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István Hoffman
Eötvös Loránd University in Budapest
ORCID: 0000-0002-6394-1516
hoffman.istvan@ajk.elte.hu

Regionalisation, Federalism and Local Governance: Comparative Analysis of the Subnational Units[1]

Regionalizacja, federalizm a samorząd lokalny. Analiza porównawcza jednostek subnarodowych

SUMMARY

Federalisation, regionalisation and local governance has been an important issue of legal and administrative sciences. Although the differences of decentralised and federal systems have remained, several transformations could be observed and in several countries the model of the public administration has changed in the last decades. A convergence or hybridisation of the models can be observed: the competences of the municipal bodies have been strengthened. Although the boundaries between municipalities and member states of the federation have blurred in the governance of these entities, the legal distinction between them remained solid: the regional municipalities with broad competences do not have their statehood.

Keywords: local governance; federalisation; regionalisation; comparative municipal law; regional development

INTRODUCTION

Studies on the legal regulation of the organisational issues has a long tradition in public law. This organisational approach is based on the continental jurisprudence. The analysis of the legal regulation on the spatial structure and the legal status of the subnational unit can be interpreted as a public law topic. Although the

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jurisprudential method is applicable, the author's research protocol has been based on political sciences[2]. Therefore, the *governance* of the subnational units has been analysed in particular[3]. The majority of the literature on federalism, regionalisation (and regionalism) and local governance follows the political-economical approach. The legal approach is part of these analyses, but it is just one element of the examination. The comparative jurisprudential analysis of the administrative systems focuses on legal phenomena. Thus, the central topic of the jurisprudential approach is based on the examination of the federal units administration and the legal status of the autonomous bodies in the administrative systems. In the comparative works, the issues of *statehood* and *autonomy* are one of the elements of the comparison[4].

The legal approach and the political-economic approach of the concept of governance interact each other. The legal approach is an inevitable element of the political analyses and the jurisprudential approach concerns the actual functioning of the systems. The methods of the analysis of this topic are strongly influenced by this duality.

METHODS OF THE ANALYSIS A ND THEORETICAL BACKGROUND

1. Methodological questions

The analysis is based on the jurisprudential method. Thus, the federalism and regionalisation are analysed especially by the examination of the rules concerning these units. The constitutional status, the division of powers between national and subnational units regulated by the public law, and the tasks of these bodies will be primarily analysed.

Firstly, the legal regulations on the (constitutional) status of these units seems to be – at least *prima facie* – clear, but the actual operation of these units is different. Secondly, the rules on the status of the subnational units have been transformed in the last decades. After World War II, and especially from the 1970s, the autonomy of the subnational units became more significant due to regionalism and regionalisation. In several countries, the regional units have been strengthened and, thus, the boundaries

[2] See more J. Loughlin, *Reconfiguring the nation-state. Hybridity vs. uniformity*, [in:] *Routledge Handbook of Regionalism and Federalism*, eds. J. Loughlin, J. Kincaid, W. Swenden, London–New York 2013, p. 3.

[3] J. Loughlin, F. Hendriks, A. Lidström, *Introduction*, [in:] *The Oxford Handbook of Local and Regional Democracy in Europe*, eds. J. Loughlin, F. Hendriks, A. Lidström, Oxford 2011, pp. 3–7.

[4] P.M. Huber, *Grundzüge des Verwaltungsrechts in Europa – Problemaufriss und Synthese*, [in:] *Handbuch Ius Publicum Europaeum*, Bd. 5: *Verwaltungsrecht in Europa: Grundzüge*, Hrsg. A. von Bogdandy, S. Cassese, P. M. Huber, Heidelberg 2014, pp. 24–25.

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between regional and federal units are blurred. Therefore, the main phenomenon in the field of the legal status and the actual operation of the subnational units is *hybridity*. It is highlighted by J. Loughlin that hybrid solutions have been evolved by the new models of regionalisation and centralisation of several federal systems[5].

Therefore, the governance issues should be – at least partly – analysed by the jurisprudential method. The jurisprudential approach plays a significant role in the study on federalism and regionalism. After the short theoretical overview, I would like to develop a framework of the analysis of regionalisation, federalism and local governance in the world of the blurring boundaries.

2. Theoretical background

2.1. The traditional concept of federalism, local governance and regionalisation

Federalism and federalisation have a long tradition in the public law. Traditionally, these concepts have been connected to statehood. The traditional concept of federalism is connected to *statehood*. It is highlighted that the member states of the federation have a partial statehood, they have own constitution, legislation, executives and justice system[6].

The traditional, *local governance* approach is based on self-governance and autonomy of the *infra-state local and territorial units*. The local governments have autonomy, which is granted by the constitutions or by the legislation, but they are units of the given state[7].

The traditional concept of regionalisation is interpreted as the restructuring of the spatial structure of a given country. In this approach, regionalisation is connected to *local governance*, and this concept is based on the evolvement of larger territorial municipal units which have wide competences (especially in the field of regional planning and development). Thus, regionalisation is considered as a *top-bottom* approach in which central government established these – typically municipal – units[8].

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[5] J. Loughlin, *op. cit.*, pp. 14–16.

[6] M. Dezsö, A. Vincze, *Magyar alkotmányosság az európai integrációban*, Budapest 2014, pp. 144–145.

[7] See more C. Copus, M. Roberts, R. Wall, *Local Government in England. Centralisation, Autonomy and Control*, London 2017, pp. 7–10; G. Melis, A. Meniconi, *Autonomie und Selbstverwaltung als gemeineuropäischen Konzept*, [in:] *Handbuch Ius Publicum Europaeum*, Bd. 5, pp. 930–933.

[8] P. John, *Local Governance in Western Europe*, London–Thousand Oaks–New Delhi 2001, pp. 109–113.

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2.2. The transformation of the traditional concepts

The interpretation of these concepts has been changed by the transformation of the regional and federal units after World War II. The greatest challenge of the traditional interpretation was *regionalisation* and *regionalism* and changing roles of the federal units.

Firstly, the classification of the federation became a current issue after World War II. The differences between the Anglo-Saxon and South-American federations, the transformation of the traditional federations (especially Germany, Austria, Switzerland) in Europe and the federal processes resulted in several researches in the field of the comparative politics and, partially, in the field of the comparative jurisprudence.

The traditional – jurisprudential – classification was based on the relationship between the federal bodies and the bodies of their member states, and it was based on the share of powers and responsibilities between federal and (member) state level. Thus, the *centralised* federalism was classified as a type of federalism which was based on strong competences at the federal level. In the political sciences, a similar concept has been evolved, this was the *organic federalism* which was based on the interdependence of the federal and the state and the centralisation of powers to the federal level. The "counterpart" of the organic federalism was the *dual federalism* which was based on strong competences at the (member) state level and the unequivocal share of competences[9].

