

## **Non-competitive Elections at the Local Level and the Incumbency Advantage of Mayors – Research Experiences from Poland**

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**Abstract** The objective of this paper is an attempt to answer if non-competitive elections to commune councils in Poland may be the result of incumbency advantage of mayors. The author assumes, that the effects of incumbency advantage of mayors influence not only the competition for the office of mayor, but also the entire local political scene. These effects may weaken the competitiveness of elections and lead to the cartelisation of local political scenes. In extreme cases, it may even cause the degeneration of political pluralism and lead to non-competitive elections at both the executive and legislative levels. The paper analyses relationships between the competitiveness of elections at the local level and the incumbency advantage effect as exemplified by a group of small communes with up to 20,000 inhabitants and presents the findings of the conducted research in the form of case studies of 18 localities representing six regions of Poland.

**Keywords:** • local government • incumbency advantage • local elections • competitiveness • non-competitive elections

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## 1 Introduction

Can the incumbent seeking re-election use their advantage to break up political competitors (opposition) and dominate the local political scene to be guaranteed victory? Can this be facilitated by the electoral law?

The research aims to describe the phenomenon and identify determinants fostering or preventing the emergence of such circumstances. Based on the approach proposed in the paper, the author attempts to examine the impact of the advantage of incumbent commune leaders and mayors on the competitiveness of elections at the local level. Thus, this text discusses the effects of the incumbency advantage in Poland from a broader perspective than those adopted in earlier publications on this topic. This means that the author does not focus on competition among candidates for the helm of the local executive body (e.g. Kukovič, Haček 2013), but aims to analyse the impact of the incumbency advantage on the entire local political scene, including elections to the legislative body (Egner, Stoiber 2008).

The main research hypothesis of this study can be formulated as follows: The provisions of the Polish electoral law applicable to the organisation of commune council elections and commune leader elections may, in particular circumstances, result in the weakening of competitiveness of elections and – in extreme cases – even the degeneration of pluralism of the local political scene. In other words, using their institutional, communicative, and psychological advantage (Turska-Kawa, Wojtasik 2020), the incumbent commune leader may create circumstances in which elections will have a non-competitive character, and this may be fostered by the provisions of the Electoral Code.

The impulse to undertake research on these problems affecting Polish local democracy came from the results of the 2018 local elections. They were characterised by a record number of both commune council and commune leader/mayor elections determined on a non-competitive basis. Importantly, this phenomenon occurs only in small communes inhabited by up to 20,000 people.

In 2018, the problem of single-candidate elections to commune councils already occurred in 35% of Polish localities (a total of 3062 or 8% of all commune councillors in Poland were elected in this way) (PKW 2018a). For comparison, this phenomenon was observed in 2014 in 24% and respectively in 2010 in 18% of communes. There was also a dynamic increase (from 251 in 2014 to 332<sup>1</sup> in 2018) (PKW 2018b) in the number of communes where only one candidate ran for the office of commune leader or mayor (see Table 1). What is additionally interesting is the fact that 310 of them won the election at least for the second time in a row.

The background to these processes is a successive decline in the number of candidates for elective local government offices whose first signs were visible as early as 2002. The decline accelerated after 2010 and in 2018 the number of candidates was 30% lower than that eight years before (PKW 2010, 2014, 2018a). As a result, the level of competitiveness of local government elections fell dramatically. From 2002 to 2018, the number of candidates per office or seat on a council decreased from 6.41 to 3.95 (Author – forthcoming 2021).

Although the introduction of direct elections for the offices of commune leader, town mayor or city president was admittedly inclusive (Ganowicz 2018) and gave a new impulse to relationships between local authorities and citizens (Copus 2004), over the years, in many cases, the dynamics of local leadership evolved towards the petrification of local power structures. The direction of the process was opposite to those observed in other countries (Sancino, Castellani 2016).

By 2014 Poland had become the leader of the European statistics of countries where the phenomenon of re-election followed by the incumbent's holding their office for many terms had become the most common (Gendźwiłł, Swaniewicz 2017). The strength of this phenomenon in Poland is evidenced by the results of the local elections held in recent years. In 2014, in communes with fewer than 20,000 inhabitants, 65% of direct elections for heads of local executive bodies<sup>2</sup> were won by the incumbents (PKW 2014; Gajdos 2017). The percentage of incumbents' victories was even higher in the largest Polish cities with more than 200,000 inhabitants where close to 75% of the elections were resolved in favour of the incumbent city presidents (Gendźwiłł, Swaniewicz 2017). The latest elections held in 2018 confirmed these trends: on the national scale, 68% of offices are held by incumbent commune leaders, town mayors and city presidents (PKW 2018).

In the group of 1665 communes where incumbents won the latest elections, 634 of them (i.e. 38%) also recorded at least one case of a single-candidate election for a council member. This, however, does not exhaust the requirements to establish a correlation between the two phenomena. However, the situation looks different in the case of communes where the incumbent commune leader was the sole candidate running again for the office.

In the group of 332 localities where non-competitive elections for commune leaders were held, 303 of them had at least one case of a seat being filled without voting. However, if the election results are analysed with respect to the number of cases in which a non-competitively elected commune leader also introduced representatives of their own electoral committee to the commune council, it turns out that 94 of them had a majority in the commune council. This means that the commune leader's election committee was represented in these localities by at least eight councillors in the council consisting of 15 members (PKW 2018). In

this group, as many as 78 candidates were re-elected. Thus, on the national scale, the phenomenon may be of marginal importance, but at the same time it may be a signal of serious problems that may negatively affect the quality of democracy at the local level.

