

Poznań, 30 April 2019

Dr Krzysztof Urbaniak
Adam Mickiewicz University, Poznań
Faculty of Political Science and Journalism
Department of Political Systems

SUMMARY OF PROFESSIONAL ACCOMPLISHMENTS

1. First name and surname: KRZYSZTOF URBANIAK

2. Diplomas, degrees in science/arts – with the indication of their name, place of referral and kind and the title of the doctoral dissertation

- Diploma of Master of Law obtained at the Faculty of Law and Administration of Adam Mickiewicz University in Poznań in 2004. I defended my Master's thesis on May 10, 2004 with the highest grade. The supervisor of my MA thesis was Prof. Dr Hab. Artur Nowak-Far.
- Diploma of Master of Political Science obtained at the Faculty of Political Science and Journalism of the University of Warsaw in 1994. I defended my Master's thesis on 24 October 2004 *summa cum laude*. The supervisor of my MA thesis was Prof. Dr Hab. Stanisław Gebethner.
- Degree of a doctor of humanities in the field of Political Science, awarded by the resolution of the Council of the Warsaw University Faculty of Journalism and Political Science of 7 July 2010 (title of the dissertation: *Rządy gabinetu czy premiera? Studium o brytyjskim systemie politycznym i ustroju konstytucyjnym* [The governance of the cabinet or the PM? A study of the UK political system and constitutionality], supervisor: Prof. Dr Hab. Stanisław Gebethner, reviewers: Prof. UAM Dr Hab. Tadeusz Wallas, Prof. UW Dr Hab. Zbigniew Kiełmiński).
- Occupational title of an attorney at law pursuant to the resolution No. 139/VI/2008 of the Regional Council of Attorneys at Law in Poznań of 4 June 2008 on entry into a list of attorneys at law

- between March 1995 until September 2008 I was employed at the Department of Political Systems in the Institute of Political Science of the Faculty of Journalism and Political Science of Warsaw University,

- as of October 2010 I have been employed in the Department of Political Systems of the Faculty of Political Science and Journalism of Adam Mickiewicz University, Poznań.

4. Indication of the accomplishment under Article 16, section 1 of the Act of 14 March 2003 on Academic Degrees and Scientific Title and on Degrees and Title in Arts (Journal of Laws of 2003, No. 65, item 595, as amended)

a) author/authors, title/titles of publication, year of publication, publisher

The accomplishment which, in my opinion, meets the criteria specified in Article 16, section 1 of the Act of 14 March 2003 on Academic Degrees and Scientific Title and on Degrees and Title in Arts (Journal of Laws of 2003, No. 65, item 595, as amended), i.e. was obtained after my earning the degree of doctor and constitutes a significant contribution to the development of a specific scientific discipline, is the monograph: *Reformy systemu wyborczego do Brytyjskiej Izby Gmin w XXI wieku* [Reforms of the electoral system for the British House of Commons. Continuity and change in electoral law and political practice], Wydawnictwo Nauka i Innowacje, Poznań 2019, pp. 261 (ISBN 978-83-65988-28-7) dedicated to the changes in electoral law and practice of the political system of present-day United Kingdom of Great Britain and Northern Ireland.

b) discussion of the scientific objective of the aforementioned work and the results achieved, together with a discussion of their possible applicability

The book titled *Reformy systemu wyborczego do Brytyjskiej Izby Gmin w XXI wieku. Ciągłość i zmiana w prawie wyborczym i praktyce ustrojowej*, Wydawnictwo Nauka i Innowacje, Poznań 2019, pp. 261, is the first monograph devoted to the British electoral law in Polish literature on the subject. The monograph presents an analysis of the reforms of the electoral system to the British House of Commons in the 21st century. The publication has a constitutional and legal character, however, due to the range of issues included in it, political and historical and legal aspects of the presented issues are also discussed. The overriding objective of the work, the axis of all the considerations, was to answer the question about the scale of changes affecting the British electoral system in the first two decades of the 21st

century. In scientific circles it was often believed that this system effectively resists major changes and has remained unchanged for decades. It is equally important to study the nature of the reforms being introduced, particularly from the point of view of institutional and legal continuity of the electoral system, which dates back to the Middle Ages. The hypothesis that this system, on the one hand, respects tradition and time-honoured principles and, on the other hand, meets the changing demands of political and social life, has been evaluated. The starting point for the discussion is that the British electoral system retains an unprecedented continuity of institutions, but is also marked by pragmatism and flexible adaptation to the changing social and political situation. The result of the referendum on electoral reform also leads to a hypothesis of the pragmatic conservatism of British society in political matters. The unique perception of social reality by the British, combined with a commitment to tradition makes them ready to introduce new legal institutions solely when they are considered understandable, beneficial and necessary. When making decisions, the British are also guided by loyalty to the political parties that are closest to them. This takes place despite the crisis of a shrinking membership base of individual parties, which shows that they are still firmly anchored in UK society.

In order to analyse the above issues in detail, the work has been divided into six chapters. The first chapter, "The House of Commons Election System", which opens the book, contains a historical and legal analysis of the origins and evolution of the electoral system in the UK up to the present day. For the sake of further consideration, it was necessary to present the historical conditions of selected institutions of electoral law in order to precisely outline their specificity. The next part of the chapter focuses on the presentation of the basic principles of electoral law. This part of the work is to some extent descriptive in nature, because for the sake of clarity of the argument, the essential elements of the election law to the House of Commons had to be presented in a descriptive manner. The next step was to focus on the constitutional consequences of the election law, in particular with regard to the influence on the shape of the party system and the rules of forming the government. The chapter concludes with a discussion of the various electoral systems used in the British Isles and demonstrates that for more than 20 years, the majority electoral system has operated in the environment of different electoral systems and voter often participate in elections whose results are determined according to divergent principles.

The next chapter, entitled "The Principle of Relative Majority. Assumptions, Political Practice and an Attempt at Change", focuses on the most important element of the House of Commons electoral system, which is the principle of relative majority. The assumptions and

practical aspects of the functioning of this tenet were analysed in detail. A separate section is devoted to the effects of the application of the relative majority rule on the political reality of the United Kingdom at two levels, that of individual constituencies and of the state as a whole. The following section discusses the history of the dispute about the shape of the system of determining election results and presents proposals for its reform. It then focuses on the proposals of a reform of the 2011 system and considers referendums as an instrument for making fundamental changes to the electoral system. The chapter ends with an attempt to answer the question why the proposed change to the electoral system ended in a fiasco.

The third chapter presents the dispute concerning the manner of regulating the powers of the House of Commons. Traditional principles of determining the powers of the Chamber were analysed, including in particular the issues of the formal implementation of this power and its practical implementation by the head of government. The work evaluates the argument that the transfer of the power to dissolve the House of Commons to the Prime Minister in practice resulted in a clear preference of the ruling party. In the further part of the chapter, the assumptions of the reform, which introduced a rigid parliamentary term, were presented. Particular attention was paid to the constitutional implications of the changes introduced, in particular from the perspective of the conventional rules of political responsibility of the government. The chapter concludes with a reflection on the legal possibilities for restoring the legal situation prior to the reform.

The following chapter analyses in detail the role and importance of electoral constituencies in elections to the House of Commons. In a system based on single-seat constituencies, their structure, creation and verification rules and differences in voter numbers can determine the final success or failure of an election. The chapter presents the origin and evolution of the division into constituencies. It moreover highlights the fact that the 1885 reform, which strengthened the traditional perception of political representation as a territorial representation, had a fundamental impact on the understanding of the institution of a constituency. In this part of the chapter, attention is also drawn to the frequently overlooked fact that the division into single-seat constituencies is quite new from the perspective of British electoral law, because it is less than 150 years old and is not conditioned by tradition, but is the result of a political decision made in Parliament. In the further part of this chapter the reasons and basic assumptions of the reform of the division into constituencies are presented. The chapter ends with a discussion of the process of creating the structure of electoral constituencies conducted on the basis of new statutory regulations.