A new element of the federal reforms were the so-called *asymmetrical federalism*. The traditional federal states were – primarily – based on the equality of the constituencies of the federations. Although it seems to be a general rule, the asymmetrical federalism has roots in the Middle Ages and in the 19th century, as well. There were exceptions to this equality – thus the "symmetry" of the federalism. The best example for the asymmetrical federation was Switzerland. The cantons have had different status, several cantons – the so-called half-cantons – have had only limited powers. This asymmetrical system remained after the (trans)formation of the Swiss federation in 1847/1848[10]. Although the Empire of Austria (the Cisleithanian part of the Austrian-Hungarian Monarchy) could not be considered as a federal state, its constituencies, provinces had different competencies. The Kingdom of Galicia and Lodomeria, and the Czech Kingdom had much broader competences than the other provinces of Cisleithania[11]. Similarly, the Kingdom of Bavaria, the

[9] W. Swenden, *Federalism and Regionalism in Western Europe*, Basingstoke–New York 2006, pp. 48–50.

[10] J. Parker, *Comparative Federalism and Intergovernmental Agreements*, London–New York 2015, pp. 137–138.

[11] S. Beller, *A Concise History of Austria*, Cambridge 2006, pp. 144–146.

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Kingdom of Württemberg, the Kingdom of Saxony and the Grand Duchy of Baden have certain privileges (*Sonderrechte*, *Reservatrechte*) within the German Empire (*Deutsches Reich*)[12]. Although the asymmetry of the status of the constituencies had examples, the main model was based on the equality of these units. In the 20th century, several federal states were based on the special status of the given member states, thus, unequal, asymmetrical federations have been evolved.

The process and interpretation of regionalisation have been transformed in Europe in the last decades. Several countries have been regionalised. The literature focused on those reforms which resulted in the creation of regional municipalities with broad competences and on those which resulted in special units. Firstly, several regional units received new competences. As will be shown, the Italian regions received legislative competences. The legislation belongs to the competences of the state, therefore, the Italian regions became an exception. The special rights of several regions were strengthened, thus, politically – and partly, legally – *hybrid* models appeared which were placed between federalism and regionalism[13].

2.3. Trends in territorial governance

The concept of territorial governance is used as a common interpretation framework of federalism and regionalisation. The traditional boundaries – which have been determined by the legal regulation – have blurred in the last decades, especially after World War II. Several main trends have been highlighted by which the traditional forms and frameworks of territorial governance have been transformed.

The *impact of the welfare state on the traditional territorial governance* was diversified. Firstly, federalism and the federal reforms have been facilitated by the differences in the field of welfare services. A federal structure could help to create different welfare models: thus, the economic differences between the territorial units can be reduced[14]. This approach is strongly connected to the *fiscal federalism* as well[15]. The development of the welfare state had also an opposite effect. In those federations where the welfare issue was very important and the welfare services were guaranteed by the federal constitutions, the federal competences have been widened[16].

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[12] M. Kotulla, *Deutsche Verfassungsgeschichte. Vom Alten Reich bis Weimar (1495–1934)*, Berlin–Heidelberg 2008, p. 516.

[13] J. Loughlin, *op. cit.*, pp. 14–16.

[14] R. Simeon, *Federalism and Social Justice: Thinking Through the Tangle*, [in:] *Territory, Democracy and Justice. Regionalism and Federalism in Western Democracies*, ed. S.L. Greer, Basingstoke–New York 2006, p. 20.

[15] On fiscal federalism see more W.E. Oates, *Fiscal Federalism*, New York 1972.

[16] J. Loughlin, *op. cit.*, pp. 15–17.

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Additionally, the tendencies of the *asymmetrical* territorial reforms have been strengthened. This trend was connected to the *ethnical element* of federalisation and regionalisation. For example, the different legal status of the constituencies of the Russian Federation is based partly on the multinational character of Russia. Traditionally, those Russian constituencies which have a majority of non-Russian population have broader competences than the constituencies (regions) with Russian majority[17]. Moreover, the ethnical issue was an important element of the regionalisation procedures. In several countries, the municipalities populated by ethnic minorities have received special status. The first regions which have special status due to the local majority of the national minorities have been established in Italy, as will be shown later. This model has been followed by another countries, as well. Those regional reforms were changed into federal ones: in Belgium the former regional entities became the member states of the federation after the constitutional reform in 1993[18].

A new model of the governance has been created by these territorial reforms – the multilevel governance which is based on the different competences and the cooperation with the different level units: these units could be member states of the federation and regional and local municipalities, as well[19].

The regional – and partly the federal – reforms were strongly connected to the (regional) development issue. Especially, the European regional reforms have been stimulated by the EU development policies[20]. The regional development and the decentralisation of the development policies resulted in the establishment of several regional entities with various organisational forms.

The regionalisation has been linked to the *decentralisation as a tool of the share of powers*. In several countries, the main aim of the regional reforms was to improve the competences of the territorial municipal units which could offer a more flexible model of the governance.

Regionalisation was primarily a top-bottom issue. This approach was changed in the last decades of the 20th century and the *regionalism approach* has developed, which was based on an organic development of the regional units and regional autonomy. The economic issues have been central in such an approach. In the urbanised regions of Europe, regionalism was connected to the *urban governance*

[17] R. Sakwa, *Devolution and Asymmetry in Russia*, [in:] *Federalism beyond Federations*. *Asymmetry and Process in Resymmetrisation in Europe*, eds. F. Requejo, K.-J. Nagel, Farnham–Burlington 2011, pp. 155–157.

[18] I. Balázs, *Belgium közigazgatása*, [in:] *Az Európai Unió tagállamainak közigazgatása*, red. K. Szamel, I. Balázs, Gy. Gajduschek, Gy. Koi, Budapest 2011, p. 276.

[19] J. Loughlin, *op. cit.*, p. 16.

[20] L. Bruszt, S. Palestini, *Regional Development Governance*, [in:] *The Oxford Handbook on Comparative Regionalisation*, eds. T.A. Börzel, T. Risse, Oxford 2016, pp. 374–376.

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approach and it was linked to the *inter-municipal cooperation*. The organic formation of the regions have been partly based on the cooperation of the municipalities.

The territorial governance has been transformed in the last decades. As I have mentioned, the boundaries between the different forms of governance have blurred, hybrid solutions have appeared. In the following part of the article, I would like to analyse the forms of the regional and federal reforms. I would like to study the impact of hybridisation of the territorial governance on the regulation of the legal (constitutional) status of these territorial units, because this impact could be the key element of a comparative legal analysis.

3. Methods of the comparison and the main models

Although hybridisation has been a trend of the territorial reforms, the fundamental legal difference between federalism and regionalisation remained in the legal regulation. Therefore, the main element of the comparison is the legal regulation on the constitutional status. I would like to examine the impact of the transformation of the territorial governance on the legal boundaries between municipal and federal member state units, as well. Last but not least, I would like to review the different models of regionalisation. This research is based on the analysis of the trends of regionalisation. I would like to examine the regionalisation as a tool for the regional development and more effective administration of multi-ethnical areas. Additionally, in this part of the analysis, I would like to study several unsuccessful regional reforms.

