Local Autonomy Index' (LAI), states like Israel, the United Kingdom and Canada, generally considered consolidated democracies, belong to groups of states with low or medium-low LAI. See: Andreas Ladner, Nicolas Keuffer, Alexander Bastianen, *Local Autonomy Index in the EU, Council of Europe and OECD countries (1990–2020): Release 2.0*, Brussels 2021.

⁹ Jonathan Fox, *Latin America's Emerging Local Politics*, 'Journal of Democracy' 1994, vol. 5, no. 2, p. 106.

¹⁰ Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Norman 1991.

¹¹ Larry Diamond, *Toward Democratic Consolidation*, 'Journal of Democracy' 1994, vol. 5, no. 3, p. 8–9.

In the above sentence, Diamond quoted Jonathan Fox,¹² who analysed the democratic transition in Latin America. According to Fox, the democratisation on local level has two dimensions: on the one hand, 'it involves opening up territorially based subnational governments to electoral competition,' on the other hand, 'it entails the elimination of exclusionary political practices, including fraud, unfair limits on voter registration, the lack of ballot secrecy, voter intimidation, and vote buying'.¹³ What is even more important, democratisation of local government 'affects the prospects for national democratic governance in four interrelated respects:'

- 1) 'elected civilian regimes cannot be considered democratic until authoritarian enclaves are eliminated and the entire citizenry is effectively enfranchised;'
- 2) 'pluralist politics must be learned, and subnational governments make a good school;'
- 3) 'rising democratic leaders can most credibly challenge the corrupt old ways if they are forearmed with successful records in local government;'
- 4) 'the widespread transition from traditionally paternalistic social policies to more efficient and targeted programs depends on balanced partnerships among national governments, local governments, and new social and civic actors.'¹⁴

The relations between the state system and local government were also the subject of considerations by Philippe C. Schmitter and Nicolas Guilhot. They proposed the concept of 'partial regimes' constituting the political system of a state:

They are systems of linkages and sets of distinctive rules between government authorities and a variety of social groups, thus defining multiple sites for the representation of these groups and the resolution of possible conflicts.¹⁵

¹² Jonathan Fox, *Latin America's Emerging...*, op. cit., p. 114.

¹³ Ibidem, p. 106.

¹⁴ Ibidem.

¹⁵ Philippe C. Schmitter, Nicolas Guilhot, *From Transition to Consolidation. Extending the Concept of Democratization and the Practice of Democracy* [in:] *Democratic and Capitalist Transitions in Eastern Europe: Lessons for the Social Sciences*, ed. M. Dobry, Dordrecht 2000, p. 142.

They included, among others: a labour-capital regime, a civil-military regime, a media regime, a centre-periphery regime of territorial authorities. As noted by the authors,

[t]hese partial regimes can be more or less stable and more or less democratic. [...] The more that partial regimes are 'consolidated' in a democratic fashion, [...] the more stable will be the regime and the higher will be the quality of democracy.¹⁶

Based on his own experience as the person responsible for carrying out the Polish local government reform after 1989, Jerzy Regulski formulated the premises for the success of democratization at the local level in transition states. These are:

- 1) political will of leaders (definite desire to implement changes);
- 2) expert knowledge necessary to define goals and ways to achieve them;
- 3) social support (at least consent to make changes);
- 4) human resources prepared for practical implementation of changes.¹⁷

Real decentralisation, ensuring autonomy for local governments, in Regulski's opinion required breaking the five basic monopolies of the communist state:

- 1) political monopoly (the monopoly of the communist party);
- 2) monopoly of public authority (the principle of unity of the state power);
- 3) monopoly of public property (the state property);
- 4) monopoly of public finances (the state budget);
- 5) monopoly of public administration (the state administration).

The abolition of these monopolies was to lead to, respectively: free, pluralistic local elections; performance of important public functions by local government on its own behalf; obtaining the right to own and manage their own property by local governments; separation of local budgets independent from the state budget; establishing a separate professional group of local government employees.¹⁸

¹⁶ Ibidem.

¹⁷ Jerzy Regulski, *Samorządna Polska*, Warszawa 2005, s. 42–43.

¹⁸ Ibidem, p. 62–63.

To sum up, looking from a broader perspective, local government – just like the more general issue of public administration – can be analysed from three basic perspectives: sociopolitical, legal and from the point of view of management.¹⁹ For the former, the key category will be local democracy, for the latter – decentralisation and subsidiarity, and for the third – organisation.

This research claims that fundamental differences in the models of local government in Poland and Ukraine concern seven issues: historical experiences of decentralisation, the vision of the reform, the subjectivity of local communities, the structure of decision-making bodies (councils), the structure of executive bodies, territorial division, local budgets. What is common to the Polish and Ukrainian systems is the political instrumentalisation of local government, although in the case of Ukraine, the misuse of local authorities by various pressure groups may have much more dangerous consequences: feudalization of the state in the worst case, and at least party dependence (in Poland as well). The research question that this paper attempts to answer is: what consequences did the above-mentioned issues have for the consolidation of local and national democracy in Poland and Ukraine?

Table 1. Differences and similarities in the models of local government in Poland and Ukraine

Research perspective	Sociopolitical	Legal	Management
Key categories	Local democracy	Decentralisation Subsidiarity	Organisation
Issues	Historical experiences The vision of the reform The political instrumentalisation of local government (party dependence, feudalisation of the state)	The subjectivity of local communities	The structure of decision-making bodies (councils) The structure of executive bodies Territorial division Local budgets

Source: own elaboration.