Chapter 5 of the monograph deals with legal regulations and the practice of using the institutions of correspondence voting in parliamentary elections. Basic forms and principles of voting in elections to the House of Commons are presented. Next, the specificity of the British model of secret ballot was presented, claiming that it does not meet modern standards of protecting the confidentiality of votes. The further part of the chapter presents the genesis and practical implementation of the idea of popularising correspondence voting. The progressive popularization of this institution influenced the traditional rules of conducting the electoral process and changed the image of elections in Great Britain. Currently, it is worth noting that one in five British voters cast their votes by mail. The chapter ends with a discussion of the impact of the reform on the turnout in parliamentary elections.

The last chapter, "The Institution of Recall Election as a Mechanism of Revoking an MP", analyses new statutory regulations concerning the introduction of the institution of recall election. The chapter begins with a discussion of the essence of this institution and its role in the constitutional system of the state. The chapter subsequently examines the traditional forms of terminating the seat of an MP in the United Kingdom. The next part presents the origins of the introduction of recall election in the UK and the resulting consequences for the adopted political model of this institution. The premises and procedure for the dismissal of a Member of Parliament were also discussed. The chapter closes with the analyses concerning the practical application of this institution.

The preparation of the monograph was based primarily on the sources of British law and Anglo-Saxon literature on the subject. In addition to printed publications, a great deal of online material was used. It should be stressed that studies and analyses on the British Parliament's website were particularly helpful.

The multifaceted considerations made in the monograph justify the adoption of the following conclusions:

1. The scope and diversity of the UK electoral reforms introduced since the beginning of the 21st century strongly contradicts the claims that the House of Commons electoral system remains unchanged. Although the fundamental element of the system, the principle of relative majority, was defended by the public in a referendum, other reforms changed the image of parliamentary elections, adapting it to the changing social situation and expectations of voters in the UK.

2. A reform that had a very strong impact on the traditional face of the UK elections was the introduction of postal voting on request. Currently, one in five voters cast their votes by mail, and this percentage increases in each subsequent election and this form of British

electoral participation is expected to continue to be popularised. Given the attachment to the traditional form of voting on the one hand and the concern about the level of voter turnout on the other, it was decided to deviate from the historically shaped rules in the UK and the exercise of active voting rights was facilitated by allowing non-personal voting on demand. It is a thoroughly modern solution, showing that British electoral law, when warranted, can adapt to voters' expectations.

3. A major political change, although not having any significant political consequences, is the introduction of a regulation enabling the dismissal of a Member of Parliament in the recall election procedure. The introduction of this institution was the result of a scandal related to the disclosure of the practice of covering private expenses with public money. The disclosure of these facts caused a wave of social indignation and provided an impetus for creating an institution that would help enforce parliamentarians' accountability for violating ethical standards and principles during their term of office. However, it was not decided to introduce solutions that would allow to activate the recall mechanism only on the basis of signatures collected by voters. This would be a rejection of the traditional formula of a free mandate and make the MP subject to the recall procedure because of his or her policy or views. A new institution may be launched only in the event of occurrence of indicated premises related to committing a crime and conviction, as well as long-term suspension from the duties of the Member of the House of Commons pursuant to a resolution of the House. The analysis of the statutory premises of recall leads to the conclusion that the new institution is primarily intended to discipline Members of Parliament when their behaviour falls below the traditionally expected parliamentary standards. It can also be said that it is not a threat to the classic, traditional UK concept of representation based on a free mandate. Although the new institution, in the legal sense, grants the mandate of a Member of the House of Commons certain strictly defined imperative features, it does not cease to be a free mandate in political terms. When considering the relationship between continuity and change in the context of the features of a parliamentary mandate, it is worth noting the historically shaped formula of giving up one's mandate, traditionally carried out by taking up the position of a manager of royal goods. It shows the British people's attachment to tradition and historically rooted rules and their ability to adapt them to the changing political reality in order to protect this tradition. When in 2010 it turned out that G. Adams, an Irish Republican, would not apply for or accept a crown office, J. Bercow, the House of Commons speaker, spoke up in defence of the traditional principles of resignation from his mandate. He stated in an official statement in the House of Commons that he had been formally notified that Mr Adams had been appointed to

the dignity of a manager of royal property with the attendant result of expiry of his mandate. The action of the speaker met with widespread acceptance and support.

4. In 2011, the UK introduced a rigid five-year term of office for the House of Commons. It was an epoch-making event, changing the traditionally flexible rules for determining parliamentary mandates. As a matter of principle, the reform formally weakened the Prime Minister's political position by depriving him of the power to determine the date of parliamentary elections. When analysing the circumstances in which this reform was introduced, it should be pointed out that it was pursued by the Liberal Democrats, who saw this change as a guarantee for maintaining their position as coalition partners until the end of the five-year term of the House (2010-2015). They also hoped that during this period they would succeed in bringing about a change in the electoral system *stricto sensu*, which in turn would increase their chances of taking part in the governance of the next term of office. The Conservatives agreed to introduce a fixed term of office, as this was the price for the Liberals to agree to the priority reform of the electoral constituencies. The Conservatives saw the unfavourable structure of the constituencies as a factor weakening their chances of winning the next elections. They also hoped that the new statutory solutions shaping the principle of a rigid term of office, in the situation of the traditional perception of the solution of the House of Commons as an appeal to the will of the nation, will ensure that in the situation of the Prime Minister's determination to lead to early elections, s/he will be able to push through the self-resolution of the House of Commons. As the 2017 precedent has shown, Prime Minister T. May, despite the new legislative framework for the parliamentary term, forced the holding of early elections without much difficulty. However, the negative assessment of the introduced reform must result primarily from the failure to adapt the new regulations to the historically shaped convention rules of political responsibility of the government. Against this background, serious political complications may arise. Therefore, the Conservative Party in its election manifesto of 2017 announced the repeal of the introduced reform of the term of office of the House of Commons. The question that arises is whether the government will decide to return to the traditional formula based on the prerogative and active participation of the Prime Minister in the decision to dissolve the parliament, or whether a new law will be passed, adjusting in whole or in part the previously binding rules of a flexible term of office.

5. The most important reform for the determination of election results is the change of the rules for the establishment and restructuring of the constituency structure. In any electoral system, division into constituencies is a matter of considerable importance. Precise delimitation of district boundaries and their size is a fundamental political issue, often

determining the final outcome of parliamentary elections. For more than 100 years, the principles of division of the state into constituencies have been subject to the consensus of the two largest political parties. The traditional rules for the creation of constituencies and independent delimitation commissions set an acceptable framework for this consensus. The clearly biased division into constituencies in favour of the Labour Party at the beginning of the 21st century resulted in a breach of the existing agreement. The Conservative Party, which was significantly losing under the existing division, after taking power in 2010, announced a thorough reform of the rules of creating electoral districts, aiming to equalise their size and reduce their number. Already in the course of creating the new constituency map, the reform was blocked by the Liberal Democrats, who did so in retaliation for the Tories holding back the reform of the House of Lords. After the Conservatives assumed independent government in 2015, work was completed on a new constituency structure that will most likely enter into force before the next parliamentary elections. Importantly, the reform decided to maximise the equality of electoral districts at the expense of traditionally formed local ties or the borders of local government units. This was, as one may think, a result of the assumption that such action would completely eliminate the privileges of the Labour Party resulting from the previous division.