The results of the 2018 elections showed the direction in which these processes might be heading. The combined effects of the three aforementioned phenomena, i.e. the decrease in the number of candidates, the simultaneous increase in non-competitive elections (to both commune councils and executive bodies) and the prevalence of incumbents could be observed in 14 municipalities in Poland. In these localities, the elections for commune councillors and commune leaders/mayors had a non-competitive character. Other characteristic features of these communes include a political scene comprising just one election committee, candidates winning seats on a council without voting and a commune leader or mayor elected in a plebiscitary vote (PKW 2018). In 2018 each of the mayors or commune leaders in these municipalities was elected to their office for at least the second time in a row. The example of these communes creates a platform for considering whether the emergence of a political representation in this way manages to maintain a democratic character. Non-competitive elections should be associated with authoritarian regimes (Little 2017) and go against classical definitions of democratic systems (Schumpeter 1952, Downs 1957, Dahl 1989). In these communes, the mechanisms of exercising political control over those in power may have disappeared. There is no opposition in their commune councils and the winning political group is led by the head of the local executive body.

The complex nature of the problem under analysis caused the author to adopt a pragmatic paradigm in the research procedure and to base it on mixed methods. Quantitative analyses were confronted with qualitative ones, and case studies were used to exemplify the identified problems. The application of the concept of extreme case analysis (Seawright, Gerring 2008) allowed an orderly sample selection as well as avoidance of simplifications or bias in the adopted course of analysis.

The analysis covered the three latest elections, i.e. the years 2010-2018. The sample selection was based on three criteria: population (communes with up to 20,000 inhabitants), the occurrence of non-competitive elections to the commune council (a dependent variable) and the re-election of the incumbent commune leader (an independent variable). On the basis of quantitative analyses (data of the National Electoral Commission), three groups of communes were distinguished. The first group included those communes where the phenomenon of non-competitive elections to commune councils was intensifying in the period under analysis; the second group consisted of communes where the phenomenon was weakening, and the third group comprises those localities where the problem occurred sporadically. The third sample selection criterion was the phenomenon

of the re-election of the commune leader. In each of the selected examples, the head of the commune's executive body was re-elected at least once, in other words, during the three consecutive terms the office of commune leader was held by no more than two persons. Such a good sample was to make it possible to verify the existence of a correlation between the incumbency advantage and the strength of the phenomenon of non-competitive elections to a local legislative body.

The qualitative research consisted in conducting individual in-depth interviews (IDI) with practitioners and experts in the field of local government activities. The group of 18 interviewees (one person from each case study) included mayors, commune leaders and councillors (chairpersons or deputy chairpersons of councils). The qualitative research made it possible to clarify the specificity of the process of monopolising local political scenes by incumbents. The interviews were conducted in the period from February 2019 to March 2021.

The text consists of the following parts. In the part *Theoretical background*, the author describes the phenomenon of non-competitive elections, using the example of the Polish local government system, and highlights the issue of incumbency advantage in the context of a term limit. In the part devoted to the presentation of research results, the author discusses the outcome of the conducted research, outlining the conditions under which the incumbency advantage exerts a negative impact on the competitiveness of local elections. The conclusions include a synthesis of the identified mechanism under which the incumbency advantage contributes to the occurrence of the phenomenon of non-competitive elections.

## **2 Theoretical background and literature review**

### **2.1 Non-competitive elections**

Non-competitive elections are elections in which one person runs for a single seat or office. Although associated with authoritarianism, such elections have been present in many democratic systems around the world for many decades. Despite this, non-competitive elections remain a niche research problem. This is reflected in a rather limited number of publications on the topic written mostly by American researchers (e.g. Squire 1989, 2000; Koninsky, Ueda 2011, Burden, Snyder 2021). The problem is not new as it occurred in England already in the 19th century (e.g. Foster 1977). In the contemporary world, it appears in the USA, the UK, Australia (Sharman 2003) and Indonesia (Lay, Hanig, Ridwan, Rohman 2017, IPAC 2018). The occurrence of this phenomenon should be linked to the functioning of the simple majority electoral system, also in relation to the local level (Cole 2005). However, what is characteristic of the aforementioned publications is a descriptive point of view and a lack of attempts to look at this type of elections as an effect of the incumbency advantage. There are few valuable texts that try to answer the question of the extent to which non-competitively elected decision-making bodies

are characterised by a lower quality of work than competitively elected ones (Koninsky, Ueda 2011).

In Poland, the problem of non-competitive elections appears in two forms: non-competitive elections for commune councillors and single-candidate elections for the office of commune leader. In the former case, councillors get elected (obtain a mandate) somewhat automatically, without any voting taking place. In the latter case, an election of a local executive officer becomes a plebiscite in which the voters vote “for” or “against” the only candidate. Non-competitive elections in Poland occur only at the local level, in small communes with up to 20,000 inhabitants. In larger communities, at higher levels of local government (district, province) and in parliamentary elections, this phenomenon does not occur at all.

Single-candidate elections have been present in the Polish local government system for over 20 years, although their two forms did not appear simultaneously. The possibility of determining elections without voting (at the level of commune councils) was introduced to the Polish electoral system in 1996 (Journal of Laws, 1996, no. 84, item 387). This solution is effective when, in a given constituency, the number of candidates is equal to the number of seats on the council to be filled (this provision works also in relation to multi-member constituencies). It should be assumed that in this way the legislator intended to solve the problem of vacant seats on commune councils. In the elections held in 1990 and 1994, however, the problem was marginal; in the first local government elections it appeared in 35 constituencies, and in the subsequent ones in only seven ((M.P. 1990, M.P. 1994).

Interestingly, the original provision of the commune council electoral law (in force during the 1990 and 1994 elections) excluded the possibility of holding elections when only one candidate was running for one seat or office (sic!). The effect of the law allowing elections to be decided without voting was already visible in 1998, when 1680 such cases were recorded (Dz.U. 1998 nr 131 poz. 861).

It might have seemed that the problem was solved by the introduction of direct elections of local executive bodies into the Polish electoral system in 2002 as the number of seats filled and offices assumed without voting fell to 323. That year also witnessed the largest number of candidates for all elective positions within the local government system. However, the greater public interest in the possibility of exercising the passive electoral right was not reflected in the level of voter turnout. The subsequent elections showed that the problem remained. And since 2014 it has been quickly intensifying. Researchers have pointed out that this may be the effect of the introduction of majority voting (single seat constituencies) at the local level (e.g. Gendźwiłł, Żółtak 2016), which, as a further consequence, has contributed to the strengthening of the position of incumbent commune leaders/mayors (Gendźwiłł, Żółtak 2017).