¹⁹ Witold Szumowski, *Zarządzanie publiczne – próba systematyzacji koncepcji*, „Nauki o Zarządzaniu. Management Sciences” 2014, t. 4, nr 21, s. 88.

Historical experiences of decentralisation

Historical experiences had a significant impact on the progress, or lack of progress, of decentralisation in post-communist states. In Poland they were more favourable than in Ukraine. When thinking about reform, one could refer to the experiences of the interwar period and earlier ones – from the times of the partitions, when the partitioning powers introduced local self-government on Polish lands. The point of reference were primarily German solutions.

The nature of the communist regime was also important. People's Poland (1944–1989) can basically only be considered a totalitarian regime during the period of Stalinism (1949–1956). Throughout the rest of its history, the Polish People's Republic was an authoritarian state, less repressive than the USSR. The communists abolished the local government inherited from interwar Poland only in 1950. 80 percent of the land remained the property of Polish peasants. Due to market shortages, the authorities allowed limited private entrepreneurship in the sphere of trade and services (crafts, fruit and vegetable production). The issue of land ownership and private entrepreneurship may seem unrelated to decentralisation only at first glance. The essence of local self-government is autonomy, which did not exist in the USSR at all, while in communist Poland it was possible to maintain its islands in the above-mentioned aspects. Thanks to the limited collectivisation of agriculture, Poland, unlike Ukraine, avoided problems with establishing land ownership rights after the fall of communism. The presence of private property alongside state property during the Polish People's Republic also facilitated the introduction of municipal property in 1990.

Throughout the entire communist period, an institution independent of the government operated in Poland, i.e. the Roman Catholic Church, and from the second half of the 1970s there was an organised political opposition, which gave rise to Solidarity. Thanks to the contacts of the Polish scientific community with abroad, primarily with left-wing French scholars, social science, such as sociology and psychology, which was officially banned in the USSR as bourgeois sciences, developed relatively freely. It is no coincidence that in the 1980s there was already a group of experts in Poland who advised Solidarity on the future local government system.

Ukraine had fewer similar experiences. Apart from unsuccessful attempts in 1917–1921, it had no experience of its own independent statehood. Ukraine was part of the USSR, where all signs of autonomy were brutally suppressed, land was state property, and private enterprise did not exist. There could also be no mention of any local self-government, because administration was one of the elements of the system of control over society. After 1991, however, it was possible to use practices other than Soviet ones. The Ukrainians did not refer to the historical experience of western Ukraine, which was part of Poland in the interwar period. For example, in the years 1938–1939 in Poland there were 332 Ukrainian municipal councillors and over 50,000 Ukrainian rural councillors.²⁰ The achievements of the Ukrainian People's Republic (1917–1921) were also not used, even though its constitution included the principle of decentralization,²¹ as were the experiences of *zemstvo*, local self-government introduced by the tsarist authorities in left-bank Ukraine in 1864.

The vision of the reform

According to Regulski, the states of the former socialist camp faced a fundamental dilemma: either to hold democratic local elections and then reform the system, or to reform the system and then hold local elections. Poland was one of the few post-communist states that chose the second option, while Ukraine followed the first path²².

At the turn of the 1980s and 1990s, Poland and Ukraine differed in one more aspect. In Poland, already in the 1980s, a small but well-prepared group of experts appeared to advise Solidarity on the future shape of local government, headed by Jerzy Regulski (economist and urbanist) and Michał Kulesza (lawyer). Importantly, they managed to convince the first non-communist Prime Minister, Tadeusz Mazowiecki, to their ideas. Thanks to this, the first phase of decentralisation – from the presentation

²⁰ Ryszard Szwed, *Samorządowa Rzeczpospolita 1918–1939: wybór rozpraw i artykułów*, Częstochowa 2002, s. 45–46.

²¹ Конституція Української Народньої Республіки (Статут про державний устрій, права і вільності УНР) від 29 квітня 1918 року, Законодавство України, <https://zakon.rada.gov.ua/laws/show/en/n0002300-18> (access: 8.02.2024).

²² Joanna Regulska, Jerzy Regulski, *Reforma samorządowa w Europie Środkowo-Wschodniej – sukcesy i porażki* [w:] *Europa Środkowo-Wschodnia. Region, państwa i społeczeństwa w czasie transformacji*, red. J.A. Rybczyńska, Lublin 2000, s. 176.

of the concept to the adoption of laws²³ – was carried out in eight months, from July 1989 to March 1990. The first stage of the reform covered only the basic level, because in 1990 self-government was restored at the municipality tier. In the years 1990–1993, work on the reform of the intermediate and regional levels continued. It could not be completed due to the collapse of Hanna Suchocka's government. In 1993, post-communists took power and considered further decentralisation a threat to their political position in local communities. The topic of reform returned when the post-Solidarity parties won the parliamentary elections in 1997 and Jerzy Buzek²⁴ became the prime minister. In 1998, laws were passed restoring districts²⁵ and creating new regions,²⁶ while introducing self-government at both levels. Districts and regions started operating in 1999. Until 2015, there was a compromise in Poland regarding local government. This changed when the right wing took power (2015–2023). During this period, local governments, primarily metropolises and regions ruled by opposition politicians, became the object of attacks by the central authorities and restrictions on their powers.