6. The most important and momentous reform of the British electoral system was to replace the principle of relative majority with an alternative vote. The proposed change assumed a departure from the traditional formula, harking back to the Middle Ages. In the United Kingdom, elections to the House of Commons are based on the principle of relative majority voting. According to this principle, the candidate who received the highest number of votes is the winner in a given constituency. In practice, this principle upholds the party system of the two dominant parties and discriminates against third parties in terms of the number of seats won. No wonder that the condition for the Liberal Democrats to join the government coalition in 2010 was that the proposal to change the electoral system was put to a referendum in the strict sense of the word. As a result of the coalition negotiations, it was agreed that the adoption of the principle of alternative voting would be determined in a referendum. It was a compromise in which the Conservatives, defending the current system, agreed to a general vote, while the Liberals abandoned the proposal to introduce the principle of proportionality. The Tories hoped that the public would not vote for an inexplicable alternative vote, while the Liberals hoped that the new system would make a lack of a one-party majority in the House likely and would ensure that, as necessary coalition partners, they would have sufficient political strength to push for change to introduce the principle of proportionality.

The referendum on changing the electoral system and replacing the relative majority rule with an alternative vote was unsuccessful. The reasons for this are to be found in the fact that the proposed option did not introduce a new quality. The universal system put to the vote was also included in the majority systems, and simulations of the division of seats in the subsequent elections indicated that the effects of the application of both systems did not differ significantly. The proposed new system for determining election results was neither understandable nor necessary. The voters' attachment to the traditional, understandable principle of relative majority, combined with the historically well-established political view that the elections primarily serve the purpose of selecting a workable majority, i.e. creating a realistic basis for a stable, sustainable government majority, and not the most faithful representation of the balance of power in society, with which they identified, let us add - erroneously - the newly proposed system. Research also shows that voters, when making decisions, were largely driven by loyalty to the parties they supported and identified with. This shows, with the general trend towards a shrinking membership base of British political parties, that political parties are still firmly anchored in UK society. All this shows the pragmatic conservatism of British society in matters of the political system. Commitment to tradition and good practice means that the British are prepared to introduce new legal institutions only if they consider them understandable, necessary and, in their view, benefiting the state.

7. Having analysed the reforms and proposals for electoral reforms, which have been the subject of political disputes in the United Kingdom since the beginning of the 21st century, it may be argued that the main feature governing the processes of change was the maintenance of institutional and legal continuity in the electoral system. On the one hand, this system respects tradition and centuries-old principles dating back to the Middle Ages, and on the other, it meets the changing demands of political and social life, but only if they are consistent with a specific understanding of pragmatism and are deemed necessary and understandable. Out of the five reforms of the electoral system analysed in the monograph, only two were fully implemented and met with general social acceptance. From the very beginning of their implementation, there was a political consensus around them and they were not perceived as an element that could influence the shape of the political scene. The reform of electoral constituencies, although enforced by the Tories, will most likely enter into force if the early parliamentary elections are not held unexpectedly. It should be remembered that this reform introduces a fair division into constituencies one that implements the principles of material equality and is therefore not perceived as a strictly party initiative. On the other hand, the

reform of the term of office of the House of Commons should be viewed negatively. Political practice has shown that the change in the rules concerning the powers of the parliament has not fulfilled the hopes placed in it. Instead, it created fields of potential systemic crises related to the political responsibility of the government towards the parliament, shaped by the convention rules. The Conservatives, currently in power, have announced the withdrawal of the reform in the campaign before the last parliamentary elections, and it is expected that in the near future a draft law will be submitted to parliament, repealing the principle of a rigid parliamentary term as an institution that does not adapt to the flexible nature of the constitutional system of the United Kingdom. The last reform, which touches on a fundamental element of the electoral system, i.e. the principle on the basis of which the result of parliamentary elections is determined, was rejected by an overwhelming majority of votes in a referendum. On the one hand, this means that any attempt to change this principle again will certainly have to be postponed, and on the other hand, the precedent of universal suffrage means that a proposal for such a change will have to be subject to public scrutiny in a referendum.

5. Discussion of the other research accomplishments:

My research interests and achievements are related to constitutional law. Since the beginning of my scientific work I have been associated with the constitutionalist environment. The Department of Political Systems of the University of Warsaw - once headed by Prof. Stanisław Gebethner, my master and doctoral dissertation supervisor - of which I was an employee, as the only university research unit outside the Faculty of Law participates on equal terms with other institutions of law in the Congresses of Chairs and Departments of Constitutional Law, and is recognized as a research unit conducting research on constitutional law (see: P. Sarnecki, "Stan nauki prawa konstytucyjnego w Polsce" [State of the art of constitutional law in Poland], *Państwo i Prawo* 2010, No. 7, p. 11-12).

Apart from the aforementioned monograph *Reformy systemu wyborczego do Brytyjskiej Izby Gmin w XXI wieku. Ciągłość i zmiana w prawie wyborczym i praktyce ustrojowej*, I have written 66 scholarly texts, including 50 upon earning my Ph.D., which I submit for review. In my scientific work, within the framework of constitutional law, I would highlight several areas of interest: the constitutional system of the United Kingdom of Great Britain and Northern Ireland, electoral law and the judiciary. I have documented the results of

research in each of these areas in a variety of scientific contributions: books, chapters in collective publications, articles in journals, reviews, a gloss, and papers read at scientific conferences.

5.1. Scholarly output in constitutional law (the constitutional system of the United Kingdom of Great Britain and Northern Ireland)

Chronologically, my first research topic was the UK constitutional system. The main result of my research in this area was the doctoral dissertation entitled: *Rządy gabinetu czy premiera? Studium o brytyjskim systemie politycznych i ustroju konstytucyjnym*, defended before the Council of the Warsaw University Faculty of Journalism and Political Science in 2010. The dissertation was an interdisciplinary study at the crossroads of constitutional law and political system studies. The aim of the dissertation was to describe and analyse the role of the Prime Minister and the cabinet in the British system of government. A special research task, apart from presenting constitutional regulations concerning mutual relations between the executive authorities, was to show their practical functioning. The main research question that came to mind when analysing the position of the Prime Minister and the cabinet was whether the evolution of the British system of government resulted in such a strengthening of the political position of the Prime Minister at the expense of other executive authorities that we can talk about the development of a new subtype of parliamentary and cabinet system of government based on the dominant position of the Prime Minister. The dissertation was conceived as a contribution to the debate concerning the definition of the British system of government and aimed at providing a summary of it.

Still before defending my doctorate, I had published five texts in this field of research. Three were dedicated to the operation of the executive: “Premier w systemie organów władzy wykonawczej w Wielkiej Brytanii” [The Prime Minister within the UK executive], *Biuletyn Rady Legislacyjnej*, 1994, No. 2, p. 228-243, where I pointed out a tendency observable in the cabinet system to strengthen the role of the Prime Minister; “Solidarna odpowiedzialność rządu w Wielkiej Brytanii” [Solidarity in responsibility of the UK Government], *Ius et Administratio*, 2005, No. 1, p. 133-152, where I analysed the joint and several responsibility of the government, arguing that within stable single-party government, the institution tends to be an instrument in PM’s hands, used to discipline deputies from the front benches of the ruling party, and a chapter titled “Formowanie rządu w Wielkiej Brytanii: wybrane problemy teorii i praktyki” [Forming the UK Government: Selected Problems of Theory and Practice], [in:] *Parlament, prezydent, rząd. Zagadnienia konstytucyjne na przykładach wybranych*

państw, ed. T. Mołdawa, J. Szymanek, Dom Wydawniczy Elipsa, Warszawa 2008, p. 175-197, where I analysed both formal and informal elements of the process of government formation, showing that the Prime Minister has the dominant position in the process. Apart from the above texts, I have published an analysis of the functioning of the electoral system to the House of Commons: "Prawo wyborcze do parlamentu Zjednoczonego Królestwa Wielkiej Brytanii" [Right to vote for the United Kingdom Parliament], [in:] *Prawo wyborcze do parlamentów wybranych państw europejskich*, ed. S. Grabowska, K. Składowski, Zakamycze, Kraków 2006, p. 42-60, and a review of A. Bisztyga, *Oddziaływanie Europejskiej Konwencji Praw Człowieka na wewnętrzny porządek prawny Zjednoczonego Królestwa* [Impact of the European Convention on Human Rights on the internal legal order of the United Kingdom], Górnośląska Wyższa Szkoła Handlowa im. W. Korfańskiego, Katowice 2008, p. 376, *Przegląd Prawa Konstytucyjnego* 2011, No. 1, p. 253-258.

