

Regional policy is overwhelmingly a competence of the Member States, and its institutional environment varies widely along a spectrum from unitary-centralized to federalized-decentralized states. Reflecting the Commission's limited remit in this policy area, chapter 21 of the *acquis* is concerned with procedural rather than institutional form. It requires Member States to have an "appropriate legal framework", an approved "territorial organization" based on NUTS classifications, "programming capacity" (including a development plan, procedures for multi-annual programming, the partnership principle which envisages the involvement of regional administrative, social and economic actors in the management of structural funds and ex-ante evaluation of the development plan), "administrative capacity" (defined as the clear definition of the tasks and responsibilities of all bodies and institutions involved in the preparation and implementation of Structural Funds and the Cohesion Fund and effective inter-ministerial cooperation) and sound "financial and budgetary management" (including control provisions and information on co-financing capacity and the level of public or equivalent expenditure for structural action).

The loosely defined legal and institutional provisions of chapter 21 are derived from the Framework Regulation (Council Regulation (EC) 1260/1999) on the Structural Funds, which in itself does not require transposition into national legislation. Chapter 21 has proved to be one of the most problematic areas during the negotiation process.¹⁶ The structural thinness of the *acquis* in regional policy makes for an apparent conditionality gap during enlargement, which is only partly filled by the EU's Structural Funds regulations. The Regular Reports of 2001–2002 and the Comprehensive Monitoring Reports of 2003 made the most explicit use of the Structural Funds criteria for measuring progress, while putting the emphasis on the adoption and amendment of laws, regulations and regional development programmes as well as the establishment and reorganization of ministries and coordinating units.

While the adoption of the *acquis* was a fundamental condition tied to the Copenhagen criteria, the Madrid European Council (1995) introduced a supposedly clarifying condition to the effect that the candidate countries must have the "administrative capacity" to implement the *acquis*.¹⁷ The terminology was restated in the Commission's report "Agenda 2000—For a Stronger and Wider Europe", the Commission's 'Opinions' on the candidate countries' readiness to join in July 1997. The Commission linked the call for "administrative capacity" to specific areas of the *acquis*, for example sectoral capacity, effective structures for coordinating the negotiation process, administrative and judicial reforms, and the preparation for

¹⁶ Among the CEECs the Czech Republic provisionally closed chapter 21 in April 2002; Estonia, Latvia and Lithuania followed in June 2002, Hungary, Slovakia and Slovenia in July 2002 and Poland in October 2002. Bulgaria and Romania have not yet closed chapter 21.

¹⁷ See Presidency Conclusions, Madrid European Council, 15–16 December 1995.

the implementation of structural policies.¹⁸ The Commission adopted the baseline criteria for administrative reform developed by the SIGMA group of the OECD. These criteria focus on administrative reform generally, such as the establishment of an independent and professional civil service and judicial system, and do not contain detailed recommendations for the reform of sub-national governance.

Regional administrative capacity forms a fundamental part of the horizontal and vertical configuration of a country's administrative space. The Commission has tried to build administrative capacity in the candidate countries for the implementation of regional policy with the help of a number of pre-accession instruments (PHARE, Sapard and ISPA), specifically targeted projects and "Twinning".¹⁹ The Regular Reports have routinely emphasized weak administrative capacity in relation to chapter 21, in particular at the sub-national level and in terms of the coordination between national and sub-national-level bodies. Even the Comprehensive Monitoring Reports of 2003 still point to the shortcomings in this area. Thus, the temporal correlation between the Commission's interventions and institutional reform is less clear-cut with regard to regional administrative capacity than in the area of national-level administrative reforms.²⁰ Moreover, as we will discuss below, the CEECs diverged significantly in their responses to the weakly defined call for "regional administrative capacity".

4. REFORMING SUB-NATIONAL GOVERNANCE: THE IMPACT OF TRANSITION AND ENLARGEMENT

The reform of centre-regional-local relations in the CEECs has taken place in the double context of transition and EU enlargement. In many CEECs the reform of sub-national governance was an integral part of the post-communist transition and predated the beginning of the EU accession process. In formulating reform proposals domestic policy-makers have looked to their historical legacies, to the

¹⁸ Antoaneta L. Dimitrova, 'Enlargement, Institution-Building and the EU's Administrative Capacity Requirement', *West European Politics*, 25, 4 (2002), pp. 171–190.