During the first direct elections of commune leaders/mayors, there were 96 cases of the second form of non-competitive election in Poland. The legislator has not excluded the voting procedure for determining the outcome of this type of elections, as it is the case for seats on commune councils. When only one candidate is registered for the office of commune leader/mayor, voting is conducted in the form of a plebiscite. The voter receives a ballot paper on which they mark “for” or “against” the candidate. This means that the candidate must obtain more than 50% of the votes in order to win, but in practice, the cases where such a vote is lost are rare. This is exemplified by the results of the elections held in 2018, when only two such situations were recorded.

**Table 1:** A comparison between the number of candidates for the office of commune leader/mayor and commune councillors and the number of cases of non-competitively elected commune leaders/mayors and councillors in the years 1990-2018.

Year	Number of candidates for the office of commune leader/mayor	Number of communes with one candidate for the office of commune leader/mayor	Number of candidates for councillors	Number of councillors who obtained a seat without a vote
1990*	-	-	147389	-
1994	-	-	181907	-
1998	-	-	208091	1680(6)***
2002**	10371	96	226064	323
2006	8224	276	193344	1199(5)***
2010	7775	302	179645	1180
2014	8044	251	154594	1733
2018	6958	332	133282	3062

Source: the author's own work on the basis of the data of the National Electoral Commission.

\* Between 1990 and 1998 the local government system in Poland consisted of only one level – the commune.

\*\* In 2002 the first direct elections for the offices of commune leaders, town mayors and city presidents were held.

\*\*\* The number in brackets concerns the cases of seats being filled without a vote in elections to district councils (1998) or in communes with more than 20,000 inhabitants (2002).

The problem of non-competitive elections has so far been treated marginally in analyses of local government politics (e.g. Gendźwił 2020). However, in the case of non-competitive elections to local executive bodies, the phenomenon was associated with the effect of incumbency advantage and the existence of one dominant committee (Gendźwił, Żółtak, Rutkowski 2015). In this sense, it was indicated that the advantage had also been functional at the stage of candidate

nomination, and not only during elections. The phenomenon of non-competitive elections to commune councils is facilitated by the current electoral law (Author, Forthcoming 2021). Of particular influence are the following three Articles of the Electoral Code: Article 380 (possibility to fill seats without voting), Article 418 (division of communes into single seat constituencies) and §2 in Article 478.

The last of the aforementioned provisions is of key importance for this analysis. It indicates that “The right to nominate candidates for the office of commune leader shall be vested in an election committee which has registered lists of candidates for councillors in at least half of the constituencies in a given commune. In each of such constituencies, the number of candidates for councillors registered by that committee may not be lower than the number of councillors elected in that municipality” (Dz. U. 2011) From a practical point of view, this means that in the event of the electoral success of a candidate for mayor, such a candidate also has a chance to introduce members of their own political group into the commune council. Introducing this provision to the Electoral Code, the legislator most likely wished to strengthen the position of local executive officers vis-à-vis local legislative bodies and provide commune leaders, even if only theoretically, with a chance to secure a majority in the commune council. On the other hand, the legislator – probably unintentionally – creates space in which organisationally and politically skilful commune leaders can dominate local electoral scenes. Table 2 presents this problem as exemplified by 94 communes mentioned in the Introduction, where non-competitively elected commune leaders hold a majority in the municipal council.

**Table 2:** A list of communes where commune leaders elected in non-competitive elections hold a majority in the municipal council in 2018 broken down by the number of councillors constituting the majority (there are 15 councillors in each council).

Number of the commune leader's election committee's members sitting on the commune council	8	9	10	11	12	13	14	15	Total
Number of such communes	18	17	11	8	13	5	9	13	94

The author's own work on the basis of the data of the National Electoral Commission.

The problem of filling seats without voting is of a nationwide character and it seems that it may be one of the strongest manifestations of the crisis of the institution of councillor in the Polish local government system. There are voices that the decline in the prestige of the councillor is due to the fact that commune councils – like their Slovenian counterparts – play the roles of “supporting actors” (Radzik-Maruszak 2019: 177) and over the years have lost any real influence on the shape of local politics. The problem is growing all over the country, although with different intensity in the particular regions. What can be perceived as



worrying is the fact that in some regions more than 40 percent of communes are afflicted with this phenomenon.

**Table 3:** The phenomenon of non-competitive elections to commune councils in Poland in the years 2010-2018 by region.

Year	2010	2014	2018
Province	Percentage of a given province's communes in which there were cases of filling seats on councils without voting	Percentage of a given province's communes in which there were cases of filling seats on councils without voting	Percentage of a given province's communes in which there were cases of filling seats on councils without voting
Dolnośląskie	15%	18%	30%
Kujawsko-Pomorskie	15%	24%	31%
Lubelskie	16%	21%	33%
Lubuskie	15%	15%	38%
Łódzkie	20%	29%	42%
Małopolskie	17%	30%	37%
Mazowieckie	22%	23%	34%
Opolskie	24%	38%	52%
Podkarpackie	18%	33%	44%
Podlaskie	28%	27%	41%
Pomorskie	20%	26%	34%
Śląskie	11%	20%	29%
Świętokrzyskie	18%	18%	25%
Warmińsko-Mazurskie	11%	18%	26%
Wielkopolskie	20%	30%	41%
Zachodniopomorskie	9%	14%	25%
TOTAL	18%	24%	35%

Source: the author's own work based on the data from the National Electoral Commission, [www.pkw.gov.pl](http://www.pkw.gov.pl) (13.03.2021)

## 2.2 Incumbency advantage vs. term limit

As the literature on the subject emphasises, the reasons for the advantage resulting from re-election are quite obvious and belong to well researched issues (e.g. Campbell 1984; Gelman, King 1990; Lockerbie 1999; Lucas 2021). Incumbents are not only more often present in the media, and thus are better known to the public, but they can also deliberately (exactly out of concern for future re-election) manage the distribution of resources or services. Their advantage also stems from the fact that they have access to the necessary know-how, including in the field of political marketing, which strengthens their competencies and facilitates the

achievement of another electoral victory. In other words, incumbents have access to resources and opportunities that are not available to their contenders (Bartnicki 2016: 37). Their advantage has institutional (holding the office), communicative (enjoying a privileged position in the process of communicating with voters) and psychological dimensions (Turska-Kawa, Wojtasik 2020). As far as the psychological dimension is concerned, a distinction should be made between the individual perspective (self-confidence of the incumbent) and the collective perspective related to the so-called exposure effect (Bornstein 1989; Turska-Kawa, Wojtasik 2020).