After obtaining the doctoral degree, I continued my research on the British system, which is evidenced by my subsequent publications on various aspects of its functioning: the study "Projekt bezpośrednich wyborów do brytyjskiej Izby Lordów" [Proposal for direct elections to the British House of Lords], [in:] *Prawo wyborcze i wybory. Doświadczenia dwudziestu lat procesów demokratyzacyjnych w Polsce*, ed. A. Stelmach, Wydawnictwo Naukowe WNPiD UAM, Poznań 2010, p. 271-281, where I addressed attempts to introduce a direct vote to the higher chamber of British Parliament; a chapter "Ewolucja zaplecza doradczo-urzędniczego premiera jako element redefinicji brytyjskiego systemu rządów" [Evolution of the Prime Minister's advisory and clerical background as part of the redefinition of the British system of government], [in:] *Parlamentarny system rządów. Teoria i praktyka*, ed. T. Mołdawa, J. Szymanek, M. Mistygacz, Dom Wydawniczy Elipsa, Warszawa 2012, p. 259-271, where I showed the growth of the aides' and advisors' staff of the Prime Minister, used to exercise the dominant position in the system of government. In the next chapter: "*Hung parliament*. Konstytucyjne zasady tworzenia rządu przy braku jednopartyjnej większości parlamentarnej w brytyjskiej Izbie Gmin" [Hung parliament. Constitutional principles for the formation of government in the absence of a one-party parliamentary majority in the British House of Commons], [in:] *Konstytucja – wybory – partie*, ed. A. Materska-Sosnowska, K. Urbaniak, Dom Wydawniczy Elipsa, Warszawa 2013, p. 163-181, I discuss at length the questions of government formation in a situation of an indecisive result of parliamentary elections. In turn in the chapter "Wielka Brytania" [The United Kingdom], [in:] *Niedemokratyczne wymiary demokratycznych wyborów*, ed. J. Szymanek, Wydawnictwo

Sejmowe, Warszawa 2016, p. 455-484, I provide an in-depth analysis of the elements of the electoral system to the British House of Commons which may be considered undemocratic. Next to the above texts, I published an analysis of the UK model of the institution of parliamentary immunity - "Immunitet parlamentarny w Zjednoczonym Królestwie Wielkiej Brytanii i Irlandii Północnej" [Parliamentary immunity in the United Kingdom of Great Britain and Northern Ireland], [in:] *Immunitet parlamentarny w wybranych państwach europejskich*, ed. S. Grabowska, J. Juchniewicz, Wydawnictwo Uniwersytetu Rzeszowskiego, Rzeszów 2017, p. 310-322. In 2016 I published a gloss to the unprecedented judgement of the High Court of Justice on the legality of the government procedure of leaving the European Union: *Glosa do wyroku Wysokiego Trybunału, Wydział Ławy Królewskiej (High Court of Justice, Queen's Bench Division Court), z dnia 3 listopada 2016 r. [Gloss to the judgement of the High Court of Justice, Queen's Bench Division Court of 3 November 2016]*, *Przegląd Prawa Konstytucyjnego* 2016, No. 5, p. 311-319. In 2018, I moreover published two analyses on the role of the law and standards not provided for in the law in the British constitutional system: "Wybór spikera brytyjskiej Izby Gmin w świetle prawa, zwyczajów i praktyki parlamentarnej" [Election of the Speaker for the British House of Commons in the light of parliamentary law, customs and practice], [in:] *Dokoła Wojtek... Księga pamiątkowa poświęcona Doktorowi Arturowi Wojciechowi Preisnerowi*, ed. R. Balicki, M. Jabłoński, E-Wydawnictwo. Prawnicza i Ekonomiczna Biblioteka Prawnicza, Wrocław 2018, p. 633-644 and "Między kulturą polityczną a kulturą prawną. O roli i znaczeniu konwenansów konstytucyjnych w ustroju Wielkiej Brytanii" [Political culture vs legal culture. On the role and significance of constitutional conventions in the UK political system], [in:] *Kultura polityczna. W poszukiwaniu nowego paradygmatu*, ed. A. Stelmach, M. Lorenc, M. Łukaszewski, Uniwersytet im. Adama Mickiewicza w Poznaniu, Poznań 2018, p. 329-336. Besides the aforementioned publications, I have authored two reviews of monographs: (review) V. Bogdanor, *Coalition and the Constitution*, Hart Publishing, Oxford 2011, p. 148, *Przegląd Sejmowy* 2012, No. 2, p. 243-247 and (review) Ł. Daniel, *Izba Lordów w parlamentarystyce brytyjskiej* [The House of Lords in the UK parliamentary system], Wydawnictwo Sejmowe, Warszawa 2014, p. 376, *Przegląd Prawa Konstytucyjnego* 2014, No. 4, p. 159-164.

While conducting research on the British constitutional system, I also gave 14 papers on various aspects of its functioning at national and international scientific conferences. A large part of them concerned the issues of British electoral law, being an opportunity to share

research results and an element of preparation for writing the postdoctoral monograph: *Prospects for the reform of electoral law to the House of Commons* – conference: The United Kingdom after the 2010 parliamentary elections – University of Warsaw, Warsaw 15-16 September 2010; *The 2010 election vs. the reform of electoral law to the House of Commons* – 2010 Elections. Media, law, society – National Scholarly Conference, Faculty of Law and Administration of Nicolaus Copernicus University, Toruń 11-12 May 2011; *Reform of electoral law to the British House of Commons from 2011* – Problems of the evolution of the law and electoral systems in Poland and Europe – 5th Seminar of Researchers of Constitutional Law, Adam Mickiewicz University, Głuchów n. Poznań, 27-28 March 2012; *The referendum in British constitutional practice* - conference: Citizens' participation in the political decision-making process. Lessons of Western Europe and Central and Eastern Europe, Collegium Polonicum, Słubice, 29-30 May 2014; *The recall election institution in British parliamentary law* – National Conference: Citizens' participation in the political decision-making process. Political commitment vs. inaction in Poland and Europe, AMU Faculty of Political Science and Journalism, Collegium Polonicum, Słubice, 28-29 May 2015; *The constituency in the British electoral law*, National Conference: Elections and electoral law. Theory and practice, AMU Department of Political Systems, State Electoral Commission, National Electoral Office, Regional Chamber of Legal Advisors in Poznań, Poznań, 25-26 October 2017; *The right to vote in elections to the British House of Commons. Constitutional framework vs. practice* – National Conference: Evolution of the Political System: representative democracy vs. direct democracy in Poland and Europe, AMU Faculty of Political Science and Journalism, Collegium Polonicum, Słubice, 30 November-1 December 2017. In other papers I address the questions of selected elements of the British constitutional system: *Features of the British government system* – Government systems in European states – 2nd Seminar of Young Researchers of Constitutional Law, Gdynia, 5-7 October 2010; *Participatory model of selecting leaders of political parties – the case study of the United Kingdom* – Political parties of the late 20th and early 21st century. Condition, development directions and prospects – National Conference, Faculty of Political Science and International Studies of Nicolaus Copernicus University, Polish Society of Political Science – Parties and party systems section, Lubostroń, 21-22 September 2011; *Process of devolution in the United Kingdom of Great Britain and Northern Ireland*, 9th Seminar of Researchers of Constitutional Law, Chorzów-Katowice, 4-6 March 2014; *System of government in British constitutional practice*, 56th Congress of Chairs and Departments of Constitutional Law, UMCS Faculty of Law and Administration, Lublin, 29-31 May 2014; *The right to the court in*

the United Kingdom – National Conference: The right to the court in theory and practice, Faculty of Law and Administration, University of Wrocław, Wrocław 21-23 October 2015; *Political culture, legal culture and tacit constitutional standards as an element of the political system – a case study of the United Kingdom* – 15th Seminar of Researchers of Constitutional Law: Legal institutions and solutions of foreign states and their applicability in Poland, Chair of Constitutional Law, Faculty of Law and Administration, University of Łódź, Sulejów 26-28 April 2017; *The principle of apolitical and impartial status of the Speaker of the British House of Commons*, 17th Seminar of Researchers of Constitutional Law: Current problems of contemporary parliamentarism, Lublin, 18-20 April 2018.