¹⁹ Since the reorientation of PHARE in 1997 about 30% of the PHARE budget has been allocated to 'institution-building', defined widely as 'adapting and strengthening democratic institutions, public administration and organizations that have a responsibility in implementing and enforcing Community legislation'. 'Twinning' was extended to the regional level in the 2000 programming round.

²⁰ The national public administrative space in CEE appears to converge more than within the EU itself. Moreover, the timing and nature of the civil service legislation passed in the CEECs after 1997 is clearly correlated with the Commission's increased emphasis on administrative reforms. See Attila Agh, 'The Reform of State Administration in Hungary: The Capacity of Core Ministries to Manage Europeanisation', *Budapest Papers on Europeanisation*, 7 (Budapest: Hungarian Centre for Democracy Studies Foundation 2002); Dimitrova, above n. 18.

transferability of governance models in Western Europe and beyond, as well as the incentives and pressures emanating from the Commission. Historical legacies have shaped, though not determined the perceptions and ideas about sub-national governance. The CEECs that were formerly part of the Austro-Hungarian Empire could draw on the experience of a system of self-government and autonomy dating from the mid-nineteenth century and enduring in some cases until the 1930s. The communist era, in turn, left a strong impression of disempowered local governments and a regional tier that served as a transmission belt for party control and patronage networks. While the former strengthened the rationale for local government reform after 1989, the latter fed into a widespread bias against regional governance. Nevertheless, communist era planning regions tended to provide a functional template for the NUTS classification required for EU regional policy.²¹ Size has been an additional factor shaping the debate about sub-national governance. While ideas about regionalization found a natural sounding board in the larger candidate states, small countries like Slovenia and the Baltic states had little experience and functional need for regional governance, thereby adding to the challenge of addressing the EU's call for "regional administrative capacity". The regionalization processes in Hungary and Poland illustrate the two ends of the spectrum of institutional change in the CEECs. In both cases, however, the domestic political debate about sub-national governance formed part of the endogenous transition process. The EU accession process partly reframed this debate by adding new incentives and pressures. Hungary and Poland are instructive cases to evaluate the relative importance of the EU's impact compared to domestic political conditions and considerations.

4.1. Hungary: Administrative-Statistical Regionalization

In 1990 Hungary became the first post-communist country to introduce local self-government.²² Reform plans had been discussed among academics and reformist members of the Hungarian Communist Party since the mid-1980s.²³ The drafters of the reforms looked to models of self-government in Western Europe, but also drew

²¹ The Regional Research Centre at the Hungarian Academy of Sciences, which was responsible for drafting Hungary's National Regional Development Concept, recommended the establishment of six regions corresponding to the six economic planning regions of 1971. See Brigid Fowler, 'Debating Sub-state Reform on Hungary's "Road to Europe"', *ESRC "One Europe or Several?" Working Papers*, 21 (2001), p. 32; Gyula Horváth, "Transition and Regionalism in East Central Europe", *Occasional Paper*, 7 (Tübingen: Europäisches Zentrum für Föderalismusforschung 1996), p. 28.

²² Kenneth Davey, "Local Government in Hungary", in Andrew Coulson (ed.), *Local Government in Eastern Europe* (Cheltenham: Edward Edgar 1995), p. 74.

²³ József Hegedüs, "Hungarian Local Government", in Emil Kirchner (ed.), *Decentralization and Transition in the Visegrad Countries: Poland, Hungary, the Czech Republic and Slovakia*, (Macmillan, Basingstoke 1999), p. 133.

on Hungary's historical tradition of *megyék* (county) level governance.²⁴ There was little dispute over the necessity for decentralization to the local level as a fundamental part of systemic change. Almost any village or rural settlement was allowed to establish its own self-governing institutions which were granted a wide range of functions. This incentive structure led to a mushrooming of small governing units (to some 3,200 units) which often lacked the experience and financial basis to fulfil basic governing tasks.