The situation in Ukraine was completely different. In 1991, there were neither experts, nor vision of reform, nor – most importantly – political will. The topic of decentralisation was absent from the ideology of the most important dissident organization, Rukh. The former communists, who retained power in the state after 1991 after the liquidation of the party, were also not interested in it. Local self-government posed a threat to the neopatrimonial political system that had developed in contemporary Ukraine. In this system public administration was treated as a tool for maintaining power at all levels. Symbolically, the term of *adminresurs* has become widespread throughout the post-Soviet area, meaning the use of the state administration apparatus, also at the local and regional level, in parliamentary and presidential elections. The Law on Local Self-Government in Ukraine²⁷ *de facto* preserved the previous Soviet solutions. The impetus for change came only from Russian

²³ Ustawa z dnia 8 marca 1990 roku o samorządzie gminnym, Dz.U. 2025, poz. 1153 tj.

²⁴ President of the European Parliament in 2009–2012.

²⁵ Ustawa z dnia 5 czerwca 1998 roku o samorządzie powiatowym, Dz.U. 2024, poz. 107 tj.

²⁶ Ustawa z dnia 5 czerwca 1998 roku o samorządzie województwa, Dz.U. 2025, poz. 581 tj.

²⁷ Закон України про місцеве самоврядування в Україні від 21 травня 1997 року, Відомості Верховної Ради України (ВВР) 1997, № 24, ст. 170.

aggression in 2014, when, in response to the Russian project of federalisation of Ukraine, the government initiated a decentralisation reform.

The subjectivity of local communities

In the context of differences in the level of local autonomy, the empowerment of local communities is of key importance. In this aspect, Polish and Ukrainian solutions differ significantly from each other.

In Poland, we deal with self-government communities at all levels of territorial division: municipality, district and region. Their construction is the same. A unit of local government consists of its inhabitants (community) and territory (territorial division unit). Conventionally, it could be written in the form of a formula: local government unit = inhabitants + territory. All local government units – municipalities, districts, regions – have legal personality by virtue of law, which is of fundamental importance in property and financial matters. Moreover, municipalities have a presumption of competence. This means that all local tasks are the responsibility of the municipality. Central administration may perform local tasks only if the law expressly provides for it. The central administration may also interfere in the activities of local government only through supervision, the only criterion of which is legality. The supervisory authority is the voivode, the central government representative in the region.²⁸

In Ukraine, only the municipality community is a self-governing community. Communities are not formed by inhabitants of intermediate and regional level units: districts and oblasts. Moreover, the legal person is not the municipality, but its body (council). Ukrainian law does not know the construction of legal personality by virtue of law. Pursuant to Art. 80 of the Civil Code of Ukraine,²⁹ a legal person is an organisation created and registered in accordance with the procedure established by law. In Ukraine, there is no presumption of competence for the municipality in the field of local tasks. The latter are listed extensively in the Law on Local Self-Government in Ukraine. According to this legal act, higher-level councils (district and regional) represent the common interests of the communities of villages, towns and cities. This means

²⁸ In financial matters – regional audit chambers.

²⁹ Цивільний кодекс України від 16 січня 2003 року, ВВР 2003, №№ 40–44, ст. 356.

that Ukrainian districts and regions have no interests of their own. In other words, the interests of the district and region are the cumulative interests of the municipalities. Such a solution looks inconsistent with the principle of subsidiarity. It seems reasonable to ask also, what if the interests of municipalities are divergent? The Law on Local Self-Government does not provide an answer.

Unlike Poland, where the body of state (government) administration is located only at the regional level, the bodies of local state administration in Ukraine – representatives of the president – have been established at the regional³⁰ and intermediate level. However, they do not have supervisory powers. Before 2014, the prosecutor's office had them, but during the decentralisation reform they were cancelled. Under the current legal situation, local government bodies in Ukraine are deprived of legal supervision.

In the context of the subjectivity of local communities, attention should be paid to terminological differences. The author uses the term 'local government' in the article, which is a copy of the Anglo-Saxon tradition. In continental conditions, the term of territorial self-government is more appropriate, which – following the German model – is used in Polish law. In Poland, territorial self-government consists of local self-government (municipalities and districts) and regional self-government (regions). In Ukraine, self-government at all levels is referred to as local self-government. This is most likely a consequence of the literal transfer of the provisions of the European Charter of Local Self-Government into Ukrainian law. Nevertheless, the lack of recognition of regional self-government in Ukraine seems incomprehensible, because in accordance with the principle of subsidiarity, local and regional communities have different tasks. As a future member of the EU, Ukraine will implement regional policy. It may turn out that it will be implemented by local rather than regional self-government bodies.

³⁰ The heads of regional state administrations are commonly called governors.

Table 2. Terminology connected to local government in Poland and Ukraine

Poland			Ukraine		
Territorial self-government			Local self-government		
Local self-government		Regional self-government			
Municipality (<i>gmina</i>)	District (<i>powiat</i>)	Region (<i>voivodeship</i>)	Municipality (<i>hromada</i>)	District (<i>rayon</i>)	Region (<i>oblast</i>)

Source: own elaboration.