5.2. Scholarly output in the field of constitutional law (electoral law)

The second direction I am investigating is electoral law. Here, first research area I want to present is the electoral law to the European Parliament.

I started my research on the electoral law to the European Parliament thanks to a scholarship I received at the Free University of Brussels in 1999. I have documented the effects of my research in a number of scientific publications and expert opinions prepared for the bodies responsible for drafting the Polish electoral law to the European Parliament. With Prof. Stanisław Gebethner we undertook pioneering research on this issue and presented the preliminary results of our work in the paper: “The future Polish electoral system to the European Parliament in the light of comparative legal analysis”, delivered at the 43rd Polish Conference of Chairs and Departments of Constitutional Law - Accession to the European Union and the Constitution of the Republic of Poland, organized by the University of Rzeszów in Polańczyk in 2001. We presented further results of our research in a joint article: “Przyszły polski system wyborczy do Parlamentu Europejskiego w świetle prawa wspólnotowego i analizy prawnoporównawczej” [The future Polish electoral system for the European Parliament in the light of Community law and comparative law analysis], *Przegląd Legislacyjny*, 2003, No. 1. Studies on European electoral law, carried out with prof. S. Gebethner, were recognised by representatives of central administration in charge of drafting the process of Poland’s accession to the EU, which resulted in entrusting us with the task of preparing a draft bill on the election of members of the European Parliament, which then became the basis for the Act in force in the years 2004-2011. The solutions proposed by us for the electoral system in the strict sense of the word have also been incorporated into the current electoral code and are still in force today. In total, I devoted 8 articles and chapters in collective works to the issues of electoral law to the European Parliament. In addition to the

above article, these are: “Prawa wyborcze obywateli Unii Europejskiej w wyborach do Parlamentu Europejskiego” [The right of citizens of the European Union to vote in elections to the European Parliament], *Przegląd Europejski*, 2003, No. 2, p. 87-102 and “European Citizen’s Electoral Rights and Free Movement of Persons in European Union”, [in:] *The 2004 Enlargement’s Influence on the Labour Market in the European Union*, ed. J. Babiak, Wydawnictwo Naukowe INPiD UAM, Poznań-Słubice, 2007, p. 107-116, where I analysed the issue of EU citizens not being the citizens of the state they stay at having the right to vote on the European elections; “Europa-Wahlen in Polen”, [in:] *Europawahlen 2004 in Ostmitteleuropa*, "Studien des Instituts für den Donauraum und Mitteleuropa", 2004, No. 3 (with S. Sulowski), where we focused on the European elections in Poland; “Podstawowe założenia polskiego prawa wyborczego do Parlamentu Europejskiego (wybrane problemy)” [Basic assumptions of the Polish electoral law for the European Parliament (selected problems)], [in:] *Aktualne problemy prawa w Republice Słowackiej i Rzeczypospolitej Polskiej. International Conference - Rzeszów, 19-21 kwietnia 2004 r.*, ed. N. Bujňáková, J. Łukasiewicz, Rzeszów 2005, p. 459-468, concerning the Polish legal framework of the election to the European Parliament. In two successive publications I addressed the prospects of harmonisation of European electoral law: “2010 proposal for a modification of the electoral system for elections to the European Parliament”, *Studies of Economic and Social Processes* 2011, Europe and the World at the beginning of the 21st Century, p. 59-71; “The Harmonization of the electoral law for elections to the European Parliament. Selected Issues”, *Przegląd Prawa Konstytucyjnego* 2016, No. 6, p. 95-113. My publication titled “Geneza polskiego system wyborczego do Parlamentu Europejskiego” [Genesis of the Polish electoral system for the European Parliament], [in:] *Człowiek, gospodarka, społeczeństwo. Księga jubileuszowa dedykowana Profesorowi Jerzemu Babiakowi*, ed. T. Wallas, K. Urbaniak, K. Hajder, Wydawnictwo Naukowe WNPiD, Poznań 2019, p. 552-562, is a return to the origins of the Polish electoral system to the European Parliament. As part of my research on the European electoral system, I also delivered 6 papers at national and international conferences: *The future Polish electoral system to the European Parliament in the light of comparative legal analysis* (with S. Gebethner) - Accession to the European Union and the Constitution of the Republic of Poland, 43rd National Conference of Chairs and Departments of Constitutional Law, University of Rzeszów, Polańczyk, 31 May-2 June 2001; *Political consequences of the electoral system to the European Parliament* – Civil society in the process of European integration, University of Warsaw, Warsaw, 27 March 2009; *Selected issues of harmonisation of electoral law to the European Parliament* – Europe of the 21st

century. Integration at a time of crisis, European Conference, Adam Mickiewicz University, Collegium Polonicum, Ślubice, 3-4 February 2011; *Legal status of MEPs - Europe of the 21st century. Europe and the European Union in the face of a crisis. Diagnoses, solutions and scenarios for the future* – European Conference – Adam Mickiewicz University, Collegium Polonicum, Ślubice, 2-3 February 2012; *Possible directions of the reform of the electoral system to the European Parliament in Poland. Legal and political aspects* – 2nd National Congress of Political Studies – Poland and Europe vs. the challenges of the contemporary world, Poznań, 19-21 September 2012; *Electoral rights of the citizens of the European Union vs. a deficit of democracy* – 13th European Conference: Europe of the 21st century. Europe and the European Union in the face of a crisis. Diagnoses, solutions and scenarios for the future, Adam Mickiewicz University in Poznań, Faculty of Political Science and Journalism, Collegium Polonicum, Ślubice, 7-8 February 2013.

A separate field of interest within the electoral law is the specific nature of the electoral law to local government bodies. This question was discussed in the thematic issue no. 4/2018 of *Przegląd Prawa Konstytucyjnego: Electoral law to local government*, of which I was a science editor. I devoted 4 scientific publications to the subject of self-government electoral law. These are: the chapter “Główne kierunki ewolucji samorządowego prawa wyborczego w Polsce w latach 1990 – 2010” [Main directions of evolution of local government electoral law in Poland in the years 1990 - 2010], [in:] *Władza lokalna w procesie transformacji systemowej*, ed. J. Babiak, A. Ptak, Kalisz-Poznań 2010, p. 69-85, where I analyse the directions of evolution of electoral law to local self-government in Poland. In two successive articles: “Okręg wyborczy w świetle samorządowego prawa wyborczego” [The constituency in the light of the electoral law to the local self-government], *Studia Politologiczne*, 2011, vol. 22, *Polskie wybory 1991-2011*, ed. A. Materska-Sosnowska, T. Słomka, Warszawa 2011, p. 177-192 and “Zasada proporcjonalności w samorządowym prawie wyborczym” [The principle of proportionality in local government electoral law], *Przegląd Prawa Konstytucyjnego* 2018, No. 4, p. 37-56, I discuss questions related to the electoral system *sensu stricto* and to its impact on the election outcome. In turn, in the chapter “Ramy prawne prowadzenia kampanii wyborczej do organów samorządu terytorialnego” [Legal framework for conducting election campaigns to local government bodies], [in:] *Promocja i rywalizacja na poziomie samorządu terytorialnego*, ed. B. Nitschke, K. Glinka, Zielona Góra 2012, p. 64-81, I assess the principle of freedom to conduct an electoral campaign in the light of the provisions of the Electoral Code.