The Hungarian Democratic Forum coalition government (1990–1994) held only 54% of the seats in parliament and was compelled to compromise with the opposition (Alliance of Free Democrats and Fidesz) over sub-national governance in order to secure the required two-thirds majority of the parliament for the passage of the new local self-government legislation. The essence of the compromise of 1990 was that county level governments would be indirectly elected by lower level local councils, thereby weakening their authority vis-à-vis the directly elected local governments. The local and county governments were supposed to co-exist in a non-hierarchical relationship. A novelty was the creation of eight regions, each of which was made up of two to three counties and overseen by a centrally appointed “Commissioner of the Republic.”²⁵ These officials were appointed directly by the prime minister, and their main responsibility was to supervise the legality of the work of local governments.²⁶ This new structure, resulting from a political compromise, fell short of an effective system of checks and balances.

Hungary was awarded PHARE money as early as 1992 to assist in the country's regional development. The institutional framework enabling the government to decentralize the formulation and implementation of regional policy formed an integral part of this assistance.²⁷ The first post-communist resolution on regional development, passed by the Hungarian parliament in 1993, expressed a preference for “Europeanization” by recommending that the relevant institutions should correspond to

²⁴ Hellmut Wollmann and Tomila Lankina, “Local Government in Poland and Hungary: From post-communist reform towards EU accession”, in Harald Baldersheim, Michael Illner and Hellmut Wollmann (eds.), *Local Democracy in Post-Communist Europe* (Opladen, Leske & Budrich 2003), p. 94.

²⁵ Tibor Navracscics, “Public Sector Reform in Hungary: Changes in Intergovernmental Relations (1990–1995)”, in Attila Agh and Gabriella Ilonszki (eds.), *Parliaments and Organized Interests: The Second Steps* (Budapest, Hungarian Centre for Democracy Studies 1996), p. 305.

²⁶ See Gábor Bende-Szabó, “The Intermediate Administrative Level in Hungary”, in Eric Breska and Martin Brusis (eds.), *Central and Eastern Europe on the way to the European Union: Reforms of Regional Administration in Bulgaria, the Czech Republic, Estonia, Hungary, Poland and Slovakia* (Munich: Centre for Applied Policy 1999), pp. 23–41.

²⁷ Peter Heil, *PHARE in Hungary: The Anatomy of a Pre-accession Aid Programme, 1990–1999*, unpublished PhD thesis (Budapest, CEU 2000), p. 43.

EU systems and practice.²⁸ The institutional design at the regional level, however, remained controversial in Hungary's transition politics. It was shaped by diverging and shifting interests. At the outset, the Hungarian Democratic Forum, the Hungarian Christian Democratic Party and the Smallholders' Party supported the revival of strong county government combining both self-government and state supervision offices. This was opposed by the Alliance of Free Democrats, the Hungarian Socialist Party and Fidesz which feared the continued control through state administrative offices as well as the domination of the counties over the localities.²⁹ In their 1994 election manifestos the Hungarian Socialist Party, the Alliance of Free Democrats and the Hungarian Democratic Forum had all voiced their support for the establishment of regional development bodies, but the views diverged regarding their composition and functions as well as the place of the counties within this structure. The Alliance of Free Democrats and Fidesz supported the maintenance of the county level governments as a forum of association for the local self-governments.³⁰ According to these proposals, the county councils were to continue to be made up of elected representatives from the municipal level without gaining any significant independent status.

The mushrooming of local governments resulted in confusion, authority leakage and inefficiency. The reluctance of these units to cooperate or merge paved the way for renewed centralization. Some 40 state administrative departments were de-concentrated to the sub-national level including key areas such as policing, taxation, education and public health.³¹ As these central government organs at the local level proliferated, they created inroads for cronyism and corruption. The political cycles of transition exacerbated these tensions, namely through a polarization between the centre-right Hungarian Democratic Forum coalition government and the county and local governments many of which were dominated by members of the opposition parties Fidesz and the Alliance of Free Democrats.