Therefore, this presentation is based on the comparison of the *organisational questions*. Thus, centralised and decentralised and symmetrical and asymmetrical federations will be compared. The regional systems will be shown by the organisational form of the regional entities, thus, the special regionalised model, the municipal model, the inter-municipal model and the quasi regionalisation will be compared. Last but not least, several 'hybrid' models will be analysed: especially the British federal model and Spain's quasi federalism.

THE MAIN MODELS OF FEDERATIONS

1. Decentralised federations

1.1. Decentralised, symmetrical federations

The federal models with shared competences between the federal level and the (member) state level is primarily followed in Europe by Germany. In the German – decentralised – federal system, the states (provinces, *Länder*) have their own

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legislation, executives and justice systems. Unlike the German Empire, the legal status of the provinces is basically equal, the special privileges (*Reservatsrechte*) of given provinces is not known by the German constitutional law. These provinces have unicameral (provincial) parliaments (*Landtag*) and a state government which is responsible to the provincial parliament[21]. The major policy-maker at the state level are the state ministries. The structure of the state government is diversified. The provinces have their own justice system which is connected to the federal court system, but they can be considered as the courts of the given provinces.

The German model followed the symmetrical, decentralised federal model of the United States of America, which was the pattern for the *dual federations*.

1.2. Decentralised, asymmetrical federations

Canada could be interpreted as a *decentralised, asymmetrical federation*. The asymmetrical nature of the Canadian federalism is based on the national (ethnical) issue. Province Québec which have a French-speaking majority has special rights and privileges, its competencies are stronger than the powers of the provinces with an English-speaking majority. But the Canadian federation became more centralised in the last decades, because of the welfare state services: the competences at the federal level have been strengthened by the development of the Canadian welfare state[22].

2. Centralised federations

In the centralised federation the competences at the federal level are traditionally strong and the member states of the federation have limited powers compared to the decentralised federations.

2.1. Centralised, symmetrical federations

This model is typical in the *small* federations, especially in Austria and Belgium. The member states of the Austrian federation, the provinces (*Bundesländer*), are NUTS-2 (regional) level entities[23]. Therefore, the competences of the municipalities are relatively limited, the federal level characterizes with strong powers. Although the strong federal competences, the *Länder* obviously have statehood, they have unicameral state parliaments (*Landtag*) and the state government, the

[21] S. Detterbeck, *Allgemeines Verwaltungsrecht mit Verwaltungsprozessrecht*, München 2011, p. 58.

[22] I. Peach, *Introduction: On Governing a Dynamic Federation*, [in:] *Constructing Tomorrow's Federalism. New Perspectives on Canadian Governance*, ed. I. Peach, Winnipeg 2007, pp. 5–8.

[23] H. Neuhofer, *Gemeinderecht. Organisation und Aufgaben der Gemeinde in Österreich*, Wien 1998, pp. 22–23.

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Landesregierung which is led by the *Landeshauptmann* ("Chief of the Province" or "Governor")[24].

Belgium has a similar system. The unitary Belgium became a regionalised state after the constitutional reform of 1970. The regionalised state developed into a federal one after the reforms of 1993 which was strengthened by the amendment of the Belgian Constitution in 2001[25].

Although the centralised, symmetrical federation is typical in small federations, a large country could also be included into this model, namely Australia. Australia is a centralised federation, in which the federal level have broad competences and the federal and sub-national level is strongly integrated. However, the Northern Territory and the Australian Capital Territory has a special status, Australia could be considered rather as a symmetrical than an asymmetrical federation[26].

2.2. Centralised, asymmetrical federations

In centralised, asymmetrical federations the federal level has broad competences, but the member states have diverse legal status. Typically, the asymmetrical nature of this federation is linked to the multinational nature of the federation. Thus, Switzerland and – as I have mentioned earlier – Russia can be interpreted[27] as such a country.

It could be highlighted that the legal status of the member states of the federations and the constitutional regulation on them are different. But it is common that the federative nature of these countries is declared by federal constitutions. Therefore, the statehood of the constituencies is obvious – regardless of the extent of the responsibilities of the member states.

REGIONAL STRUCTURES AND LOCAL GOVERNMENTS

The traditional regional model is based on large – typically three-tier – municipalities with broad competences. Firstly, it should be highlighted that the reasons for conducting the regional reforms – as I have mentioned earlier – were different.

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[24] L.K. Adamovich, B.-C. Funk, G. Holzinger, S.L. Frank, S. Leo, *Österreichisches Staatsrecht*, Bd. 2: *Staatliche Organisation*, Wien 2014, pp. 60–61, 194–195.

[25] I. Balázs, *op. cit.*, p. 276.

[26] C. Saunders, *Australia: An 'integrated' federation?*, [in:] *Routledge Handbook of Regionalism…*, pp. 390–393.

[27] O. Chernenko, *The Case of "New Moscow": Metropolisation as a Chance for a Local Government System*, [in:] *Metropolisation, Regionalisation and Rural Intermunicipal Cooperation. What Impact on Local, Regional and National Governments in Europe?*, eds. L. Malíková, F. Delaneuville, M. Giba, S. Guérard, Lille 2018, pp. 350–351.

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One major reason was the reform of the development system. Secondly, several regional reforms were impacted by the multinational issue. Thirdly, the division of powers between the central and the regional level was a reason for the reforms, as well. Therefore, the regionalised countries, the municipal and the inter-municipal model can be considered. In several countries, special, quasi regionalisation has evolved – regional entities without self-governance have been established.

1. Municipal model

The regionalisation tendency was based on the establishment or strengthening of the three-tier local governments, (regions). The example of these reforms was the French regional reform from the 1960s to the present. Although the feudal France was based on the regions, the revolutionary and Napoleonic legislation introduced a centralised state and the regions – as the last resort of the *Ancien Régime* – were abolished[28]. The new territorial units were the *départements*, the French counties, which had limited autonomy, the prefect (*préfet*) had significant supervisory powers.

Although the regions as administrative units were abolished, the regional differences remained. Thus, the regionalisation became an issue after World War II. In 1955, 22 planning regions (*circonscriptions d'action régionale*) were established, but these regions were part of the top-down planning structure. The next step of regionalisation was the establishment of the regional prefect (*préfet de region*) in 1964 when the county prefects of the seat of the given regions received regional competences. Thus, the territorial agencies of the central government were partly regionalised. These regional bodies had significant competences in the field of regional planning and development[29].

The decentralised model evolved by the reforms of the *loi Defferre* (1982) when the regional governments as three-tier local governments were established. Thus, France has a two-tier regional government system: the first, lower tier, is the level of the *départements* – which are NUTS-3 units – and the second, higher tier, is the level of the regions – which are NUTS-2 units. These regions have a directly elected council. The majority of the competences of the regional *préfet* were transferred to the president of the regional council[30]. One of the key issues of the French regional reforms was the decentralisation of the planning and development competences. The most important tasks and powers of the regional prefects were the competences

[28] J. Swann, *Parlements and Provincial Estates*, [in:] *The Oxford Handbook of the Ancien Régime*, ed. W. Doyle, Oxford 2012, p. 105.