The structure of decision-making bodies (councils)

Significant differences between Polish and Ukrainian local governments can be seen in the structure and functioning of decision-making bodies. There are fewer councillors in Poland. The municipality council may consist of fifteen to forty five councillors (except for Warsaw: sixty); district council – from fifteen to twenty nine; regional council (*sejmik województwa*) – from thirty, the upper limit is determined by the number of inhabitants of the region. Currently, the Masovian Regional Council has the largest number of councillors (fifty one).

In Poland, it is forbidden to combine the mandate of a councillor with the position of a central government representative (voivode) or a member of parliament. Each council has a chairman/chairwoman and his/her deputies, but they perform only procedural functions: their task is to conduct sessions. In Poland, the principle of a free (representative) mandate applies, so voters cannot dismiss a councillor or give him/her instructions. In the apparatus of each Polish local government there is a function of a secretary, who can be called the ‘CEO’ of the administration. Its task is to organize the work of the office serving local government bodies.

In Ukraine, there are more councillors, as councils can have from twelve to 120 members (e.g. Kyiv City Council). Councillors neither can be members of parliament nor combine their mandate with the function of governor. The mayor, elected by general election, is also the chairman of the municipality council. In Ukraine, the principle of imperative mandate applies, which means that a councillor may be dismissed before

the end of his/her term³¹. A special role is played by the secretary of the council, who can be called the ‘*eminence grise*’ of the mayor. His/her role results if only from the fact that he/she replaces the mayor when he/she cannot perform his/her duties. In the recent history of Ukraine, we have seen cases of mayor-secretary duos who used their positions to pursue their own business interests, to mention, for example, Leonid Chernovetskyi and Oles Dovhyi in Kyiv or Mykhailo Dobkin and Hennadiy Kernes in Kharkiv.

The structure of executive bodies

Poland and Ukraine also provide various examples of the construction of executive bodies of local government. In Poland, at the municipality level, we are dealing with a single-person body – the municipality head (*wójt*, in a rural municipality), the mayor (*burmistrz*, in an urban-rural municipality or a town) or the city president (*prezydent miasta*, in a city). He/she is elected in direct elections for a five-year term. Since 2018, a municipality head/mayor/president of a city can serve a maximum of two terms (previously there were no such restrictions). He/she cannot combine his/her function with the mandate of a councillor.

The situation is different in the case of districts and regions. At these levels, executive bodies are collegial. These are district boards and regional boards. The district board consists of three to five members elected by the district council; the regional board consists of five members elected by the regional council. Both councillors and external persons may be elected as members of boards, including presidents (head of the district – *starosta* and marshal of the region – *marszałek*)³².

The executive body of Ukrainian municipalities is the executive committee, chaired by the mayor. The committee also includes: the secretary, deputy mayors, department heads and other people. The detailed composition of the committee is determined by a resolution of the council.

³¹ This solution is very rarely used in democratic states. In Ukraine, this was justified by the fact that councillors frequently changed political parties.

³² For example, Marek Woźniak, the Marshal of the Wielkopolska Region, the long-time chairman of the Polish delegation to the European Committee of the Regions, was elected to his position for the first time in 2005, when he was not a regional councillor.

The mayor is directly elected and his/her term of office is five years, although Ukrainian law does not provide for term limits.

At the district and regional level, local self-government in Ukraine does not have executive bodies. The councils delegate executive powers to the heads of regional (governors) and district state administrations. In the current legal situation, the establishment of district and regional executive bodies is impossible due to the lack of appropriate constitutional provisions.

In Ukrainian political practice, governors are the strongest political actors in the regions, unlike Polish voivodes, whose competences are mainly limited to security issues. In Poland, the head of the executive body of the regional self-government, i.e. the marshal, who has a very important political instrument at his disposal – EU funds – should be considered the host of the region. Approximately 40 percent of all EU structural funds transferred to Poland are distributed by regional boards. This is the highest rate of decentralisation of EU funds among Member States.

Territorial division

Poland's territorial division was formed over a quarter of a century ago, while the territorial reform in Ukraine was carried out in 2020. The shape of Polish administrative units is, on the one hand, the result of a political compromise (regions)³³ and, on the other hand, a consequence of historically established territorial divisions (municipalities and districts). However, the system should be considered transparent and relatively effective. Poland consists of: sixteen NUTS 2 regions (*voivodeships*), 314 intermediate level units (districts, *poviats*) and 2,477 basic level units (municipalities, *gminas*).

Various proposals for changing the territorial division appeared in public discussion. It is proposed to grant Warsaw the status of a region or a metropolitan union. During the election campaigns, ideas for creating new regions, the Central Pomeranian Region and the Częstochowa

³³ The original draft act presented to President Aleksander Kwaśniewski for signature in 1998 provided for the creation of twelve regions. However, the president vetoed the act because in the proposed form, most of the regional capitals would be governed by representatives of right-wing parties, while the president came from the post-communist left. As a result, four additional regions were created.