The issue of local self-government electoral law was also the subject of 13 of my presentations at scientific conferences: *Evolution of local government electoral law in Poland in the years 1990-2010* - Conference: Local Government in the Process of System Transformation - Adam Mickiewicz University, Kalisz 10 September 2010; *Institution of voters' revoking a councillor. Remarks de lege ferenda – the reform of the electoral system to municipality councils* – Direct democracy in local self-government – National Conference, UMCS Faculty of Political Science, Biłgoraj 19-20 May 2011; *Legal framework for conducting election campaigns to local self-government* – Promotion and competition at the level of local self-government, National Conference, Institute of Political Science of the University of Zielona Góra, Zielona Góra, 31 May 2011, *The principle of freedom to conduct an electoral campaign in elections to local self-government and its limitations in the light of the Electoral Code* - Conference: Communication at the level of local self-government, Institute of Political Science of the University of Zielona Góra, Zielona Góra 22-23 May 2012; *Between the principle of proportionality and the majority system. An argument for a model of an electoral system to the local self-government* – 2nd Polish Congress of Political Science – Poland and Europe vs. the challenges of the contemporary world, Poznań, 19-21 September 2012; *European model of extending electoral rights in elections to the local self-government to third-country citizens. Possible avenues of development* – International Conference commemorating the 60th anniversary of entry into force of the European Convention of Human Rights: Universal and regional aspect of human rights protection. New solutions – new challenges, Sejm of the Republic of Poland, 22-23 April 2013; *Selected elements of the electoral system to regional assemblies*. Conference: *Practical aspects of application of the electoral code in the context of the 2014 elections to the local self-government in Poland*, University of Rzeszów, Rzeszów 8-9 December 2014; *Dilemmas of electoral law to the local self-government. Selected aspects*, 9th Seminar of Researchers of Constitutional Law: Centralisation vs. decentralisation of public administration – 25 years of reborn local self-government, University of Warsaw, Obory, 15-17 April 2015; *Proportional elections to authorities of powiat-cities vs. the execution of the constitutional principle of equality of local self-government elections* - Conference: local self-government in the Third Republic – accomplishments, failures and development prospects, AMU Faculty of Political Science and Journalism, Poznań, 21-22 May 2015; *Electoral system to powiat councils in the light of the Electoral Code. Selected institutional and legal aspects and their practical implementation* - National Conference: Powiat in the Polish system of local self-government, University of Zielona Góra, Zielona Góra 18-19 June 2015; *The 2018 amendment of electoral*

law to authorities of local self-government, National Conference – 60th Congress of Chairs and Departments of Constitutional Law, Chair of Constitutional Law, University of Wrocław, Kliczków 11-13 June 2018; *The right to vote in elections to local self-government. Reflections on the delimitation of the scope of the political notion of a local self-government community*, National Conference *Local self-government in a democracy. (Non)defined limits of public authority*, Jurata 26-28 September 2018 and *Arguments about the shape of the electoral system to municipality councils*, Conference: Local self-government vs. parliament – representation, legislation and cooperation, UMCS Centre for Studies of Parliamentarism, UMCS Student Club of Parliamentary Law, 26 April 2019.

In my research related to electoral law, I devoted a lot of time to fundamental electoral rights. Three of them concerned the sensitive issue of women's electoral rights and their implementation: "Parytety i kwoty wyborcze a Konstytucja RP" [Electoral parities and quotas and the Constitution of the Republic of Poland], *Przegląd Politologiczny*, 2011, No. 2, p. 67-78; "Electoral Gender Quota Systems in European Perspective. The Principle of Equality versus Compensatory Measures", [in:] *Some Issues on Women in Political Media and Socio-economic Space*, ed. I. Andruszkiewicz, A. Balczyńska-Kosman, WNPiD UAM, Poznań 2012, p. 29-39; "Płeć a realizacja praw wyborczych" [Sex and the exercise of electoral rights], *Wrocławskie Studia Erazmiańskie*, 2015, vol. IX, p. 15-62. The questions of fundamental electoral rights are addressed moreover in the chapter "Standardy europejskie zasady równości wyborów a polskie prawo wyborcze i praktyka ustrojowa" [European standards of the principle of equal elections vs. Polish electoral law and political practice], [in:] *Dwadzieścia lat obowiązywania Konstytucji RP: Polska myśl konstytucyjna a międzynarodowe standardy demokratyczne*, ed. J. Jaskiernia, K. Spryszak, Wydawnictwo Adam Marszałek, Kielce 2017, p. 510-524 and in the article: "Prawne i praktyczne aspekty zebrania podpisów jako element prawa zgłaszania kandydata w wyborach prezydenckich. Uwagi *de lege lata* i *de lege ferenda*" [Legal and practical aspects of the collection of signatures as part of the right to nominate a candidate in presidential elections. Comments *de lege lata* i *de lege ferenda*], *Studia Politologiczne* 2016, vol. 42, Instytucja prezydenta w Trzeciej Rzeczypospolitej. Model konstytucyjny i praktyka polityczna, ed. T. Słomka, Warszawa 2016, p. 35-55. This area is also addressed by two texts mentioned earlier: "Prawa wyborcze obywateli Unii Europejskiej w wyborach do Parlamentu Europejskiego" [The right of citizens of the European Union to vote in elections to the European Parliament], *Przegląd Europejski*, 2003, No. 2, p. 87-102 and "European Citizen's Electoral Rights and Free

Movement of Persons in European Union”, [in:] *The 2004 Enlargement's Influence on the labour market in European Union*, ed. J. Babiak, Wydawnictwo Naukowe INPiD UAM, Poznań-Słubice, 2007, p. 107-116.

The subject of fundamental electoral rights was also the focus of my presentations at scientific conferences: *The right to vote for persons deprived of liberty in the light of European standards and the case law of the European Court of Human Rights* - Effectiveness of the European system of human rights protection - International Conference to commemorate the 20th anniversary of Poland's accession to the Council of Europe and the signing of the European Convention of Human Rights, Institute of Economics and Administration of the Jan Kochanowski University of Humanities and Life Sciences in Kielce, Justice and Human Rights Committee of the Sejm of the Republic of Poland, Sejm of the Republic of Poland, Warsaw, 18-19 April 2011; *Passive voting rights in Europe - a comparative analysis and international standards* - The influence of international standards on the development of democracy and protection of human rights - International Conference to mark the 15th anniversary of the adoption of the Constitution of the Republic of Poland and the 20th anniversary of the signature of the Treaty of the European Union, Sejm of the Republic of Poland, Warsaw 21-22 April 2012; *The principle of free elections vs. legitimisation of authorities in a democratic system* – International Conference: Forms and manners of legitimising authorities in Central and Eastern Europe – AMU Faculty of Political Science and Journalism, Polish Society of Political Science, Collegium Polonicum, Słubice, 11-12 May 2012; *The principle of equality vs. the electoral system to the Senate of the Republic of Poland. Aspects of constitutional law*, Conference: 2011 Elections. Media – Law – Society, Nicolaus Copernicus University in Toruń, 16 May 2012; *The principle of freedom to conduct an electoral campaign in elections to local self-government and its limitations in the light of the Electoral Code* - Conference: Communication at the level of local self-government, Institute of Political Science of the University of Zielona Góra, Zielona Góra 22-23 May 2012; *Electoral rights of the citizens of the European Union vs. a deficit of democracy* – 13th European Conference: Europe of the 21st century. Europe and the European Union in the face of a crisis. Diagnoses, solutions and scenarios for the future, Adam Mickiewicz University in Poznań, Faculty of Political Science and Journalism, Collegium Polonicum, Słubice, 7-8 February 2013; *European model of extending electoral rights in elections to the local self-government to third-country citizens. Possible avenues of development* – International Conference commemorating the 60th anniversary of entry into