[29] L. Hooghe, G. Marks, A.H. Schakel, S. Niedzwiecki, S. Chapman Osterkatz, S. Shair-Rosenfield, *Measuring Regional Authority. A Postfunctionalist Theory of Governance*, Vol. 1, Oxford 2016, p. 373.

[30] N. Dantonel-Cor, *Droit des collectivités territoriales*, Paris 2007, pp. 35–38.

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concerning the allocation of the development resources. Although several allocation competences of the regional prefect remained, the major development tasks and powers were decentralised and now they are performed by the regional councils[31].

Therefore, the regions became the central bodies of the regional development. The regional – spatial – structure was significantly reformed in the last years: the former 21 mainland regions were merged into 12 mainland regions (the independent, special region status of Corsica and the five overseas regions were left unchanged). The powers of the regions have been strengthened by this reform, especially in the field of the public service provision. Because of the wide development competences, the transformation has been just partially in this field[32].

The French counties, the *départements* lost several important tasks. The fragmented municipal system has remained: there are more than 36,500 first-tier local units (*communes*), but the reform of the *loi Chevènement* in 1999 transformed the local framework significantly. The new inter-municipal associations concentrated the majority of the local planning and development competences[33]. Thus, a *decentralised, region-centred model* has evolved in France. This French model was an example for the European regional reforms, especially in those countries which have followed the French model of public administration.

In Germany, Bavaria has a special status: the Bavarian system can be interpreted as a *regionalised one*, because the Bavarian districts (*Bezirke*) are regional governments, which are primarily responsible for the regional planning and development[34].

Although several countries tried to introduce regional reforms in Central and East European countries, the only successful reform was the regionalisation of Poland. The Polish model was based on the French decentralisation pattern, but it was different in some respect. Firstly, the Polish reform was based on the merger of the former NUTS-3 level units, the Polish counties, 49 voivodeships (*województwo*) were merged into 16 large voivodeships which are interpreted as NUTS-2 level units. These voivodeships are the third-tier local governments with wide powers and tasks[35]. Following the French regional planning and development model, the councils of the voivodeships and their elected officials are responsible for the re-

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[31] P. Booth, *Controlling Development. Certainty and Discretion in Europe, the USA and Hong Kong*, London–New York 1996, p. 62.

[32] G. Marcou, *Où va le système français d'administration territoriale ?*, [in:] *Quelle organisation pour les grandes régions en France et en Europe ?*, éd. J.-C. Némery, Paris 2015, pp. 26–30.

[33] H. Wollmann, G. Bouckaert, Bouckaert G., *State Organisation in France and Germany between Territoriality and Functionality*, [in:] *State and Local Government Reforms in France and Germany. Divergence and Convergence*, eds. V. Hoffmann-Martinot, H. Wollmann, Wiesbaden 2006, p. 11.

[34] T. Weber, V. Köppert, *Kommunalrecht Bayern*, Heidelberg 2015, p. 27.

[35] M. Karpiuk, J. Kostrubiec, *Rechtsstatus der Territorialen Selbstverwaltung in Polen*, Olsztyn 2017, pp. 46–48, 80.

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gional planning and the allocation of the development funds – including the funds from the European Union. Thus, these regional bodies are the managing authorities of the EU structural funds in the regions[36]. The two-tier local governments, the districts (*powiat*), are smaller units with limited planning competences. Several towns have the status of a district[37]. The local municipalities, the first-tier units (*gmina*) only have local planning tasks. The central government is responsible for the several, national development projects and for the coordination of the regional development policies[38]. The Polish model is a decentralised one, but the central government has relatively significant powers in the field of regional planning. Thus, the Polish model could be interpreted as an exceptional one among the Eastern Central European New Member States of the European Union.

Thus, the municipal model was primarily based on the development approach, but in the last decades, the role of the division of powers between the national and regional level became more important.

2. Regionalised model

The regionalised model was based on the municipal model. This model has evolved firstly in Italy. In the 19th century, it was a strongly centralised, unitary state which was divided into provinces (*provincia* / *province*). The *provincia* was similar to the French *département*, it had a limited local government which was supervised by the prefect (*prefetto*) who was appointed by the central government[39]. The regional development and the planning was centralised, the *province* and the municipalities (*comune*) had partial competences only. Although the Italian state was centralised, the regional differences and inequalities remained. The unitary nature of the Italian state has not changed, the Republic of Italy is "one and indivisible" (*una e indivisibile*) but the local and regional government system has been transformed after World War II. Although the provinces (*province*) have been preserved by the administrative law, the regions (*regione*) were established. The regions became responsible primarily for the tasks of regional planning and development, however, they also received several important administrative and service provision tasks. The regions have very wide autonomy. The speciality of the Italian model is that these regions have legislative powers. Unlike the French model, in Italy an asymmetrical regional system has developed. Several regions

[36] P. Swianiewicz, *Poland: creeping regionalization of the unitary state*, [in:] *Routledge Handbook of Regionalism…*, pp. 335–336.

[37] A. Bosiacki, J. Kostrubiec, *Metropolisation in Poland: Current Issues and Perspectives*, [in:] *Metropolisation, Regionalisation…*, pp. 363–366.

[38] J. Jagielski, *Administrative Law*, [in:] *Introduction to Polish Law*, eds. S. Frankowski, A. Bodnar, The Hague 2005, pp. 173–177.

[39] S. Cassese, *Il diritto amministrativo: storia e prospettive*, Milano 2010, pp. 254–255.

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have special status. *This special status is related to the ethnic diversity* (the German ethnic majority in *Alto-Adige* / *Südtirol* and the French ethnic majority in *Valle d'Aosta* / *Vallée d'Aoste*) and the traditional differences in Italy, especially the disparities between Northern and Southern Italy. Thus, several regions have special competences – official status of the minority and regional languages or the widened powers of the regional governments in the field of regional development, taxation and public service provision[40]. The significance of the regions have been strengthened after 2014 when the competences of the *province* were weakened, and the direct election of the provincial assemblies and the provincial councils (*giunta provinciale*) as municipal organs were abolished by the *legge Delrio* (*legge 7 aprile 2014, n 56*). The competences and the autonomy of the metropolitan cities have been strengthened by this Act[41]. Thus, the Italian regions have very strong autonomy: it is highlighted by the literature that Italy is a *regionalised state*, because the regions have more competences than a regional municipality but have less powers than the member states of a federative state[42].