Region, were also presented, but these were abandoned after the elections. The authorities of the largest Polish cities have been lobbying for the adoption of the Act on metropolitan unions for many years. Such an act was adopted in 2015 by the centrist parliamentary majority, but the then government did not have time to issue implementing regulations. The next right-wing government, in conflict with the authorities of the largest Polish metropolises ruled by liberal politicians, was not interested in it, and therefore the act never entered into force.³⁴

In Ukraine, until 2020, the Soviet territorial division was in force, the final shape of which was established in 1981. At the regional level, Ukraine consisted of: the Autonomous Republic of Crimea, twenty four regions (*oblasts*) and the cities of Kyiv and Sevastopol. The intermediate level consisted of 490 districts (*rayons*) and 178 cities of oblast importance. The basic level consisted of 11,520 municipalities (*hromadas*). The basic goal of the decentralisation reform initiated in 2014 was to amalgamate municipalities, which was supposed to be a response to their current problems. The municipalities were economically inefficient and in many cases depopulated. In the USSR, they were often created around industrial centres, which led to the so-called monocities, i.e. towns or cities dependent on one workplace, e.g. a factory or mine. The collapse of such a plant, and in the 1990s the Ukrainian economy was plunged into a structural crisis, resulted in the degradation of the entire municipality. Another problem was the so-called matryoshka dolls, i.e. situations when another municipality of the same level (e.g. a village or several villages) was located in the territory of one municipality (e.g. a city).

In the first phase of the reform, the government assumed voluntary mergers of municipalities, which were encouraged by increased financial transfers from the central budget. The voluntary consolidation process was completed in 2019. As a result, 4,792 municipalities (43.7 percent) merged³⁵. In 2020, the government decided to forcefully merge the rest of the municipalities. Ultimately, as a result of the reform, their number decreased from 11,520 to 1,470. The districts were also merged, the number of which dropped from 490 to 136, and the cities

³⁴ An exception was made for the Upper Silesian-Dąbrowa Basin Metropolis, which was established by a separate act in 2017.

³⁵ The figures come from the presentation of Deputy Minister Vyacheslav Nehoda, responsible for the reform: https://decentralization.ua/uploads/attachment/document/816/Презентація_15.04.2021.pdf (accesses in footnotes here and further: 23.05.2025).

of oblast importance were dissolved. As part of the reform, auxiliary units called village head (*starosta*) districts were established. They were created in villages and towns that lost their status as a municipality. The districts were headed by the past mayors, who were given the function of village heads – connectors between the centre and the periphery of the municipality. The territorial reform did not cover the regional level.

Local budgets

Until the start of the decentralisation reform in Ukraine in 2014, the dependence of local budgets on the central budget was considered to be the biggest obstacle to the development of local government. Compared to Ukraine, Polish local governments enjoy much greater financial independence.

Polish municipalities, districts and regions can take out loans and issue bonds. They have share in national taxes: PIT and CIT. Municipalities also establish their own taxes, e.g. real estate tax. In parallel with the reform of the political system in 1990, the municipalisation of state property was carried out in Poland: municipalities became owners of land and other state property previously managed by councils of people's deputies.

In the case of Ukraine, we can talk about relative budgetary independence, and only at the municipal level, only since 2014. From that moment on, the municipalities have a guaranteed share in PIT, excise tax and real estate tax. In the years 2014–2020, the municipalities' own revenues increased fourfold, from UAH 68.6 billion to UAH 292 billion. It was only in 2018 that the process of municipalisation of state land was initiated. The government plans to transfer ownership of 7.2 million hectares to municipalities. By 2020, municipalisation covered 2.3 million hectares of land.

According to World Observatory on Subnational Government Finance and Investment, Poland is ahead of Ukraine in all the most important financial indicators of local government, except for total debt. This is due to limited possibilities of taking out loans and credits:

[Ukrainian] Subnational governments can only access borrowing to fund investment projects ('Golden Rule') and with the prior authorisation of the central government.³⁶

³⁶ See: <https://www.sng-wofi.org/>.

Table 3. Financial indicators of Polish and Ukrainian subnational governments (SNG)

Indicator (% of GDP)	Poland	Ukraine
SNG total expenditure	14.91	11.32
SNG direct investment	1.99	1.33
SNG total revenue	15.10	11.16
SNG total debt	6.14	0.67

Source: <https://www.sng-wofi.org/> (access: 23.05.2025).

When discussing Ukrainian local budgets, one cannot ignore the State Treasury Service of Ukraine (*Derzhavna Kaznacheyska Sluzhba Ukrainy*), the so-called *Kaznacheystvo*. In conversations with representatives of Ukrainian local authorities, the name of this body was mentioned many times as one of the obstacles to decentralisation. *Kaznacheystvo* maintains the bank account of the state budget and the accounts of all local budgets. In other words, this body controls all transfers between the central and local budgets. It was only as a result of the decentralisation reform that municipalities were able to open accounts in banks, but only in state banks, and they could only deposit funds for investments and from their own income. For comparison, a Polish local government can open an account in any bank.

Unlike municipalities, the budgets of Ukrainian districts and regions are fully dependent on central transfers. Local state administrations are responsible for their construction and implementation. Formally, they are adopted by district and regional councils, but the councils only act as ‘voting machines’ in this procedure.