The incumbency advantage produces tangible results because “incumbents rarely lose elections” (Feld, Grofman 1991). The higher probability of electoral victory for incumbents is even one of the immanent features of democratic elections (Praino, Stockemer 2012a; Praino, Stockemer 2012b) occurring in basically all continents (e.g. Wang 2011) with respect to heads of state, members of national parliaments, as well as regional and local government officers and councillors (e.g. Lee 2008; Hainmueller and Kern 2008; Fowler and Hall 2014; Argote 2020).

The prevalence of this effect can be evidenced by the fact that long-term analyses of US Congressional election results show that as many as 90% of incumbents are re-elected to serve as a Congressperson or Senator, and the situation is similar in the Canadian municipalities, where the success rate of incumbents over the past two decades has also been at a very high level of over 90% (Moore, McGregor, and Stephenson 2017; Lucas 2021).

The majority of publications addressing the problem of the incumbency advantage focus on parliamentary elections, although, in the context of a thorough exploration of the phenomenon, it is impossible to omit the local government level. It should be remembered, however, that electoral systems also know the opposite phenomenon, i.e. incumbency disadvantage, which results in defeats of those in power due to voters’ disappointment with the lack of improvement of their living conditions. However, such cases are much rarer and their occurrence is mainly limited to countries classified as “weaker democracies” (Ariga 2015, Klačnja 2016).

A few works examining cases of the local incumbency advantage effect (Trounstine 2011) point out that the determinants responsible for the emergence of the phenomenon include the weakness of challengers, which can be linked to the low attractiveness of local elections and their personalisation (Gendźwiłł, Żółtak 2017; Ganowicz & Opiola 2017; Turska-Kawa & Wojtasik 2020). Interestingly, researchers also identify legal and institutional mechanisms as factors that build the incumbency advantage by strengthening the position of those currently in power (Kuković & Haček 2016).

In the Polish scientific literature, the exploration of the problem of incumbency advantage concentrates on commune executive bodies (e.g. Żurek 2012, Bartnicki 2015, Krukowska 2018, Bartnicki 2019a). Few works address the issue of the instrumentalisation of the electoral competition (Turska-Kawa, Wojtasik 2020). What dominates in publications by Polish researchers is the perspective of political rivalry among candidates for the office of commune leader. Some of them direct their attention to the pathological side of local political competitions and conclude that local political scenes are shaped by the logic of clientelism (Łukomski 2018, Bartnicki 2019b) according to which local leaders seek to maximise control over available resources, but this is done at the expense of participation on the part of ordinary citizens.

The prevalence of the phenomenon of incumbency advantage has already in the past prompted the development of mechanisms to counter the processes of power grabbing. In this context, it is worth referring to the famous aphorism by John Dalberg-Acton concerning the essence of power: “Power tends to corrupt and absolute power corrupts absolutely” (Acton 1949: XI).

One of the forms of counteracting such tendencies is a term limit. Such a limit is to protect against the cementing of power structures, which is dangerous for democracy and leads to the oligarchisation and cartelisation of state structures, as well as the degeneration of democratic pluralism. Formulated by the first president of the United States, George Washington, the constitutional convention concerning the limitation of the period of holding the office of President to two terms (Amendment XXII) has over the years become a global political standard. Supporters of this solution point out that it strengthens the principle of competitive general elections. It is an additional safeguard for the functioning of representative democracy. Term limits weaken the possibility of appropriation and personalisation of the office held by an individual and maintain the possibility of political changes.

The limitation of the number of terms of office is applied mainly to executive bodies at the central level (heads of state). The long list of countries that have introduced such regulations includes virtually all Member States of the European Union. Similar solutions are in force in the Polish constitutional system, where the president may hold office twice (Constitution of the Republic of Poland). Thus, in democratic countries, the possibility of no term limits for holding executive offices is rare, with Italy (Floridia 2018) and Iceland being cases in point. Term limits do not apply to legislative assemblies, although in the case of elections to these bodies, the incumbency advantage effect also occurs, especially in majority voting systems (Ansolabehere & Gerber 1997; Wang 2011; Praino, Stockemer 2012a).

While the limitation of presidential terms is a common systemic solution worldwide, the application of similar mechanisms at the local government level is not so widespread. What is worth noting against this background is the changes in the rules of electoral competition that have been in force in Poland since 2018.

Thus, starting from the 2018 elections, commune executive officers are able to seek re-election only once. Interestingly, the term limit applies regardless of whether the commune leader (town mayor or city president) has held the office for two consecutive terms. This limit deprives those who have held the commune executive office twice of the right to stand in elections. The term of office of local government (legislative and executive) bodies has also been extended from 4 to 5 years. According to the title of the amendment, the purpose of the changes is to increase “the participation of citizens in the process of electing, functioning and controlling certain public bodies” (Dz. U. 2018). It is also intended to have a positive impact on the diversity of local elections, force a cyclical replacement of commune executives and act as a barrier for the processes of cartelisation of political scenes.

Nevertheless, the new electoral law places Poland on the short list of European countries with term limits applicable at the level of local government. Apart from Poland, in Europe similar solutions are in force in Italy (a limit of two 5-year terms), Portugal (a limit of three 4-year terms), while in Switzerland term limits are introduced by communes themselves (Gendźwiłł, Swaniewicz 2017) and are not a common nationwide solution.