Following the accession to power of the Hungarian Socialist Party in coalition with the Alliance of Free Democrats with a 72% parliamentary majority after the elections of 1994, a new reform attempt was launched. The institution of the Commissioners of the Republic and the newly created regions were abolished, and self-government at the county level was strengthened. The county councils were to be directly elected, and they were given key responsibilities for public services. In place of the Commissioners but with similar responsibilities, a new system of Public Administrative Offices (PAOs) was established at the county level. The basic

²⁸ Gyula Horváth, "Regional and Cohesion Policy in Hungary", *Discussion Paper*, 23, (Pécs: Centre for Regional Studies of the Hungarian Academy of Sciences 1998), p. 20.

²⁹ Fowler, above n. 21, pp. 11–14.

³⁰ *Ibid.*, at 24; Bende-Szabó, above n. 26, p. 16; Navracsics, above n. 25, pp. 289–293.

³¹ Bende-Szabó, above n. 26, pp. 6–7; Ilona Palne Kovács, "Regional Development and Governance in Hungary", *Discussion Paper*, 35 (Pécs: Centre for Regional Studies 2001), pp. 13–15.

structure of two tiers of non-hierarchical sub-national organs, has been maintained notwithstanding amendments in 1996 and 1999.

The political and institutional struggle over the fundamental structure of Hungary's sub-national governance arrangements had been largely settled by the time the process of EU accession intensified. Nevertheless, the question of how to best tap into future Structural Funds, together with pressures from PHARE, fuelled an ongoing debate among Hungary's political elites over the benefits of establishing a regional tier of administration. The influence of the EU on Hungary's regional policy was most pervasive through PHARE regional development programmes. PHARE was instrumental in the preparation of Hungary's administrative-statistical regionalization through the 1996 Act on Regional Policy and Physical Planning. This act provided for the voluntary establishment of so-called "development regions" and divided the country into statistical planning regions in compliance with the EU's NUTS II units and in consultation with Eurostat. Both "development" and "statistical" regions were to be based on groups of counties, although the economic logic for particular configurations was not always clear. Regional Development Councils (RDCs) were set up, composed of representatives of county councils, local government associations, social and civic organizations and officials from the Ministry of Environment and Regional Policy.

The establishment of RDCs remained voluntary under the 1996 legislation, and no agreement could be reached among the main political parties on the exact territorial division and allocation of powers. The governing coalition was itself split over the issue. Within the Hungarian Socialist Party there was support for large regions, whereas many deputies of the Alliance of Free Democrats favoured bottom-up regionalization based on groups of counties or local units.³² The different preferences had informed the decision to establish two different types of regions—statistical planning regions corresponding to NUTS II units and "development regions" representing a proto-regional administrative structure. The Commission lauded Hungary's approach in its 1997 Opinion, placing it ahead of the co-applicants for EU membership: "Hungary is the first among Central European countries which adopted a legal framework closely in line with EU structural policy. Many sections of the new law have been drafted in perspective of taking over the *acquis*".³³

In view of the expressed Commission preferences, the Hungarian government rushed through parliament the act on the National Regional Development Concept in March 1998, just prior to the elections. The Regional Development Concept established seven statistical planning regions.³⁴ However, as the "development

³² Fowler, above n. 21, pp. 34–36.

³³ European Commission, *Opinion on Hungary's Application for Membership of the European Union* (1997), p. 90.

³⁴ Author's interview with official in the Hungarian Mission to the EU, Brussels, 15 December 2000.

regions” were voluntary and lacked resources and powers, the county governments remained the dominant players in the preparation of development plans and the distribution of state and EU funding.³⁵ The 1998 elections brought to power a new centre-right coalition made up of Fidesz and the Smallholders’ Party. It justified its policies on sub-national governance as a response to pressures from the Commission as part of the EU accession process.