Party dependence of local government

In local election campaigns in Poland and Ukraine, the slogan repeated by candidates is: we are not politicians, we are representatives of local government. This is an obvious lie. Local government is a fundamentally political institution,³⁷ because its essence is participation in political power. This is confirmed by numerous cases of politicians switching from the central (parliamentary) to local level, to mention, for example, the current mayors of Warsaw and Kyiv – Rafał Trzaskowski

³⁷ Hubert Izdebski, *Samorząd terytorialny. Pionowy podział władzy*, Warszawa 2020, s. 78.

and Volodymyr Klychko. At the same time, if we look at the biographies of members of Polish and Ukrainian parliaments and cabinets, a significant part of them started their political careers in local government. Of the 26 members of the current Polish government (July 2024), 11 had an episode in local authorities; out of 22 members of the Ukrainian cabinet, seven ministers previously worked in subnational governments, including four in the regional state administration though. However, it should be emphasized that a successful transition from local to national politics is possible in Poland and Ukraine only through national parties. This is proven by the examples of the only temporary success of the Self-help (*Samopomich*) party established by the mayor of Lviv Andriy Sadovyy and the Yes! For Poland (Tak! Dla Polski) movement created by Polish local government officials, who ran in the 2023 parliamentary elections from the lists of the Civic Coalition. The problem is not the politicisation of local government per se though, but its dependence on nationwide parties,³⁸ in Poland especially visible at the regional level and in large cities.

In the regional elections that took place in Poland in April 2024, out of 552 regional councilors elected throughout Poland, only nine represented parties other than those sitting in parliament.³⁹ According to Electoral Code of Ukraine,⁴⁰ independent candidates for councilors can only be nominated in elections to councils of municipalities with fewer than 10,000 inhabitants; in the elections of other municipal councils, district and regional councils, only committees of political parties have the right to field candidates. According to Polish Electoral Code,⁴¹ independent committees have the right to nominate candidates in municipal, district and regional elections.

Interestingly, in the 1990s Polish experts were afraid of local government being captured not by nationwide parties, but by local oligarchs. Wiktor Osiatyński, one of the creators of the Polish constitution, claimed:

³⁸ Ibidem, p. 271.

³⁹ https://biqdata.wyborcza.pl/biqdata/7,159116,30865743,wyniki-wyborow-samorzadowych-na-mapach-i-wykresach.html?_ga=2.32390265.65186972.1712245887-1942166850.1706927607.

⁴⁰ Виборчий кодекс України від 19 грудня 2019 року, ВВР 2020, №№ 7, 8, 9, ст. 48.

⁴¹ Ustawa z dnia 5 stycznia 2011 r. Kodeks wyborczy, Dz.U. 2025, poz. 365 tj.

It is common knowledge that wherever decentralisation has occurred without democratisation and without the creation of a strong rule of law, the result has usually been strong power of local caciques and cliques.⁴²

He formulated this idea at the beginning of the second stage of the administrative reform, when self-governing districts and regions were established in Poland. According to Osiatyński, Poland was not ready for reform at that time because Polish society had not yet built a democratic state based on the rule of law. Osiatyński's observations were confirmed by Polish theoreticians of local government. According to Hubert Izdebski,

[d]ecentralisation brings greater benefits where there is a tradition of self-government and civic engagement, and where the tradition is long-term dependence on a hierarchical central administration, decentralisation can sometimes bring caricatured, if not downright pathological, forms. The delay in the development of civil society, the lack of a forward-looking vision of the state, the blurring of the border between the spheres of political and administrative activity leading to various types of politicisation of local government administration, corruption phenomena and manifestations of incompetence of local government bodies constitute serious factors that threaten the process of shaping and developing local government as an instrument of local and regional democracy.⁴³

Zbigniew Leoński spoke in a similar tone. In his opinion, the disadvantages of decentralisation include: the risk of making mistakes that are a consequence of the previous political system and the management of local affairs by the public, not by professionals; the threat of blurring the uniform state policy in areas of fundamental importance;⁴⁴ the danger of attainment exuberant particular ambitions; reducing the effectiveness of costs incurred; difficult application of technical progress.

⁴² Wiktor Osiatyński, *Potrzeba rewolucji prawnej*, „Polis” 1999, nr 1–2, s. 26.

⁴³ Hubert Izdebski, *Samorząd terytorialny: Podstawy ustroju i działalności*, Warszawa 2003, s. 19–20.

⁴⁴ According to Leoński, in emergency situations such as war or natural disaster, it is desirable to mobilize efforts and resources throughout the state, i.e. centralisation.

At the same time, Leoński noted that decentralisation is a school of democratic governance. He mentioned the advantages of decentralisation, among others: increasing the role of the society and ensuring its advantage over the bureaucracy and improving the political culture of society.⁴⁵

The functioning of local government in Poland is assessed positively in general. The local and regional government reform is the only one of the four reforms introduced by Jerzy Buzek's cabinet in 1998 that has not been cancelled by subsequent governments.⁴⁶ However, there were justified allegations in the public discussion of local authorities creating informal connections. Their most famous example was the so-called reprivatisation scandal in Warsaw during the mayoralty of Hanna Gronkiewicz-Waltz (2006–2018), former president of the National Bank of Poland and vice-president of the Civic Platform party. During her rule, businessmen bought claims to real estate,⁴⁷ which in 1945 became state property by decision of the communist authorities, and after 1990 were municipalised. These real assets became the property of businessmen through administrative decisions issued by employees of the Warsaw City Hall. The scandal was to be resolved by a verification commission appointed by the right-wing government in 2017. In fact, it served to strengthen the political position of the chairman of the commission, Patryk Jaki, who in 2018 ran – unsuccessfully⁴⁸ – in the elections for the president of Warsaw.