The fact that such restrictions on electoral rights are very rarely applied in Europe also raises questions about their constitutional nature. In the political debate on the reasons for reforming the electoral system, there have been many claims that the amendment is part of the plan of the Law and Justice party, which has been in power in Poland since 2015, to subordinate local governments to the central government and reduce the role of opposition parties in local government structures (Sześciło 2018a, 2018b, Składkowski 2019). Critics of the introduction of this type of restrictions point out that people affected by them lose some of their electoral rights. On the other hand, it should be noted that the presence of political parties at the local level is relatively weak and concerns mainly large cities. In small communes with a population of fewer than 20,000 inhabitants, 70% of seats were won by local election committees not affiliated with political parties.

Whether the introduced solutions will prove effective will be known only in a few years and this paper does not aim at predicting the effects of this novelty. The author wants to draw attention to another important problem of the Polish local government system related to the consequences of re-election of commune leaders. In his opinion, the electoral reform of 2018 will not have eliminated this

problem before they year 2028. What is more, the present and upcoming terms of office may exacerbate it even further.

### 3 Research

In order to exemplify the problem under analysis and verify the assumption of a correlation between the phenomenon of non-competitive elections to commune councils and re-election of commune leaders, the author conducted qualitative research (a nested analysis) in 18 communes located in six provinces (Opolskie, Dolnośląskie, Śląskie, Lubuskie, Kujawsko-Pomorskie and Mazowieckie). In order to facilitate the selection of communes for case studies, the research perspective covered the period of the past three local elections held in the years 2010, 2014 and 2018.

The 18 selected communes were divided into three subgroups. The first subgroup included localities where the phenomenon of non-competitive elections to commune councils was on the rise, while at the same time, in the period under analysis, the office of commune leader or town mayor was held by the same person for at least two consecutive terms of office, i.e. the commune leader had been re-elected at least once. The second subgroup comprised communes where the phenomenon of non-competitive elections was on a downward trend, and the person holding the office of commune leader had been re-elected at least once. The third subgroup consisted of communes where there were no or only occasional instances of non-competitive elections (up to three cases in total in the period 2010-2018) and – similarly to the other groups – there had been at least one re-election of the incumbent commune leader.

**Table 4:** The selection of communes for the qualitative research

	Criterion of non-competitive elections to commune councils	Criterion of incumbency advantage	Selected communes
Subgroup I	The phenomenon of non-competitive commune council elections is on the rise	one person has held the office of commune leader for at least two consecutive terms, i.e. two or three terms	Leśnica (Opolskie province) Wisła (Śląskie province) Pęcław (Dolnośląskie province) Iłowa (Lubuskie province) Dragacz (Kujawsko-Pomorskie province) Korczew (Mazowieckie province)
Subgroup II	The phenomenon of non-competitive commune council elections is on the decline	one person has held the office of commune leader for at least two	Dąbrowa (Opolskie province) Pawonków (Śląskie province) Mściwojów (Dolnośląskie province) Siedlisko (Lubuskie province)

	Criterion of non-competitive elections to commune councils	Criterion of incumbency advantage	Selected communes
		consecutive terms, i.e. two or three terms	Dębowa Łąka (Kujawsko-Pomorskie province) Mszczonów (Mazowieckie province)
Subgroup III	The phenomenon of non-competitive municipal council elections is sporadic (up to three cases in total in the period 2010-2018)	either there was a cyclical change of executive officers or one person held the executive office for two or three terms	Reńska Wieś (Opolskie province) Tworóg (Śląskie province) Bolesławiec (Dolnośląskie province) Łagów (Lubuskie province) Sadki (Kujawsko-Pomorskie province) Gzy (Mazowieckie province)

The number of persons with whom in-depth interviews were conducted was very close to the number of analysed cases. The interviewees held the office of commune leader or town mayor (Leśnica, Wisła, Iłowa, Dąbrowa, Pawonków, Mściwojów, Reńska Wieś, Tworóg), chairperson of the commune council (Pęcław, Dragacz, Korczew, Siedlisko, Łagów, Sadki, Gzy) or deputy chairperson of the commune legislative body (Mszczonów, Dębowa Łąka). Thus, they were active local politicians elected in the 2018 elections. In the case of councillors, in the vast majority of cases, they were people who had been involved in local government activities for several terms, some having sat on a council since 2006. In view of the vastness of the research material and the limited scope of this paper, the author decided to try to synthesise the information obtained under the aforementioned procedure.

The interviews were structured in a uniform way and included 10 problem-oriented questions aimed at persuading the interviewees to present various aspects of local government activities. The questions concerned the following issues: motives for involvement in local government activities, a description of the local political scene, including its diversity, the landscape of civic organisations operating in the commune, processes related to the selection of candidates for councillors, the dynamics and nature of election campaigns conducted in the commune, an assessment of the reasons for seats on the council being filled without voting, mechanisms for evaluating the work of commune councillors, involvement of the local community in various forms of civic participation (e.g. public consultations) and an indication of the essence of the functioning of a democratic system at the local level.

The purpose of the targeted interview was to clarify the functioning of mechanisms responsible for the emergence, disappearance or absence of the

phenomenon of non-competitive elections. During the interviews, additional questions were also used to describe precisely the characteristic features of local political conditions, including to identify links between the phenomenon of filling council seats without voting and the incumbency advantage of commune executive officers. In this way, it was possible to identify possible scenarios of events which had had an impact on the dynamics of the phenomenon of non-competitive elections in the communes covered by the research, although it was not always apparent directly from the interviews.

Despite some obvious limitations related to data collection on the basis of individual direct interviews, they allowed the author to verify the quantitative analyses, but first of all to define nuances and case-specific conditions shaping the dynamics and diversity of local political scenes. The community information obtained in this way was used to fill the gap in the knowledge of the causes of the emergence of the phenomenon of non-competitive elections. This was particularly helpful in the case of the communities in Group I, where political pluralism disappeared in 2018.