A similar model can be found in Serbia. The Republic of Serbia is interpreted as a unitary state, but the Northern part of the Republic, the Autonomous Province of Vojvodina, is a regional entity with broad competences: it has a legislative body and its own government led by the prime minister. The regional autonomy of Vojvodina was based on the multi-ethnic nature of the province: a significant Hungarian minority lives in Vojvodina, but other ethnic minorities – like Croatian, Romanian and Slovakian – lives there, as well. Therefore, the main reason for the establishment was the *ethnic diversity* of the region, but the development responsibilities are a significant element of the regional autonomy. Thus, it could be perceived as a special, regionalised entity[43].

The creation of the regionalised model has been strongly impacted by the ethnic diversity of the given countries, but the development issues have been significant elements of the autonomy, as well.

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[40] C. Franchini, G. Vesperini, *L'Organizzazione*, [in:] *Istituzioni di diritto amministrativo*, ed. S. Cassese, Milano 2012, pp. 108–111.

[41] T. Amorosi, P. Cinque, *Le Province: nuovo Ordinamento ed Organi – Funzioni*, [in:] *Guida Normativa 2015*, eds. F. Narducci, R. Narducci, Santarcangelo di Romagna 2015, p. 367.

[42] S. Mangiamelli, *The Regions and the Reforms: Issues Resolved and Problems Pending*, [in:] *Italian Regionalism: Between Unitary Traditions and Federal Processes*, ed. S. Mangiamelli, Cham 2014, pp. 3–5.

[43] I. Pálné Kovács, *The development of regional governance in Central and Eastern Europe: Trends and perspectives*, [in:] *The Routledge Handbook to Regional Development in Central and Eastern Europe*, eds. G. Lux, Gy. Horváth, London–New York 2017, pp. 150–152.

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3. Inter-municipal model of regionalisation

In this model the regional units are typically *inter-municipal associations*, which have mainly *development* competences.

One of the most typical examples is the regulation of Ireland. The New Public Management paradigm and later the Good Governance paradigm impacted the Irish regional model[44]: the reforms in the 1990s aimed to decentralise the former centralised regional development system. Firstly, the municipalities were obliged to establish Local Development Boards which became the actors of the planning policy. In 2000, the City and County Development Boards were established which are the special committees of the given county and city local government, but they are guided by a member of the central government's Local Development Liaison Team[45]. In the 1990s – taking into account the regionalisation tendencies – two special bodies were established: the two regional assemblies, which are practically the managing authorities of the operative programs based on the European Regional Development Fund and the European Social Fund. These bodies are not considered as an independent regional tier by the Irish administrative law: the members of the assemblies are not elected but delegated by the municipalities and the county and city councils and they do not have general powers – unlike the Irish local governments[46]. Because of these special characteristics, these bodies can be interpreted as special inter-municipal associations of the Irish first- and second-tier local governments.

A similar model has evolved in Portugal. The Portuguese inter-municipal regionalisation is linked to the development issue as well. Therefore, the managing authorities of the regional development are practically inter-municipal associations of the second-tier local governments. Practically, this task was a catalyst of the inter-municipal cooperation in Portugal[47].

4. "Quasi regionalisation": regional units without self-governance and autonomy

In this model, the planning is centralised, the major decisions are made by the central government. The first- and the second-tier local governments have some planning tasks and responsibilities, and at the NUTS-2 level, special hybrid bodies are organised.

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[44] M. MacCarthaigh, *Public Sector Reform in Ireland. Countering Crisis*, Cham 2017, pp. 6–7.

[45] M. Adshead, *Policy networks and sub-national government*, [in:] *Ireland Public Administration and Public Policy in Ireland. Theory and Methods*, eds. M. Adshead, M. Millar, London–New York 2003, pp. 119–122.

[46] M. Callanan, *Regional Authorities and Regional Assemblies*, [in:] *Local Government in Ireland: Inside Out*, eds. M. Callanan, J.F. Keogan, Dublin 2003, pp. 437–438.

[47] F. Teles, *Local Governance and Inter-municipal Cooperation*, Basingstoke–New York 2016, pp. 63–64.

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This model was applied by Hungary formerly. In 1996/1997, when the Act XXI of 1996 on the Regional Development and Spatial Planning was passed, the regional development tasks were delegated to special hybrid bodies, to the County Development Councils (*megyei területfejlesztési tanács*). These bodies were originally tripartite bodies: the local and the central government and the social partners in the counties could delegate the members of the councils. In 2001, the former tripartite nature of the County Development Councils changed: the members of these councils were the delegates of the central government and the local governments. By this reform – regarding the pre-accession procedure and the Agenda 2000 reforms of the EU funds – 7 NUTS-2 level Regional Development Councils were established, because 19 Hungarian counties were NUTS-3 units[48]. These bodies were bipartite bodies, like the County Development Councils. The tasks of the managing authorities were fulfilled by the ministries and the agencies of the central government[49]. After the municipal reforms in 2011/2012 this model was changed and these quasi regional units were abolished.

The Czech model is a transition to the inter-municipal one: in 2002, 8 NUTS-2 level Regional Councils was established. The members of the Regional Councils are the delegates of the 14 second-tier local governments, the NUTS-3 level county governments (*kraje*). The Regional Councils could be considered as special inter-municipal cooperation and the managing authorities are the bodies of these regional organisations. The hybrid element of the Czech system is the centralised planning procedure and the supervisory competences of the central government[50].

A similar model developed in Latvia – which has a one-tier municipal system – where the Regional Development Law of 2002 established special, hybrid bodies in the planning regions[51].

5. Failed regional reforms in Eastern and Central Europe

The regionalisation as a trend strongly impacted the reform of the post-socialist states. As I have mentioned earlier, in Poland a successful regional reform was executed in the end of the 1990s. Stimulated by the regional development system of the EU, several East Central European countries planned regional reforms. The

[48] I. Pálné Kovács, *Failed Rescaling of Territorial Governance in Hungary: What Was the Gist?*, [in:] *Fiscal Austerity and Innovation in Local Governance in Europe*, eds. C. Nunes Silva, J. Buček, London–New York 2014, pp. 97–100.

[49] É. Szalai, *A területfejlesztési igazgatás és az építési jog alapjai*, [in:] *Magyar közigazagtási jog. Különös rész európai uniós kitekintéssel*, red. L. Ficzere, I. Forgács, Budapest 2004, pp. 230–233.

[50] S. Kadečka, *Local Government in the Czech Republic*, [in:] *Local Government in the Member States of the European Union*, ed. A.-M. Moreno, Madrid 2012, pp. 124–127.

[51] M. Tatham, *With, Without or Against the State? How European Regions Play the Brussels Game*, Oxford 2016, p. 261.

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failure of the majority of these reforms have multiple reasons. The Hungarian reforms failed because of the lack of the political consensus and will which was based on the historical traditions. In Hungary, the regionalisation was not based on real traditions,[52] therefore, the top-bottom nature of these reforms was very strong[53].

In Romania the failure of the reform has different reasons. Although Romania has strong regional traditions (Romania has three traditional regions: Wallachia, Moldavia and Transylvania), the regional reforms which focused on the development issues failed. The main reason for the failure was based on the principle of the unitary state in Romania. The Constitutional Court of Romania highlighted that regionalisation – especially the formation of regions for the autonomy of ethnic minorities – could harm the principle of the unitary state[54].