The amendment to the Act on the Self-Government of the Municipalities, which in 2018 introduced a term limit for municipality heads/mayors/city presidents, was also intended to fight against local cliques. The procedure for its adoption proves however the political motivation of the then coalition. Contrary to the basic principles of legislation, the amendment was supposed to have retroactive effect: the initiators assumed that municipal authorities who had served at least two terms in

⁴⁵ Zbigniew Leoński, *Samorząd terytorialny w RP*, Warszawa 1998, s. 8–10; idem, *Nauka administracji*, Warszawa 2010, s. 90–91.

⁴⁶ The others were: reform of the health care system, pension reform and reform of the education system.

⁴⁷ This practice was criminal in nature. Criminal proceedings are pending against the most famous claims dealer, called the 'king of reprivatisation.'

⁴⁸ He lost in the first round, winning 28.53 percent of the votes. The Civic Platform candidate, Rafał Trzaskowski, received 56.67 percent support.

office until 2018 would not take part in the next elections.⁴⁹ The draft law was submitted as a parliamentary initiative, not a governmental one, thanks to which the stage of consultation with local government organisations was omitted in the legislative procedure. The actual purpose of the amendment was the central authorities' desire to get rid of strong political competitors in the person of the presidents of the largest Polish cities.

Feudalisation of the state

The dangers resulting from decentralisation are also noticed by contemporary researchers dealing with local government in Ukraine. According to Max Bader,

[i]n Ukraine, politics at the local level is in some ways a microcosm of national politics. As in national politics, wealthy individuals at the local level attempt to influence political processes by capturing elements of the state. [...] Comparatively wealthy entrepreneurs, or local 'oligarchs,' often seek to control local politics by running for public office themselves or through controlling those already in office. Members of a municipal council who are controlled by outsiders are commonly referred to as 'pocket deputies.' Through their control of members of the executive committee, including the municipality head or members of the municipal council, powerful local 'oligarchs' can succeed in capturing elements of local government, and in extreme cases turn a municipality into a personal fiefdom.⁵⁰

According to Bader, the process of merging municipalities was controlled primarily by elites:

In most cases, these have been incumbent municipality heads who have either acted autonomously and repositioned themselves as a head of a newly formed ATC [amalgamated territorial community], or acted in

⁴⁹ Eventually, after protests from local government community, the coalition withdrew from this solution.

⁵⁰ Max Bader, *Decentralization and a Risk of Local Elite Capture in Ukraine* [in:] *Decentralization, Regional Diversity, and Conflict: The Case of Ukraine*, eds. H. Shelest, M. Rabinovych, Cham 2020, p. 268–269.

tandem with other powerful actors such as wealthy businesspeople or politicians at higher levels of government.⁵¹

According to Valentyna Romanova, ‘the post-2014 decentralisation reform has consolidated Ukraine’s centre-periphery relations,’ whereby strengthening local authorities⁵² while omitting the regional and subregional levels in the reform was a conscious choice of the government. 1,500 mayors pose less of a threat to the centre than one absolute leader (president) or twenty five absolute regional leaders. This arrangement also counteracts the potential threat of the state breaking up into regions.⁵³ Interestingly, the regional councils did not appeal to the government to strengthen their power:

Instead, mayors and local councils opposed the 2019 constitutional draft, which proposed granting regional councils the right to establish their own executive committees, so heavily that President Zelenskyy decided to withdraw it from parliament. After local authorities’ interests were taken into consideration during the public debates regarding the constitutional amendments presented, they stopped criticising the proposal of increasing regional authority.⁵⁴

At the same time, it should be emphasised that regional councils and their members were classified as communities that hindered the merger of municipalities.⁵⁵ The merging process took place in regions in accordance with the so-called perspective plans developed by governors and approved by regional councils. The adoption of all regional plans was delayed until 2020.

The danger of feudalisation in Ukraine not only at the local but also at the regional level is demonstrated by the events from the initial period of the COVID pandemic. On March 16, 2020, President Zelenskyy met

⁵¹ Ibidem, p. 278.

⁵² However, Romanova emphasises, citing the OECD document, that the reform involved a re-allocation of power and resources between subnational levels rather than a true transfer of competences and resources from the central government to lower levels of government.

⁵³ Valentyna Romanova, *Decentralization and Multilevel Elections in Ukraine: Reform Dynamics and Party Politics*, New York 2022, p. 152.

⁵⁴ Ibidem, p. 155.

⁵⁵ Max Bader, *Decentralization and a Risk of Local Elite...*, op. cit., p. 264.

with a group of the largest Ukrainian oligarchs, asking them for help in the fight against the pandemic. Journalists commenting on the meeting said that it may indicate either the president's insolence or the extremely difficult situation of the state.⁵⁶ They also reported that, in addition to financial assistance, the president asked the oligarchs to take under their personal protection the regions where businessmen have resources and staff. The division of responsibility for regions among oligarchs brings to mind associations with feudal fragmentation. For example, in the Kharkiv Oblast, the local oligarch Oleksandr Yaroslavskyy decided to replace the regional authorities and, together with the then mayor Hennadiy Kernes, established his own anti-crisis staff, even though the staff had previously been created by the governor.

Discussion of findings

Rankings assessing the democracy consolidation,⁵⁷ as well as detailed studies of local democracy,⁵⁸ place Poland higher than Ukraine. Poland is considered a 'flawed democracy', a 'semi-consolidated democracy' and a state with a medium-high LAI, while Ukraine – a 'hybrid' or 'transitional regime' and a state with a medium-low LAI. The higher ratings for Poland in democracy indexes were undoubtedly due to greater progress in the transition of state institutions and socioeconomic system, however the issue of decentralisation cannot be ignored.