**Table 5:** The phenomenon of non-competitive elections in the communes included in the focused research.

		2010				2014				2018			
	commune	Number of candidates for councillors	Number of candidates for commune leader/ town mayor	Number of election committees	Number of council seats filled without a vote	Number of candidates for councillors	Number of candidates for commune leader/ town mayor	Number of election committees	Number of council seats filled without a vote	Number of candidates for councillors	Number of candidates for commune leader/ town mayor	Number of election committees	Number of council seats filled without a vote
Group I	Leśnica	29	2	15	1	20	1	7	10	15	1	3	15
	Wisła	51	3	7	0	49	3	7	0	15	1	1	15
	Pęclaw	29	1	4	0	17	1	2	13	15	1	1	15
	Iłowa	45	3	3	0	58	4	4	0	15	1	1	15
	Dragacz	57	4	7	0	58	5	6	0	15	1	1	15
	Korczew	24	1	3	4	30	2	2	0	15	1	1	15
Group II	Dąbrowa	39	3	7	0	19	1	5	11	29	2	5	2
	Pawonków	39	3	3	0	26	2	3	5	33	2	3	1
	Mściwojów	49	3	8	0	20	1	4	12	34	2	6	1
	Siedlisko	40	2	5	0	16	1	2	14	46	3	4	0
	Dębowa Łąka	29	3	2	1	16	1	2	14	31	2	3	0
	Mszczonów	41	3	7	0	26	1	6	5	33	2	7	1
G	Reńska Wieś	34	2	8	0	50	4	8	1	46	4	4	1

		2010				2014				2018			
	Tworóg	39	2	4	<b>0</b>	43	2	5	<b>1</b>	36	1	5	<b>2</b>
	Bolesławiec	57	4	10	<b>0</b>	98	7	14	<b>2</b>	33	2	5	<b>1</b>
	Łagów	39	2	7	<b>1</b>	37	6	7	<b>1</b>	43	3	6	<b>0</b>
	Sadki	55	4	6	<b>0</b>	48	3	6	<b>1</b>	37	3	3	<b>1</b>
	Gzy	41	6	3	<b>0</b>	32	2	7	<b>1</b>	44	3	3	<b>0</b>

Source: the author's own work based on the data from the National Electoral Commission, [www.pkw.gov.pl](http://www.pkw.gov.pl) (13.03.2021)

In general, the interviewees associated the problem of non-competitive elections to commune councils with the following factors: (1) a decline in the prestige of the office of councillor, (2) the necessity to disclose one's assets (property statements), which discourages local entrepreneurs or "local men of success" from involvement in local government activities, (3) difficulties in reconciling participation in local government activities with a regular job and family life. The causes of non-competitive elections were less frequently identified as related to the functioning of the majority electoral system at the local level, although at the same time the interviewees admitted that the regulations in force since 2014 had contributed to the strengthening of "local leaders" in their positions of commune councillors. In other words, they were aware that the introduction of single seat constituencies had changed the nature of electoral competition and in practice had provided incumbent councillors with additional advantage. One interviewee described this mechanism in the following way: "In 2014 I was elected councillor without voting. Although I heard that another candidate had been preparing to compete with me, he eventually dropped out. I met him later after the elections and he himself admitted that he had realised that he would have no chance to compete with me. I myself have been a councillor since 2006, that is for four terms" (Mszczonów).

This example reveals one of the key mechanisms of the incumbency advantage phenomenon. The awareness of the incumbency advantage enjoyed by the incumbent commune leader, town mayor or councillor causes potential challengers to believe that their chances for victory are slim (Gelman, Huang 2008; Troustine 2011: 257; Turska-Kawa, Wojtasik 2020: 656). This mechanism can be used to explain the process that has led to the uniformity of local political scenes in the communes included in research group I. The main role in the process was played by the incumbent commune leader or town mayor, who used their privileged position directly in competing for re-election, but also indirectly in persuading voters to fill the seats on the commune council with members of the leader's political grouping.

Group I includes the communes where electoral competitiveness has disappeared and the effects of incumbency advantage are the most pronounced at the level of



both the local executive officer and the legislative body. In each of them, the incumbent commune leader or town mayor experienced re-election. For three leaders, it was their second term of office (Wisła, Iłowa, Dragacz), for one leader, it was the third term (Leśnica), and in the cases of Pęcław and Korczew, the commune leaders were elected for the fourth time. Interestingly, in the cases of four communes (Wisła, Iłowa, Dragacz, Korczew), the sterilisation of the local political scene occurred during the course of just one term (2014-2018); in 2014 the elections to councils in all these communes had been fully competitive. Before that, cases of filling seats on a council without voting had been rare and had happened only in the communes of Leśnica and Korczew. This means that, firstly, possible effects of the introduction of the system of single seat constituencies by the amendment to the Electoral Code adopted in 2011 were not yet visible in 2014. It was only the combined effect of the regulations introduced in recent years (single seat constituencies, linking the nomination of a candidate for commune leader with the nomination of candidates for councillors) and the re-election of incumbents that resulted in the uniformity of local political scenes.

The communes of Wisła, Iłowa and Dragacz are cases in point. In the elections held in 2014 they had seven, four and six election committees respectively. Those committees jointly proposed three, four and five candidates for the office of commune leader / town mayor. In all three cases, the election for commune leader / town mayor was won by the then challenger. Consequently, the newly elected executive officers (one woman, two men) introduced new qualities and styles to the management of local government units and the functioning of their local communities. Infrastructural investments initiated in these localities (sewage systems, road repairs) were positively perceived by inhabitants, but also by the new leaders' political opponents (at least this is what the interviewees claimed).