HYBRID SOLUTIONS: BETWEEN REGIONALISATION AND FEDERALISM

The regional reforms in Europe have different outputs. The French and Italian patterns of regionalisation were reviewed above. In several countries, the transfer from the central to the regional governments was more significant. In these countries, several key competences of the central governments were regionalised as well. Therefore, the competences of the regional units are close to the competences of member states of the federation. Although these units are very similar to member states, the classification is not obvious. In several cases, the concept of the unitary state prevail in the national constitution, and in other cases the state nature is questionable. Thus, this model can be interpreted as a *transitional* one.

1. A quasi or *de facto* federation and the regional development: Spain

The regional development system of Spain can be interpreted as this quasi-federative model. After the Fall of the Franco regime, during the Democratic Transition, the Spanish Constitution of 1978 introduced a strongly decentralised model. The model of this constitution was based on an asymmetric devolution model. The autonomy of the regional entities – the *comunidad autonoma* – was recognised by the Constitution, but their exact tasks and powers should be defined by the statutes of these autonomies which are organic laws (*ley Orgánica*). Several *comunidad*

[52] K. Rozsnyai, *Regionalisierung in Ungarn*, „Der Donauraum" 2003, Vol. 43, No. 1–2, DOI: https://doi.org/10.7767/dnrm.2003.43.12.70, pp. 72–73.

[53] I. Pálné Kovács, *Failed Rescaling…*, pp. 100–102.

[54] G. Condurache, *Regionalisation in Romania*, [in:] *Local Autonomy in the 21st Century. Between Tradition and Modernisation*, eds. S. Guérard, A. Astrauskas, Lille 2016, pp. 88–89.

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autonoma have special status, especially in the field of cultural autonomy and in the field of the official language of the region. Thus, Catalonia (*Cataluña* / *Catalunya*), the Basque Country (*Pais Vasco* / *Euskadi*) and Galicia have special rights: their regional language is an official one. Formerly, these regions had larger autonomy in the field of taxation, public services, regional planning and development[55], but the asymmetry of the Spanish regional system has decreased in the last decades. Now, the special autonomy of the policing and the regional language as an official language has remained as the major element of the special status of these regions. Thus, the Spanish regional reforms were interpreted as top-down federalisation, and the *Estado de las Autonomías* (literally translate: State of the Autonomies) as a federative system[56].

Although the wide competences of the regions, the Spanish administrative system could not be interpreted as a federal one. The concept of the unitary state is declared by the Spanish Constitution. Therefore, the regions are interpreted as *regional municipalities with wide competences* by the Spanish Constitutional Court – by which the referendum on the independence of Catalonia was declared unconstitutional[57]. The Spanish regions have legislative powers and they have a *de facto government* (the regional *junta* – like the Italian model)[58]. The original territorial units of the centralised state, the NUTS-3 level counties (*provincia*), have remained, but their competences are limited and they are focused on the planning issues.

The Spanish model is a strongly decentralised one. The Spanish regions are interpreted legally as local governments, but their tasks and powers are similar to the member states of the federations. Therefore, Spain has a *quasi federative model*.

2. An asymmetrical quasi federation (?): The United Kingdom

The regional planning and development model of the United Kingdom can be interpreted as a transitive and special one. Before the reforms of the 1990s the United Kingdom was a relatively centralised state. The two-tier local governments, the counties, have several regional planning and development competences but these tasks belonged mainly to the powers of the central government. After the EU

[55] J. Rodríguez-Arana, *Derecho Administrativo Español*, T. 1: *Introducción al Derecho Administrativo Constitucional*, Olieros 2008, pp. 207–208.

[56] L. Moreno, *The Federalization of Spain*, London–Portland 2001, pp. 2–4.

[57] A. Elisenda Casanas, F. Rocher, *(Mis)recognition in Catalunya and Quebec: The Politics of Judicial Containment*, [in:] *Consitutionalism and the Politics of Accommodation in Multinational Democracies*, eds. J. Lluch, Basingstoke 2014, pp. 27–28.

[58] C. Viver Pi-Sunyer, *The Distribution of Competences in Spain a Year After the Ruling 31/2010 of Constitutional Court: The Reaffirmation of the Unitary State?*, [in:] *The Ways of Federalism in Western Countries and the Horizons of Territorial Autonomy in Spain*, eds. A. López-Basaguren, L. Escajedo San Epifanio, Heidelberg–Berlin 2013, pp. 455–457.

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accession of United Kingdom, regional reforms occurred. These regional reforms were based on de-concentration of the central powers: the regional bodies were practically agencies of the central government. Such regional agencies were the Government Offices for the (English) Regions (GOR) which were organised in England in 1994 and they were primarily responsible for regional planning and development – especially for the tasks related to the European regional policies. The tasks of the GORs were supported by the regional development agencies which were mainly companies owned by public bodies[59].

The traditional British system has been transformed by the *devolution* process. The devolution is similar to the concept of the *decentralisation*, but it is partly different[60]. Firstly, the devolution had different meanings. In the first phase of the devolution, several competences were transferred to the constituent nations of the United Kingdom. Thus, the establishment of the legislative bodies and governments of Scotland, Wales and Northern Ireland was interpreted as the devolution of the United Kingdom. This devolution was an asymmetric one: the powers and duties of these legislative bodies and governments are different. Such regional legislative bodies and governments have not been established in England, the powers and duties of these bodies are fulfilled by the Parliament and the Government of the United Kingdom. The regional planning and development tasks in Scotland, Wales and Northern Ireland are performed by these bodies. The newly organised legislative bodies and governments have very wide powers which are very similar to the member states of the federations. But the United Kingdom was considered as a "quasi federation" because, traditionally, the statehood of these units was not recognised[61]. This approach partly changed when Scotland had the opportunity to hold a referendum on the independence. Thus, practically the Scottish statehood was recognised by the permissive act of the Parliament of the United Kingdom[62].

The transfer of powers to the constituent nations of the United Kingdom and, thus, the "federalisation" of Great Britain, is interpreted as a devolution of the British government system. However, the (top-bottom) strengthening of the English municipalities (especially the counties and the unitary councils and partly the

[59] J. Shutt, *Appraising Europe in the Regions 1994–1999: A Case Study of Recent Experiences in Yorkshire and Humberside*, [in:] *Regional Development Strategies. A European Perspective*, eds. J. Alden, P. Boland, London–Bristol 1996, p. 92.

[60] See more A. Cole, *Beyond Devolution and Decentralisation. Building Regional Capacity in Wales and Brittany*, Manchester 2006, pp. 1–3; C. Copus, M. Roberts, R. Wall, *op. cit.*, pp. 12–13; J. Siket, *A helyi-területi önkormányzatok közigazgatási autonómiája Magyarországon*, Szeged 2017 (PhD Dissertation), pp. 133–135.