Referring to theoretical considerations, in order for the prospects of the influence of local democracy on national democracy postulated by Fox to be real, the monopolies of the authoritarian state must first be broken and the conditions for decentralization, as described by Regulski, must occur. In Poland, these monopolies were managed to be liquidated, although not without resistance, in the 1990s, while in Ukraine it was only after 2014 that municipalities were strengthened financially and in terms of property, but still without the full empowerment of local

⁵⁶ See: <https://www.pravda.com.ua/articles/2020/03/23/7244662/>.

⁵⁷ *Democracy Index 2023: Age of conflict*, The Economist Intelligence Unit, London–New York–Hong Kong–Gurugram–Dubai 2024; *Nations in Transit 2024: A Region Reordered by Autocracy and Democracy*, Freedom House, Washington 2024.

⁵⁸ Andreas Ladner, Nicolas Keuffer, Alexander Bastianen, *Local Autonomy Index in the EU...*, op. cit.

communities, much less regional ones. This empowerment is necessary for Ukrainian local governments to gain agency, which is also limited by historically developed paternalistic attitudes dominating in society.⁵⁹

After 2014, a key condition for decentralisation appeared as well – the political will of the Ukrainian central authorities. It is reasonable to ask though whether they were forced to do so by Russian pressure on the federalisation of Ukraine. Nevertheless, after 2014, it was possible to implement – at least partially – a reform referring to the project prepared in 2005 by the team of Vice Prime Minister Roman Bezsmertnyy, which included Polish experts. The implementation was then hindered by a conflict within the ‘orange’ camp between President Viktor Yushchenko and Prime Minister Yulia Tymoshenko, which led to the latter’s resignation.

Referring to Fox, in Poland, there is no potential to create authoritarian enclaves at the regional level, while in Ukraine there are still regional councils in which extreme nationalists (Ivano-Frankivsk and Ternopil oblasts) or pro-Russian parties resulting from the collapse of the Party of Regions (Dnipropetrovsk, Kharkiv, Kherson, Mykolaiv, Odesa, Zaporizhzhia oblasts) maintain a strong position. Polish and Ukrainian local governments are good places to learn for political novices, but they are also – unfortunately – arenas of competition for nationwide parties (and oligarchs in case of Ukraine) that treat them as political spoils. Polish and Ukrainian experience to date also shows that it is difficult for local leaders to move to central politics without the support of nationwide party structures. Finally, if modern social policy ‘depends on balanced partnerships among national governments, local governments, and new social and civic actors’,⁶⁰ national government in both Poland and Ukraine tends to position itself as the strongest partner.

Conclusions

Local government in Poland and Ukraine faces significantly different challenges. After the parliamentary elections in Poland in 2023, in which the centre-left coalition won, local government leaders have

⁵⁹ See: Karina V. Korostelina, *Identity and power in Ukraine*, ‘Journal of Eurasian Studies’ 2013, no. 4.

⁶⁰ Jonathan Fox, *Latin America’s Emerging...*, op. cit., p. 106.

high expectations from the government. This is due to the increasing recentralisation during the right-wing government (2015–2023). The authorities of municipalities, districts and regions therefore expect re-decentralisation from Donald Tusk's cabinet.

Ukraine is in a completely different position now. This state is fighting for survival in the face of armed aggression. Despite the short history of local government reform, local authorities passed the test during the war. In the frontline areas, local leaders managed to mobilise residents for defence. In those regions that did not suffer direct attacks, local authorities were able to take care of internally displaced persons. We can therefore venture to say that the system created under decentralisation is resilient.

Setting aside the challenges of war, several issues remain to be resolved in Ukraine. The first are the tasks of the districts. During the administrative reform, there were situations in which the territory of the new, merged municipality matched the territory of the district. How to divide tasks between them? The creators of the reform explain it as follows: 'a district for the government, a municipality for citizens'.⁶¹ In other words, the district is to be a unit of territorial division of state administration: courts, police, tax administration, etc., while public services are to be provided at the municipality level. Currently, the tasks of local self-government at the district level are limited. The districts are partly responsible for health care (hospitals), education (e.g. sports schools) and social care (orphanages, nursing homes). In practice, districts deal with the tasks that municipality cannot (do not want to?) undertake. According to experts, self-government at the district level may ultimately be abolished.

The issue of establishing executive bodies of self-government at the district and regional level remains unfinished. While in the case of the former it may turn out to be unnecessary in the future, in the case of regions such a change requires an amendment to the constitution, as does the creation of supervisory bodies over local government. The supervision system is to resemble French solutions: it provides for the appointment of prefects at the regional and intermediate levels. According to Romanova, the transformation of governors into prefects should not reduce their power at the regional level. The last elections (2020) showed that President Zelenskyy's party can dominate regional councils without active interference from the head of regional state administrations.

⁶¹ <https://www.pravda.com.ua/articles/2020/07/27/7260764/>.

There are also no centres that could oppose changing the constitution. However, in the face of the war, this issue faded into the background.⁶²

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⁶² Valentyna Romanova, *Decentralization...*, op. cit., p. 160.

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