At the same time, the interviewees emphasised that the new quality of the commune's functioning consisted mainly in the launching of modernisation processes, also in the communication aspect (the role of the social media). This new quality was in stark contrast to the character of their predecessors' terms of office. All new executive officers also undertook initiatives to consolidate local political scenes, with the aim of seeking "resources that will increase their chances of political success in the long run" (Trounstone 2011: 256). They succeeded in convincing the leaders of the other election committees to work together for the benefit of the local community. This may be surprising, but according to the information obtained during the interviews, altruistic concern for the welfare of the local community became the motivation for bridging differences of a political nature and forming a single, joint election committee. One interviewee described this concord in the following way: "We decided that politics had no place in our commune and it was time to get down to work" (Dragacz). In fact, pursuing their visions for the local development, the incumbent commune leaders actively anticipated their institutional, communicative and psychological advantage over

their challengers, only to finally offer them to run for seats on the council in a joint election committee. In this way, they managed to “acquire” the leaders of the competing election committees for their own political groupings. This is what happened in the three studied cases. The leaders of the circles standing in opposition to the commune leader in 2014 joined the ranks of his committee in 2018.

The activists “acquired” by the commune leader can be classified as incumbent councillors. The fact that the representatives of the local political (local government) elite decided to cooperate within one committee apparently had a psychological impact on potential challengers. Their withdrawal from the electoral race was preceded by a calculation whose result persuaded them that they had no chance of winning. Furthermore, the transfer of the local activists to the committee of the incumbent commune leader caused the previously competitive groups to lose not only their face, but also the persons who had worked hard on the organization of their election committees, the preparation for participation in the elections, as well as the development of their political platform and election campaign. As a result, the groupings standing in opposition to the incumbent commune leader underwent a rapid process of decomposition. Although the interviewees indicated that persons involved in local government activities had “agreed” to run for seats on the council for the good of their commune, it is difficult not to get the impression that, in these cases, the incumbent commune leaders took advantage of all aspects of their privileged position in the commune in order to increase their chances for re-election. Voters in these communes not only lost the chance for an electoral alternative, but also did not learn more about the programme of the political grouping in power. When asked whether the automatically elected councillors had conducted any election campaign, all interviewees answered in the negative. The councillors elected without voting had not had to do even that.

The other three communes in this group (Leśnica, Pęclaw, Korczew) are localities whose leaders were elected for the third or even fourth term of office in the 2018 local government elections. In such cases, the competitiveness of local elections decreases due to not only the provisions of the electoral law favouring this phenomenon and the dwindling supply of candidates for councillors, but also the advanced state of cartelisation of local political scenes (Łukomski 2018, Bartnicki 2019a).

In each case, the commune executive officers have been their main actors for many years. In Pęclaw, during the entire period under analysis, the incumbent commune leader was the sole candidate for the held office, while the incumbent leaders in the communes of Leśnica and Korczew had to compete for re-election with a challenger only once. Since 2006 (in the case of Leśnica since 1990<sup>3</sup>) the majority of seats on the commune councils have been held by the committees that

nominated the current incumbents as candidates for the executive office of the respective communes.

The decomposition of such local political scenes is therefore a long-term process resulting from the “ossification”, as it were, of local political conditions. In 2014 Pęclaw and Leśnica recorded respectively 13 and 10 cases of council seats filled without voting. A detailed analysis of the composition of the councils reveals the phenomenon of councillors’ holding their seats for many terms. During the current term of office for the years 2018-2023, 2/3 of the Leśnica councillors represent their community at least for the second time. Unfortunately, this may indicate that their incumbency advantage should also be linked to the nationwide phenomenon of declining interest in participation in local government activities. In other words, the pool of people willing to work in a commune council is rather small. This is confirmed by observations made by practitioners. One of them stated that, “The old have grown out of it, the young are not interested in it” (Pęclaw). Although full of frustration, this statement reflects well the negative side of the processes occurring at the local level. In this group of communes, the number of candidates for councillors has fallen by 61% over the past 8 years, to the minimum level ensuring full representation in local legislative bodies. The process of selecting candidates for councillors there is different from that in group I, but it is the incumbent commune leader that plays the major role in this respect.

Such candidates are nominated either by the commune leader themselves (Pęclaw) or by the commune leader’s political grouping (Leśnica). In Leśnica, the pool of people actively involved in the life of the commune is so small that the election of a councillor is determined by the “circle of activists” consisting of representatives of local social organisations (e.g. voluntary fire brigades), village leaders and the election committee. These people are active in many fields and simultaneously fulfil several functions at the commune level (a parish council member, village leader, volunteer fireman). This “circle” nominates a candidate who is practically guaranteed a seat on the council at the time of official registration.

However, the processes of sterilisation of local political scenes are not irreversible. A detailed quantitative analysis of the phenomenon of commune council seats being filled without voting from 1998 to 2018 does not show cases of political monopoly (on the scale described above) lasting longer than one term of office.

In previous years, there were cases where full councils and commune leaders were elected in non-competitive elections (e.g. the commune of Nozdrzec in the Podkarpackie province in 2006), but in subsequent elections the level of competitiveness in such communes increased. The phenomenon had similar dynamics of gradual disappearance in group II of the communes covered by the

research. In five out of the six cases (Dąbrowa, Mściwojów, Siedlisko, Dębowa Łąka, Mszczonów), the increase in the number of council seats filled without voting took place in 2014. The winning commune leaders did not have any rivals in the electoral race. It can be assumed that, similarly to the cases described above (group I), they discounted their incumbency advantage in this way. Therefore, they were able to apply similar mechanisms to consolidate the local political scenes. The incumbent commune leaders managed to obtain a majority in the composition of commune councils. In Siedliska, Mściwojów and Dębowa Łąka, their election committees won at least 80% of council seats in non-competitive elections.

Nevertheless, the process of making the local political scenes uniform was negatively perceived by the local communities. This was confirmed by the commune leader of Mściwojów, who stated that, “After the term 2014-2018, the opposition started to grow. I managed to win in 2018, but probably there won’t be another term for me”. This statement is confirmed by numerical data. In 2018, each commune in group II had competitive elections for the office of commune leader and recorded an increase in the number of election committees. A tangible expression of this trend was a 67.5% (from 123 to 206) increase in the number of candidates for councillors. The more competitive elections (the number of seats filled without voting fell from 61 to five cases) contributed to the defeat of two incumbent commune executive officers (Dąbrowa, Pawonków). The others started their third term of office (Siedlisko, Mściwojów, Mszczonów, Dębowa Łąka), although the political strength of their election committees dwindled. Social discontent or, from a theoretical point of view, the social conflict generated in this way (Dahrendorf 1988) saved the local community from the disappearance of pluralism.