[61] M. Burgess, *Comparative Federalism. Theory and Practice*, London–New York 2006, p. 131.

[62] A. McHarg, *The Constitutional Case of Independence*, [in:] *The Scottish Independence Referendum. Constitutional and Political Implications*, eds. A. McHarg, T. Mullen, A. Page, N. Walker, Oxford 2016, pp. 102–104.

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districts) is a part of devolution[63]. Taking into account the different meanings of devolution, the British system can be considered as a *transitive* one. If Scotland, Wales and Northern Ireland are interpreted as regional entities, then the United Kingdom can be interpreted as a relatively decentralised country, because these units have wide development competences. The British jurisprudence is afraid of the "f" word, ("federalisation") in the British constitutional law, but if the constituent nations could be considered as member states of a federation than the model of the United Kingdom can be interpreted as a centralised, asymmetrical federal system.

These hybrid systems have evolved on the border of the municipal and federal models. Although the blurring boundaries between self-governance and statehood can be illustrated by these models, the Spanish regulation shows that the major element of the classification is the constitutional regulation. Although Spain could be interpreted as a quasi federation, the Spanish regions have broad competences but they are classified by the Constitution as regional municipalities, therefore, they do not have statehood. In the United Kingdom, the reforms introduced at the end of the 20th century, transformed the state significantly: as it is shown by the Scottish referendum, these entities could be interpreted as member states of a federation.

CONCLUSIONS

It can be concluded that the differences of decentralised and federal systems have remained, but several transformations could be observed and in several countries the model of the administration changed in the last decades. A convergence or hybridisation of the models can be observed: the competences of the municipal bodies have been strengthened. Firstly, the municipal bodies received new competences, especially in the field of the regional planning. In several countries, the former central agencies transformed into inter-municipal bodies. Secondly, in the decentralised countries, the coordination competences of the central government have been strengthened. These changes were strongly impacted by the regulation on the EU funds and by the EU cohesion and regional policy.

Although the boundaries between municipalities and member states of the federation have blurred in the governance of these entities, the legal distinction between them remained solid: the regional municipalities with broad competences do not have their statehood.

[63] C. Copus, M. Roberts, R. Wall, *op. cit.*, pp. 12–14.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 17/11/2026 16:18:58

REFERENCES

Adamovich L.K., Funk B.-C., Holzinger G., Frank S.L., Leo S., *Österreichisches Staatsrecht*, Bd. 2: *Staatliche Organisation*, Wien 2014.

Adshead M., *Policy networks and sub-national government*, [in:] *Ireland Public Administration and Public Policy in Ireland. Theory and Methods*, eds. M. Adshead, M. Millar, London–New York 2003.

Amorosi T., Cinque P., *Le Province: nuovo Ordinamento ed Organi – Funzioni*, [in:] *Guida Normativa 2015*, eds. F. Narducci, R. Narducci, Santarcangelo di Romagna 2015.

Balázs I., *Belgium közigazgatása*, [in:] *Az Európai Unió tagállamainak közigazgatása*, red. K. Szamel, I. Balázs, Gy. Gajduschek, Gy. Koi, Budapest 2011.

Beller S., *A Concise History of Austria*, Cambridge 2006.

Booth P., *Controlling Development. Certainty and Discretion in Europe, the USA and Hong Kong*, London–New York 1996.

Bosiacki A., Kostrubiec J., *Metropolisation in Poland: Current Issues and Perspectives*, [in:] *Metropolisation, Regionalisation and Rural Intermunicipal Cooperation. What Impact on Local, Regional and National Governments in Europe?*, eds. L. Malíková, F. Delaneuville, M. Giba, S. Guérard, Lille 2018.

Bruszt L., Palestini S., *Regional Development Governance*, [in:] *The Oxford Handbook on Comparative Regionalisation*, eds. T.A. Börzel, T. Risse, Oxford 2016.

Burgess M., *Comparative Federalism. Theory and Practice*, London–New York 2006.

Callanan M., *Regional Authorities and Regional Assemblies*, [in:] *Local Government in Ireland: Inside Out*, eds. M. Callanan, J.F. Keogan, Dublin 2003.

Cassese S., *Il diritto amministrativo: storia e prospettive*, Milano 2010.

Chernenko O., *The Case of "New Moscow": Metropolisation as a Chance for a Local Government System*, [in:] *Metropolisation, Regionalisation and Rural Intermunicipal Cooperation. What Impact on Local, Regional and National Governments in Europe?*, eds. L. Malíková, F. Delaneuville, M. Giba, S. Guérard, Lille 2018.

Cole A., *Beyond Devolution and Decentralisation. Building Regional Capacity in Wales and Brittany*, Manchester 2006.

Condurache G., *Regionalisation in Romania*, [in:] *Local Autonomy in the 21st Century. Between Tradition and Modernisation*, eds. S. Guérard, A. Astrauskas, Lille 2016.

Copus C., Roberts M., Wall R., *Local Government in England. Centralisation, Autonomy and Control*, London 2017.

Dantonel-Cor N., *Droit des collectivités territoriales*, Paris 2007.

Detterbeck S., *Allgemeines Verwaltungsrecht mit Verwaltungsprozessrecht*, München 2011.

Dezsö M., Vincze A., *Magyar alkotmányosság az európai integrációban*, Budapest 2014.

Elisenda Casanas A., Rocher F., *(Mis)recognition in Catalunya and Quebec: The Politics of Judicial Containment*, [in:] *Consitutionalism and the Politics of Accommodation in Multinational Democracies*, eds. J. Lluch, Basingstoke 2014.

Franchini C., Vesperini G., *L'Organizzazione*, [in:] *Istituzioni di diritto amministrativo*, ed. S. Cassese, Milano 2012.

Hooghe L., Marks G., Schakel A.H., Niedzwiecki S., Chapman Osterkatz S., Shair-Rosenfield S., *Measuring Regional Authority. A Postfunctionalist Theory of Governance*, Vol. 1, Oxford 2016.