By 1999 five RDCs had been established, covering virtually the entire territory of Hungary. However, the administrative organization, including staff and financial resources, remained skeletal.³⁶ Aside from EU funding, the RDCs had a very weak resource base and, as unelected quango-like agencies, they had difficulties in establishing themselves as effective and authoritative organizations. Although the Commission’s Opinions had clearly welcomed the establishment of the seven administrative-statistical regions and the RDCs, subsequent Regular Reports criticized Hungary for the slow pace at which the RDCs were established, the fact that the councils at regional and county level were not fully operational and a general delay in the implementation of regional policy objectives.³⁷ Instrumentalising the EU pressures, Fidesz strengthened central government control of the RDCs, changed the status of the RDCs from voluntary to compulsory organs, and realigned the “development regions” to overlap with the seven statistical planning regions of 1998. In October 1999, the Law on Regional Development and Physical Planning was amended to put the RDCs at the NUTS II level on a statutory basis with guaranteed state funding, and to define their role in the programming and implementation of regional development. The legislative amendments helped to consolidate the new regional institutions, but RDC membership was now weighted in favour of central government appointees at the expense of sub-national representatives and civil society.³⁸ Thus, the independence of the RDCs and the government’s commitment to the EU principles of “partnership” and “subsidiarity” were compromised.

The strengthening of the RDCs and the regions corresponding to the NUTS II level was welcomed by the Commission in its 2000 Regular Report. Concerns were raised, however, regarding efficient decision-making and programming at the regional level. Hungary was explicitly asked to clarify the role of the regions at NUTS II level.³⁹ In general, by 2000/2001 the primary concern of the Commission

³⁵ Palne Kovács, above n. 31, p. 29.

³⁶ Andrea Cziczovszki, “The Regional Problem in the Transition to Europe: The Case of Hungary”, Paper presented at the BASEES Annual Conference, Cambridge, 2000.

³⁷ European Commission, *Regular Report on Hungary’s Progress toward Accession* (1999), p. 46.

³⁸ Bende-Szabó, above n. 26, p. 7.

³⁹ European Commission, *Regular Report on Hungary’s Progress Toward Accession* (2000), p. 63.

in the field of regional policy is the capacity of regional structures to participate effectively in the management of funds. Accordingly, the Commission's emphasis was on central government control and efficiency.⁴⁰ In the meantime, the growing domestic political criticism of Fidesz's overly centralized approach and corruption generated demands from across the political spectrum (including both the Hungarian Socialist Party and the Alliance of Free Democrats) for the introduction of elected regional bodies. Moreover, Fidesz claimed to pursue a long-term policy of "double decentralization", which would eliminate the counties and replace them with state administrative supra-regions that would ultimately have elected assemblies.⁴¹

Hungary's regionalization has been characterized by two trends. In the first half of the 1990s regionalization was determined by internal transition politics, while the regional reforms in the second half of the 1990s were shaped by domestic politics situated in the context of EU accession (see Appendix 1). Despite the consensus among the main political parties about securing the country's membership in the EU as quickly as possible, the process of regionalization has been a cross-cutting issue. Through PHARE the EU had a direct impact on the number and shape of the "development regions". Perceived or "real" pressures from the Commission for institutional reforms going beyond compliance with the Structural Funds requirements were instrumentalised by domestic political actors, particularly by Fidesz. Overall, the accession process channelled and fuelled the domestic debate on sub-national governance, but at a time when the Commission appeared to favour decentralization it did not alter the decision against democratic regionalization which had been made before the beginning of the accession negotiations. Moreover, the EU accession process did not settle the domestic debate about regionalization. Hungary's latest reform plan of mid-2003 envisages regrouping local governments into economic and geographical regions, merging counties into larger regions and setting up regional public administration offices (on the basis of the current statistical-planning regions) and elected regional governments. Parts of the reform require a two-thirds majority in parliament, thereby aptly highlighting the lock-in effects of the early choices made during transition. For the time being, the plan is to finalize the reforms before the next general elections in 2006.⁴² Some of the structures established during the accession process may become the starting-point for further reform. Thus, the dynamic interplay between the domestic and external incentives or constraints regarding sub-national reforms is set to continue.

⁴⁰ Ibid, pp. 62–63; *Regular Report on Hungary's Progress Toward Accession* (2001), p. 75.

⁴¹ Fowler, above n. 21, pp. 41–42. So-called "small areas" were to be established at the level between the counties and local governments.