However, what deserves emphasis in this context is the fact that the process of rebuilding political diversity, and thus the resumption of the functioning of inherently democratic mechanisms of control over those in power (the presence of councillors standing in opposition to the commune leader) may take place after subsequent elections.

What draws attention in the case of the communes in group III is the greater political diversity of the local communities in comparison to those in groups I and II. In the years 2010-2018, the six communes covered by the research recorded jointly thirteen cases of council seats being filled without voting and one single-candidate election of a commune leader (Tworóg in 2018). These communities resisted the potential effects of the changes in the electoral law introduced in recent years. If the research perspective for these communes is broadened to include two more terms of office (2002-2006 and 2006-2010), it is possible to notice the relative durability of their political diversity. In the 2002 elections, there were as many as 80 election committees there. This diversity may be due to a

greater number of local elites than in the previously analysed cases (although this should not be linked to the size of the population) or a greater degree of social differentiation resulting from the proximity of a larger urban centre (Reńska Wieś, Tworóg, Bolesławiec). Furthermore, although there are two communes in this group where commune leaders held their office for three consecutive terms (Tworóg, Bolesławiec), it seems that their consecutive re-elections did not influence the number of committees and councillors participating in local elections. Thus, it may be concluded that the incumbents did not take full advantage of their positions or did not undertake the actions described earlier. The socio-political conditions in these communes may also not have been conducive to discounting the incumbent advantage with a view to undermining the competitiveness of commune council elections.

#### **4 Discussion and Conclusions**

On the basis of the examples presented in the text, it is possible to identify a correlation between the effects of the incumbent advantage and the competitiveness of local elections, although it should be remembered, as was also indicated at the beginning of this paper, that this correlation occurs under specific circumstances. Such circumstances result from a combination of several factors of formal (electoral law) and socio-political nature (discounting of the incumbent advantage). They interact only when incumbents or political groupings holding power in a commune take steps to take full advantage of opportunities that flow from them.

Such factors may therefore be conducive to the phenomenon of non-competitive commune council elections, but they are not the main causes of such elections. Thus, the sources of the problem of declining competitiveness of local elections are complex and this text presents their incomplete catalogue. At the same time, however, it indicates how declining competition may acquire an almost pathological dimension for the condition of local democracy.

The hypothesis formulated in this paper was confirmed on the basis of the case studies of the communes included in groups I and II. The paper describes the mechanism of using the incumbent advantage in the context of efforts aimed at increasing the chances for re-election. In this respect, the key role may be played by the legal regulations governing the procedure for nominating candidates for the office of commune leader that oblige election committees to nominate simultaneously at least eight candidates for councillors, which in the case of electoral success of all nominated candidates creates a situation where the commune leader has a majority in the council.

The described examples of extreme cases in which the whole council and the head of the commune were non-competitively elected would not have happened if it

had not been for a combination of factors. If the incumbent mayor makes creative use of their advantage based on institutional, communication and psychological factors unavailable to the challengers, they are almost guaranteed a repeat victory. In such communes as Wisła, Dragacz, Iłowa and Korczew, the commune leaders, efficiently using resources unavailable to their challengers, built such a strong advantage during only one term of office that it was politically difficult for them to lose the elections.

From the point of view of the incumbent seeking re-election, the optimum situation in which the opposition in the commune unites under the incumbent's leadership can be described in terms of a local "government of national unity", although the altruistic motives for such actions may in fact be no more than an ideological superstructure of the commune leader's real intentions.

In force as of 2018, the limit of two terms of office for commune executive officers is intended to strengthen public control over those in power and exert a positive impact on their cyclical replacement. It seems, however, that these limitations will not protect local communities from the processes that took place in the communes such as Iłowa, Dragacz and Wisła. Efficient organisationally and politically, their executive officers caused disintegration of the local political groupings and circles. What is more, they managed to incorporate the leaders of those circles into their own election committee, providing themselves practically with a guarantee of re-election. This would not have been possible without the local government election regulations facilitating the occurrence of this process.

The provisions of the Electoral Code allowing electoral decisions to be made without voting and making the possibility of nominating a candidate for commune leader conditional on the registration of candidates for councillors in at least half of constituencies in a commune may be used by skilful incumbents to build their advantage over potential electoral rivals. Typical of Polish local government politics, the personalised nature of elections may also be conducive to this phenomenon (Gendźwiłł, Żółtak 2017).

Forming local "governments of national unity", incumbent executive officers can decide independently or in cooperation with others on the composition of the council. Elections to commune councils do not take place because councillors themselves – often holding office for the second term – also benefit from the advantage enjoyed by the incumbent commune leader. In consequence, the mechanism of a democratic selection of political representations is switched off, including at the stage of election campaigns that may either take the form of a ritual or not take place at all.

The situation in which elections are held without voting are becoming more and more common, raises concerns and may constitute a basis for initiating a

discussion on the reform of the existing mechanisms of selecting political representations when there is a severe shortage of candidates. The author is convinced that it is worth returning to the solutions applied in the early 1990s, which regarded the lack of electoral alternatives as a condition excluding the possibility of holding elections, and taking into consideration the possibility of introducing regulations that would make it easier (i.e. more attractive) for a greater number of people to get involved in local government activities.

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### Notes

<sup>1</sup> There were two cases in which a commune leader or a mayor was not elected.

<sup>2</sup> There are 2477 communes in Poland; 1547 of them are rural communes that elect a commune leader, 823 are urban and urban-rural communes that elect a mayor, and 107 are urban centres electing a president.

<sup>3</sup> In Leśnica, the local German minority community has been in power since 1990 and has established its own election committee before every local government election. In this case, therefore, the incumbency advantage effect is additionally strengthened by the cohesion of a particular group of inhabitants.

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