force of the European Convention of Human Rights: Universal and regional aspect of human rights protection. New solutions – new challenges, Sejm of the Republic of Poland, 22-23 April 2013; *The principle of free elections in the light of the European Convention of Human Rights and the case law of the European Court of Human Rights*, 7th International Conference: European and Asian systems of human rights protection. Universal inspiration – cultural background – barriers to exercise, Sejm of the Republic of Poland, Warsaw 13-15 April 2015; *European standards of the principle of free elections vs. Polish electoral law and political practice*, 59th Congress of Chairs and Departments of Constitutional Law, Twenty years of use of the Constitution of the Republic of Poland: Polish constitutional reflection vs. international democratic standards, Jan Kochanowski University, Kielce, Faculty of Law, Administration and Management, Kielce, 12-14 June 2017; *The right to vote in elections to the British House of Commons. Constitutional framework vs. practice* – National Conference: Evolution of the Political System: representative democracy vs. direct democracy in Poland and Europe, AMU Faculty of Political Science and Journalism, Collegium Polonicum, Słubice, 30 November-1 December 2017; *Standards of electoral law in the jurisprudence of Poland's Constitutional Court* – 10th International Conference - Universal and regional systems of human rights protection 70 years after the proclamation of the Universal Declaration of Human Rights. Accomplishments – obstacles – new challenges and solutions, Warsaw 23-24 April 2018; *The right to vote in elections to local self-government. Reflections on the delimitation of the scope of the political notion of a local self-government community*, National Conference *Local self-government in a democracy. (Non)defined limits of public authority*, Jurata 26-28 September 2018.

Another area of my interests is the principle of proportionality of elections. I have raised these issues in my texts: “Konstytucyjna zasada proporcjonalności wyborów i jej implementacja w prawie wyborczym do Sejmu RP” [Constitutional principle of proportionality of elections and its implementation in the electoral law to the Sejm of the Republic of Poland], [in:] *Konstytucja w państwie demokratycznym*, ed. S. Patyra, M. Sadowski, K. Urbaniak, Wydawnictwo Nauka i Innowacje, Poznań 2017, p. 211-241, where I analyse the practical aspects of applying this principle in parliamentary elections; *Zasada proporcjonalności w samorządowym prawie wyborczym* [The principle of proportionality in electoral law to local self-government], *Przegląd Prawa Konstytucyjnego* 2018, No. 4, p. 37-56, where I carried out a similar analysis with respect to elections to local self-government, and in the chapter “Okręg wyborczy a realizacja zasady proporcjonalności i równości

wyborów”, [in:] *Aktualne problemy prawa wyborczego* [The constituency and the implementation of the principles of proportionality and equality of elections], Series: *Acta Iuridica Lebusana*, vol. 1, ed. B. Banaszak, A. Bisztyga, A. Feja-Paszkiewicz, Oficyna Wydawnicza Uniwersytetu Zielonogórskiego, Zielona Góra 2015, p. 423-437, dedicated to the role of a constituency during the exercise of the principles of equality and proportionality of elections. I dedicated as many as eight papers delivered at conferences to the question of proportional elections: *Between the principle of proportionality and the majority system. Argument about the model of the electoral system to local self-government* – 2nd Polish Congress of Political Science – Poland and Europe vs. the challenges of the contemporary world, Poznań, 19-21 September 2012; *The principle of proportionality in the electoral system to local self-government in the light of Electoral Code provisions*, National Science and Training Conference: *Electoral law to local self-government after the 2018 amendment*, District Chamber of Legal Advisors in Poznań, AMU Faculty of Political Science and Journalism, State Electoral Commission, National Electoral Office, Poznań, 23 May 2018; *Electoral system sensu stricto, or what we know about the outcome of the 2019 parliamentary election prior to the election proper*, National Conference to commemorate the centennial of the first parliamentary elections in Poland: Democratic elections. Law, standards, safeguards, practice, AMU Faculty of Political Science and Journalism, State Electoral Commission, National Electoral Office, Poznań, 26-27 February 2019; *Proportional elections to authorities of powiat-cities vs. the execution of the constitutional principle of equality of local self-government elections* - Conference: local self-government in the Third Republic – accomplishments, failures and development prospects, AMU Faculty of Political Science and Journalism, Poznań, 21-22 May 2015; *The constituency and the exercise of the principle of proportionality and free elections* - 57th Congress of Chairs of Constitutional Law: Current issues of Polish electoral law, Faculty of Law and Administration, University of Zielona Góra, Zielona Góra, 17-19 September 2015; *Electoral thresholds in the 2014-2015 election. Aspects of constitutional law and their impact on election outcomes* – Jubilee Conference to mark the 40th anniversary of the Institute of Political Science and Journalism: Polish elections of 2014-2015. Domestic and international context – competition – political consequences, University of Silesia, Ustroń, 25-27 November 2015; *Constitutional principle of proportional elections and its implementation in the electoral law to the Sejm of the Republic of Poland* – National Conference of the Bar of Legal Advisors: The constitution in a democracy, Poznań 21-22 October 2016; *Between proportionality and a majority system. Reflections on compensatory and mixed electoral systems in Central European states*, National Conference –

Evolution of the political system in Central and Eastern European states, AMU Faculty of Political Science and Journalism, Ślubice, 17-18 November 2016.

As part of my research, I organized four scientific conferences devoted to the issues of elections and electoral law: 1) Problems of the evolution of the electoral law and systems in Poland and Europe – 5th Seminar of Researchers of Constitutional Law, AMU, Gultowy n. Poznań, 27-28 March 2012; 2) National Conference: Elections and electoral law. Theory and practice, AMU Department of Political Systems, State Electoral Commission, National Electoral Office, District Chamber of Legal Advisors in Poznań, Poznań, 25-26 October 2017; 3) National Science and Training Conference: *Electoral law to local self-government after the 2018 amendment*, District Chamber of Legal Advisors in Poznań, AMU Faculty of Political Science and Journalism, State Electoral Commission, National Electoral Office, Poznań, 23 May 2018; 4) National Conference to commemorate the centennial of the first parliamentary elections in Poland: Democratic elections. Law, standards, safeguards, practice, AMU Faculty of Political Science and Journalism, State Electoral Commission, National Electoral Office, Poznań 26-27 February 2019.

5.3. Output related to constitutional law (the judiciary)

Another field of research that I undertook after obtaining the doctoral degree was the subject of the judiciary, including in particular the constitutional judiciary. As part of my research on these issues, I published 3 books I was the editor of: *Skarga konstytucyjna. Zagadnienia teorii i praktyki* [Constitutional complaint. Theoretical and practical considerations], Wydawnictwo Nauka i Innowacje, Poznań 2015, p. 295, and of *Pytanie prawne sądu do Trybunału Konstytucyjnego. Wybrane zagadnienia* [Legal questions to the Constitutional Court. Selected aspects], Wydawnictwo Nauka i Innowacje, p. 300, first edition – Poznań 2016 and second edition – Poznań 2018. Besides, I have published a number of articles and chapters. In the chapter “Ewolucja pozycji i kompetencji Trybunału Konstytucyjnego w Polsce po 1989 roku (wybrane zagadnienia)” [Evolution of the position and competences of the Constitutional Court in Poland after 1989 (selected issues)], [in:] *Przemiany demokratyczne w Polsce*, ed. A. Stelmach, Wydawnictwo Naukowe WNPiD UAM, Poznań 2013, p. 141-158, I have examined the Court's competences, indicating that they have been extended. I also pointed out that the importance of depriving the Court of its power to interpret laws in a universally binding manner. As it turned out, after a dozen or so years this instrument could have been very helpful as an instrument to protect its independence. In the chapter - “Wybór sędziów Trybunału Konstytucyjnego w świetle Konstytucji PRL oraz Konstytucji RP” [Election of

