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Summary

The participation of inhabitants in municipality management. An administrative - legal study

The subject of the presented paper is participation of inhabitants in the management of the municipality in the legal order. One of the weakest points of today's municipal government is the inability of voters to participate in municipal decision-making procedures. Seeing as the municipality is formed by the inhabitants along with their inhabited territory, there is no doubt that a self-governed municipality is a corporate entity. It cannot therefore be considered that decentralization of public administration can be stopped by equipping only the organs of the municipality with competences, with the omission of the active role of municipal voters. This implies the question regarding intermediate solutions, between representative democracy and traditional expressions (forms) of direct democracy. We can now observe the grassroots development of social participation institutions. It is therefore reasonable to conclude that the current forms of voter involvement in the municipality are definitely insufficient.

The aim of this paper is to analyze the mechanisms of co-ordination and co-operation of inhabitants, as well as to present the legal forms of social participation in management, diagnosis of legal awareness of inhabitants in this area, and recommendations and directions for changes in legal regulations, eliminating the barriers of participatory co-management.

The main justification for taking up research work is to demonstrate that the currently binding legal provisions take into account the participation of inhabitants in the decision-making processes taking place in the municipality; however, they do not activate the members of the self-governing community enough. This paper is aimed at presenting an analysis of the legal regulations related to the participation of inhabitants in the management of the municipality. There is an observable increase in the presence of members of the self-governing community in co-management. The author focuses on the social participation of the inhabitants in carrying out the tasks of the municipality outside the municipality office and other municipal units. It is necessary to develop legal regulations concerning the participation of inhabitants in the management of the municipality and increase their legal awareness.

Presently, administration is undergoing changes. Most tasks currently belong to the sphere of administration, which primarily realizes public services for citizens.

Previous studies have dealt with the problem of participation of inhabitants in the management of the municipality in a fragmentary way, limited only to selected aspects thereof, which gave rise to the need to discuss the issue in a comprehensive manner, using the tools of research in administrative law. This paper is meant to be a response to the lack of mechanisms for coordination and co-operation of the inhabitants of the municipality. The solutions introduced, though elementary, give a chance to streamline the model of functioning of the Polish administration.

The paper consists of four chapters. Each of them evaluates the collected dogmatic material from the point of view of the concepts of administrative law and forms initial conclusions that were used to formulate definitive conclusions.

The first chapter serves to demonstrate the axiological, institutional and legal basis of the inhabitants' participation in the management of the municipality.

The second chapter deals with social participation as an important construct of public co-management. In this part of the paper, the author defines civic participation, its types and its functioning under the law of local self-government.

Chapter three - *Responsibility of the inhabitants for the welfare of the self-governed community* - will present the concepts of responsibility, common good, welfare of the self-governed community as the primary authority of the community and the implementation of the welfare of the local community by the inhabitants of the municipality.

Chapter four will present the *Legal forms of social participation in municipal governance*. The purpose of the chapter will be to present the legal basis, the essence of the institution, the participatory techniques and their evaluation.

Verification of the legitimacy of the research theses required references to normative acts, doctrine, judicature and manifestations of practical actions of the public administration in the area of the subject matter. In order to carry out the above analysis, it was necessary to include a number of publications which dealt with the considerations of public management in the municipality. The exhaustive analysis of the axiological and normative basis for the functioning of the institution discussed in the paper could not have been carried out without discussing the issues involved with the very concept and essence of local government. The basic research method used in the paper is the dogmatic-exegetical method.

It has been used to carry out a detailed analysis of currently applicable legal regulations, relevant from the point of view of the subject of the prepared paper; including the

interpretation and classification of terms that have been referred to in order to define the individual institutions described in the paper. The use of the historical-legal method allowed to present the subject of research from the point of view of its evolution in a chronological and transparent manner, allowing for a full picture of the discussed subject. The paper also applies the legalistic functionalism method, based on recalling the rulings of the Constitutional Tribunal and the administrative courts. This method played an important role, as examples of judicature illustrate the operation of the legal norm in practice.