⁴² *Comprehensive Monitoring Report on Hungary's Preparations for Membership* (2003), p. 12.

4.2. Poland: Democratized Regionalization

Poland was the first CEEC to enact a democratizing reform of both regional and local governance. Decentralization quickly emerged as an integral part of Poland's transition to democracy. Sub-national reforms, including the establishment of a regional tier of government, had already been a crucial component of the Roundtable talks between Solidarity and the socialist government in the late 1980s. In contrast to Hungary, where there was an early political consensus against regional self-government, Poland's debate hinged on the shape of the reform, rather than on the principle as such. In the late 1980s the Communist Party supported the retention of the existing 49 regions (*województwa*) as part of a more centralized state structure, whereas Solidarity favoured a strongly decentralized government as a counterbalance to decades of communist centralism.⁴³ Persistent disagreements among the political parties about the design of the reform, in particular the number and functions of the new regions, together with a crowded transition agenda in the early post-communist period, led to an almost ten-year gap between the introduction of local self-government in 1990 and the institutionalization of regional governance structures in 1999. The 1990 local government reform preserved the 49 communist-era regions of 1975 as an unelected level of de-concentrated government. At the former *powiat* (district) level a tier of state administrative districts was established. The main democratizing element lay in the creation of self-governing local communes (*gminy*). As in Hungary, the rapid multiplication of under-funded local self-governing units stored up administrative inefficiencies. The 1990 legislation was conceived of as an interim solution, as there was a general political consensus on the need for further decentralization, including the introduction of a regional tier of self-government.⁴⁴

Throughout the period 1990–1997 national-level policy issues dominated the transition agenda. Public administration remained centralized and fragmented by the communist-era legacy of industrial sectoral ministries. By the middle of the 1990s functional arguments came to the fore in Poland's debate about sub-national governance. There was a growing recognition of the shortcomings of a centralized system characterized by large numbers of uncoordinated state administrative offices, deficient public finances and a lack of transparency. Consequently, the reform of 1999 was driven by an economic logic to promote effective integrated regional development. The first serious proposals for regional administrative reform came from the regional level itself. The regional elite in Silesia, for example, increasingly voiced its frustration with the failure of the centre to facilitate regional economic

⁴³ Wollmann and Lankina, above n. 24, p. 101.

⁴⁴ Wiktor Glowacki, "Regionalization in Poland", in Gerard Marcou (ed.), *Regionalization for Development and Accession to the EU: A Comparative Perspective* (LGI Studies, Budapest: Open Society Institute 2002), pp. 110–111.

restructuring, and Poznań *województwo* launched its own economic development programme.⁴⁵

The regional government reform was stalled by the ruling coalition (1993–1997) of the Democratic Left Alliance (SLD) and the Polish Peasants' Party (PSL), despite the fact that the organizational and legislative preparations had been finalized by the short-lived coalition government under Hanna Suchocka (July 1992–May 1993), which consisted of seven post-Solidarity and centre-right parties. PSL leader and Prime Minister Waldemar Pawlak favoured a strong central government. Given that his party's political hold was strong in many of the regions, he opposed the dismantling of the existing 49 regional structures. In the 1993 parliamentary elections, the PSL had also performed well in a considerable number of the *województwa* and was intent on holding on to these gains by blocking an intermediary level of governance.⁴⁶ The PSL proposed the retention of the existing regions but with elected assemblies and a centrally appointed governor (*wojewoda*). The Democratic Left Alliance (SLD) supported the establishment of 12–14 large regions and self-government at the district (*powiat*) level. The issue divided not only the governing coalition but also the rest of the political spectrum. Principally, no reform occurred because the political priorities were focussed on other aspects of the transition.⁴⁷ The debates re-emerged upon the accession to power of the Solidarity Electoral Action—Freedom Union (AWS-UW) coalition after the elections in September 1997. Numerous proposals for the administrative sub-division of the country had been circulated among government specialists and academics in the early 1990s with the proposed number of regions varying from 6 to over 40. There was also an ongoing debate about the functions of the proposed regions and in particular the relationship between self-governing organs and state administrative offices within each territorial unit. The three main options which were put forward were: functional regions dominated by the central government; self-governing regions within a unitary state; and a federal structure modelled on the German Länder.⁴⁸

⁴⁵ James Hughes et al., "Silesia and the Politics of Regionalisation in Poland", in George Kolankiewicz (ed.), *Regional Issues in Polish Politics* (London: UCL Press 2004).