Huber P.M., *Grundzüge des Verwaltungsrechts in Europa – Problemaufriss und Synthese*, [in:] *Handbuch Ius Publicum Europaeum*, Bd. 5: *Verwaltungsrecht in Europa: Grundzüge*, Hrsg. A. von Bogdandy, S. Cassese, P. M. Huber, Heidelberg 2014.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 17/11/2026 16:18:58

Jagielski J., *Administrative Law*, [in:] *Introduction to Polish Law*, eds. S. Frankowski, A. Bodnar, The Hague 2005.
John P., *Local Governance in Western Europe*, London–Thousand Oaks–New Delhi 2001.
Kadečka S., *Local Government in the Czech Republic*, [in:] *Local Government in the Member States of the European Union*, ed. A.-M. Moreno, Madrid 2012.
Karpiuk M., Kostrubiec J., *Rechtsstatus der Territorialen Selbstverwaltung in Polen*, Olsztyn 2017.
Kotulla M., *Deutsche Verfassungsgeschichte. Vom Alten Reich bis Weimar (1495–1934)*, Berlin–Heidelberg 2008.
Loughlin J., *Reconfiguring the nation-state. Hybridity vs. uniformity*, [in:] *Routledge Handbook of Regionalism and Federalism*, eds. J. Loughlin, J. Kincaid, W. Swenden, London–New York 2013.
Loughlin J., Hendriks F., Lidström A., *Introduction*, [in:] *The Oxford Handbook of Local and Regional Democracy in Europe*, eds. J. Loughlin, F. Hendriks, A. Lidström, Oxford 2011.
MacCarthaigh M., *Public Sector Reform in Ireland. Countering Crisis*, Cham 2017.
Mangiamelli S., *The Regions and the Reforms: Issues Resolved and Problems Pending*, [in:] *Italian Regionalism: Between Unitary Traditions and Federal Processes*, ed. S. Mangiamelli, Cham 2014.
Marcou G., *Où va le système français d'administration territoriale ?*, [in:] *Quelle organisation pour les grandes régions en France et en Europe ?*, éd. J.-C. Némery, Paris 2015.
McHarg A., *The Constitutional Case of Independence*, [in:] *The Scottish Independence Referendum. Constitutional and Political Implications*, eds. A. McHarg, T. Mullen, A. Page, N. Walker, Oxford 2016.
Melis G., Meniconi A., *Autonomie und Selbstverwaltung als gemeineuropäischen Konzept*, [in:] *Handbuch Ius Publicum Europaeum*, Bd. 5: *Verwaltungsrecht in Europa: Grundzüge*, Hrsg. A. von Bogdandy, S. Cassese, P. M. Huber, Heidelberg 2014.
Moreno L., *The Federalization of Spain*, London–Portland 2001.
Neuhofer H., *Gemeinderecht. Organisation und Aufgaben der Gemeinde in Österreich*, Wien 1998.
Oates W.E., *Fiscal Federalism*, New York 1972.
Parker J., *Comparative Federalism and Intergovernmental Agreements*, London–New York 2015.
Pálné Kovács I., *Failed Rescaling of Territorial Governance in Hungary: What Was the Gist?*, [in:] *Fiscal Austerity and Innovation in Local Governance in Europe*, eds. C. Nunes Silva, J. Buček, London–New York 2014.
Pálné Kovács I., *The development of regional governance in Central and Eastern Europe: Trends and perspectives*, [in:] *The Routledge Handbook to Regional Development in Central and Eastern Europe*, eds. G. Lux, Gy. Horváth, London–New York 2017.
Peach I., *Introduction: On Governing a Dynamic Federation*, [in:] *Constructing Tomorrow's Federalism. New Perspectives on Canadian Governance*, ed. I. Peach, Winnipeg 2007.
Rodríguez-Arana J., *Derecho Administrativo Español*, T. 1: *Introducción al Derecho Administrativo Constitucional*, Olieros 2008.
Rozsnyai K., *Regionalisierung in Ungarn*, „Der Donauraum" 2003, Vol. 43, No. 1–2, **DOI: https://doi.org/10.7767/dnrm.2003.43.12.70**.
Sakwa R., *Devolution and Asymmetry in Russia*, [in:] *Federalism beyond Federations*. *Asymmetry and Process in Resymmetrisation in Europe*, eds. F. Requejo, K.-J. Nagel, Farnham–Burlington 2011.
Saunders C., *Australia: An 'integrated' federation?*, [in:] *Routledge Handbook of Regionalism and Federalism*, eds. J. Loughlin, J. Kincaid, W. Swenden, London–New York 2013.
Shutt J., *Appraising Europe in the Regions 1994–1999: A Case Study of Recent Experiences in Yorkshire and Humberside*, [in:] *Regional Development Strategies. A European Perspective*, eds. J. Alden, P. Boland, London–Bristol 1996.
Siket J., *A helyi-területi önkormányzatok közigazgatási autonómiája Magyarországon*, Szeged 2017 (PhD Dissertation).

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 17/11/2026 16:18:58

Simeon R., *Federalism and Social Justice: Thinking Through the Tangle*, [in:] *Territory, Democracy and Justice. Regionalism and Federalism in Western Democracies*, ed. S.L. Greer, Basingstoke–New York 2006.

Swann J., *Parlements and Provincial Estates*, [in:] *The Oxford Handbook of the Ancien Régime*, ed. W. Doyle, Oxford 2012.

Swenden W., *Federalism and Regionalism in Western Europe*, Basingstoke–New York 2006.

Swianiewicz P., *Poland: creeping regionalization of the unitary state*, [in:] *Routledge Handbook of Regionalism and Federalism*, eds. J. Loughlin, J. Kincaid, W. Swenden, London–New York 2013.

Szalai É., *A területfejlesztési igazgatás és az építési jog alapjai*, [in:] *Magyar közigazagtási jog. Különös rész európai uniós kitekintéssel*, red. L. Ficzere, I. Forgács, Budapest 2004.

Tatham M., *With, Without or Against the State? How European Regions Play the Brussels Game*, Oxford 2016.

Teles F., *Local Governance and Inter-municipal Cooperation*, Basingstoke–New York 2016.

Viver Pi-Sunyer C., *The Distribution of Competences in Spain a Year After the Ruling 31/2010 of Constitutional Court: The Reaffirmation of the Unitary State?*, [in:] *The Ways of Federalism in Western Countries and the Horizons of Territorial Autonomy in Spain*, eds. A. López-Basaguren, L. Escajedo San Epifanio, Heidelberg–Berlin 2013.

Weber T., Köppert V., *Kommunalrecht Bayern*, Heidelberg 2015.

Wollmann H., Bouckaert G., *State Organisation in France and Germany between Territoriality and Functionality*, [in:] *State and Local Government Reforms in France and Germany. Divergence and Convergence*, eds. V. Hoffmann-Martinot, H. Wollmann, Wiesbaden 2006.

STRESZCZENIE

Regionalizacja, federalizm i samorząd lokalny to istotne zagadnienia będące przedmiotem refleksji w naukach prawnych i administracyjnych. Chociaż utrzymują się różnice w systemach zdecentralizowanych i federalnych, to można zauważyć pewne przekształcenia, w kilku krajach zaś model administracji publicznej w ciągu ostatnich kilkudziesięciu lat uległ zmianie. Obecnie można zaobserwować procesy upodabniania się lub hybrydyzacji modeli, kompetencje organów samorządu terytorialnego ulegają bowiem wzmocnieniu. Chociaż granice między gminami a państwami członkowskimi federacji zatarły się w zarządzaniu tymi podmiotami, prawne rozróżnienie między nimi pozostało sztywne – regionalne jednostki samorządu terytorialnego nie mają cechy państwowości.

Słowa kluczowe: samorząd terytorialny; federalizacja; regionalizacja; porównawcze prawo samorządu terytorialnego; rozwój regionalny