⁴⁶ Jacek Zaucha, "Regional and Local Development in Poland", in Kirchner, above n. 23, pp. 53–79.

⁴⁷ Wollmann and Lankina, above n. 24, p. 103; Jadwiga Emilewicz, and Artur Wolek, *Reformers and Politicians: The power play for the 1998 Reform of Public Administration in Poland, as seen by its main players* (Warsaw: Elipsa 2002), p. 109.

⁴⁸ Harald Baldersheim and Pavel Swaniewicz, "The Institutional Performance of Polish Regions in an Enlarged EU. How much Potential? How Path Dependent?", in Michael Keating and James Hughes (eds.), *The Regional Challenge in Central and Eastern Europe* (Brüssel: Peter Lang 2003), pp. 69–88; Michal Illner, "Municipalities and Industrial Paternalism in a Real Socialist Society", in Petr Dostál et al. (eds.), *Changing Territorial Administration in Czechoslovakia: International Viewpoints* (Amsterdam: Universiteit van Amsterdam 1992), p. 15.

The reforms, prepared by AWS-UW, were passed as part of a larger package of structural reforms, including provisions on health care, pensions, education and the judicial system. Though the reforms were all interconnected, as a package they were overly ambitious and rushed, leaving in their wake a host of unresolved problems.⁴⁹ Given that AWS was itself an alliance of some 30 political organizations and parties, it is not surprising that differences emerged over the content of the reforms. The majority of “mainstream” Solidarity parties favoured the division of the country into 12–13 regions with both self-governing and state administrative structures. Nine cities were identified as meeting the necessary criteria to be strong regional centres; three cities in the poorer eastern part of the country were added to this list in order to achieve a balanced configuration of regions across the whole country. The members of the national-catholic wing of the AWS opposed the decentralizing reform altogether. Some AWS deputies argued that the reforms threatened the unity of the state.⁵⁰ The members of the ruling coalition compromised by agreeing to restrict the rights of the new self-governing regional governments, while increasing the supervisory powers of the central government representative (*wojewoda*).

On the opposition side, the Democratic Left Alliance (SLD) favoured a return to the pre-1975 division into 17 regions, while proposing an assistance programme for those cities faced with the loss of their regional status. The PSL continued to oppose the reform both at the *województwa* and *powiat* level, fearing a loss of support in the rural communities and existing regions. It argued in favour of a two-tier system based on the existing regional breakdown, with the current regions being transformed into self-governing entities.⁵¹ There was also a certain amount of opposition from employees of central ministries and the local administration in those cities which feared to lose their regional status. In the end, the government and the opposition reached a compromise over a 16-region configuration similar to the pre-1975 communist system.

As a result of the 1999 reforms, Poland now has a three-tier sub-national self-governing system.⁵² The basic units are the 2,489 municipalities (*gminy*) at the local level, 308 *powiaty* at the district level, 65 urban municipalities which have been granted *powiat* rights and the 16 *województwa* at the regional level. All three

⁴⁹ See Jerzy Regulski, *Building Democracy in Poland, the state reform of 1998, Discussion papers*, 9 (Budapest: the Local Government and Public Services Reform Initiative, Open Society 1999).

⁵⁰ Alexander Szczerbiak, “The Impact of the October 1998 Local Elections on the Emerging Polish Party System”, *Journal of Communist Studies and Transition Politics*, 15, 3, (1999), p. 86.

⁵¹ Glowacki, above n. 44, pp. 110–111.

⁵² For details, including the debates in the *Sejm*, see Patricia Wyszogrodzka-Sipher, “The National and International Influences on the Reform of Polish Government Structures”, Paper for the workshop “Europe, Nation, Region: Redefining the State in Central and Eastern Europe”, London, Royal Institute of International Affairs (2000).