judges of the Constitutional Court in the light of the Constitution of the People's Republic of Poland and the Constitution of the Republic of Poland], [in:] *Konstytucje polskie z 1952 i 1997 roku: tradycja, instytucje, praktyka ustrojowa*, ed. A. Materska-Sosnowska, T. Słomka, Dom Wydawniczy Elipsa, Warszawa 2015, p. 160-175, I scrutinised the principle of judicial appointment of the justices of Court, focusing especially on differences between the relevant constitutional provisions in the light of the 1997 Constitution and earlier ones. In the books of which I was the editor, I moreover published analyses of the unique nature of the Polish model of the constitutional complaint - "Model polskiej skargi konstytucyjnej na tle porównawczym" [The model of the Polish constitutional complaint – a comparative analysis], [in:] *Skarga konstytucyjna. Zagadnienia teorii i praktyki*, ed. K. Urbaniak, Wydawnictwo Nauka i Innowacje, Poznań 2015, p. 11-35 and of the scope of substantive grounds for a legal request to the Court - "Podmiotowa przesłanka pytania prawnego" [Subjective premise of the legal question], [in:] *Pytanie prawne sądu do Trybunału Konstytucyjnego. Wybrane zagadnienia*, ed. K. Urbaniak, Poznań 2016, p. 127-146 (p. 135-152 – second edition). A separate text in the monograph concerning the legal request was dedicated to the Constitutional Court as a constitutional judiciary, indicating the inherent features of such a court: "Trybunał Konstytucyjny jako sąd konstytucyjny" [The Constitutional Tribunal as a constitutional court], [in:] *Pytanie prawne sądu do Trybunału Konstytucyjnego. Wybrane zagadnienia*, ed. K. Urbaniak, Wydawnictwo Nauka i Innowacje, Poznań 2016, p. 15-42 (p. 15-44 – second edition). Two further studies on the judiciary in Anglo-Saxon countries remain within the field of studies of the judicial power. These are: "Zasady podziału władzy w Wielkiej Brytanii" [The principle of checks and balances in the United Kingdom], [in:] *Zasady podziału władzy we współczesnych państwach europejskich*, ed. S. Grabowska, R. Grabowski, Wydawnictwo Uniwersytetu Rzeszowskiego, Rzeszów 2016, p. 88-103, which analyses the check-and-balances principle and the chapter "Determinanty prawne, zwyczajowe i polityczne obsadzania urzędu sędziego Sądu Najwyższego Stanów Zjednoczonych" [Legal, customary and political determinants of the appointment of a judge to the Supreme Court of the United States], [in:] *Między Klio a Themis. Księga dedykowana Profesorowi Jackowi Sobczakowi*, ed. J. Adamowski, K. Kakareko, T. Wallas, Wydawnictwo Naukowe Silva Rerum, Warszawa-Poznań 2016, p. 949-957, on the principles of appointing justices of the US Supreme Court.

Furthermore, I addressed questions pertaining to the judiciary in my papers read at conferences: *Selection of justices of constitutional courts* – The judiciary in European

countries - 3rd Seminar of Researchers of Constitutional Law, Waplewo n. Olsztyn, 5-7 April 2011; *Model of the Polish constitutional complaint – a comparative analysis* – Science and Training Conference: Constitutional complaint. Theory and practice, District Chamber of Legal Advisors in Poznań, Poznań, 15 October 2012; *Substantive grounds for a legal request* – Science and Training Conference: legal request to the Constitutional Court, AMU Faculty of Law and Administration, District Court in Poznań, District Chamber of Legal Advisors in Poznań, Poznań 25 April 2013; *Origins and development of the institution of the constitutional complaint in countries of Central and Eastern Europe* – National Conference: Evolution of the political system in the new European Union member states, Collegium Polonicum, Słubice, 15-16 May 2013; *Appointment of the President of the Constitutional Court. Comments de lege lata and de lege ferenda* – 8th International Conference to commemorate the 50th the anniversary of the signing of the International Covenants on Human Rights and the 35th anniversary of the African Charter on Human and Peoples' Rights: Human Rights Protection Systems: European and African. Universal context - regional specificity - implementation conditions, Sejm of the Republic of Poland, Warsaw, 18-19 April 2016; *Dispute over the scope of competence of the Constitutional Court and the human rights protection system in Poland* - 6th International Conference to mark the 55th anniversary of establishing of the European Court of Human Rights and the 45th anniversary of the adoption of the American Convention of Human Rights: European and American models of human rights protection. Axiology – institutions – efficiency, Sejm of the Republic of Poland, Warsaw 9-11 April 2014; *Polish model of a constitutional complaint vs. the model of human rights protection* – National Conference: Human rights protection. Practical aspects, AMU Faculty of Law and Administration, Human Rights Commission of the National Chamber of Legal Advisors, District Chamber of Legal Advisors in Poznań, Poznań, 8 December 2015; *The right to the court in the United Kingdom* – National Conference: The right to the court in theory and practice, Faculty of Law and Administration, University of Wrocław, Wrocław, 21-23 October 2015; *Constitutional Court as an authority of legal security in Poland. Selected constitutional, legal and political problems* – 16th International Conference Europe of the 21st century. Europe and the European Union in the face of a crisis. Diagnoses, solutions and scenarios for the future, Adam Mickiewicz University Faculty of Political Science and Journalism, Collegium Polonicum, Słubice, 4-5 February 2016; *Resign never, rarely die. Comments on the procedure of appointing justices of the Supreme Court of the United States* – 14th Seminar of Researchers of Constitutional Law: The third estate – issues, challenges, accomplishments, Chair of Constitutional law and Political Institutions,

Faculty of Law and Administration, University of Gdańsk, Jantar, 11-13 October 2016; *Subjecting judges of the Constitutional Court to the Constitution only. Comments on the basis of the application of Article 195 of the Constitution*, 13th Seminar of Researchers of Constitutional Law: Cul-de-sacs of the evolution of the Polish constitutional system, University of Rzeszów, Janów Lubelski, 15-17 April 2016; *Independence of the judiciary and its guarantees in a democratic state*, International research and practical conference: The Problems and Prospects of High School and Economics Development in the XXI Century, Ministry of Education and Science of Ukraine, Academician Stepan Demianchuk International University of Economics and Humanities (Ukraine), Rivne, 26-27 October 2017; *Problem of the legal situation of the Constitutional Tribunal, Conference: Judge and Constitution. Crisis of constitutional judiciary and dispersed control of constitutionality*, Faculty of Law and Administration, University of Silesia, Katowice 3 March 2017; *Judges being bound by the Constitution*, National Conference: Current issues of legal professions, K. Pułaski University of Technology and Humanities in Radom, Radom, 11 January 2019.

Within the framework of my research I organized two scientific conferences devoted to the issues of constitutional judiciary: 1) Scientific and Training Conference: Constitutional Complaint. Theory and practice, District Chamber of Legal Advisors in Poznań, Poznań 15 October 2012; 2) Science and Training Conference: A request to the Constitutional Court, AMU Faculty of Law and Administration, District Court in Poznań, District Chamber of Legal Advisors in Poznań, Poznań 25 April 2013.

5.4. Summary

My academic work so far has focused on constitutional law, with particular emphasis on British constitutionalism, electoral law and the judiciary. Combining the first two of these, I prepared my postdoctoral monograph: *Reformy systemu wyborczego do Brytyjskiej Izby Gmin w XXI wieku. Ciągłość i zmiana w prawie wyborczym i praktyce ustrojowej*, Wydawnictwo Nauka I Innowacje, Poznań 2019.

As far as my further research plans are concerned, they are related to the issue of the principle of proportionality of elections. I have already devoted several scientific publications and papers read at conferences. These issues deserve further in-depth research, due to their importance for the political system. I would also like to continue my research on the British political system, in particular on the specifics of the British Constitution.

6. Summary impact factor of publications acc. to the Journal Citation Reports (JCR) list, by year of publication

7. Principal investigator of international or national research projects or participation in such projects

8. Papers read at national or international thematic conferences – appendix No. 9,

Evaluation criteria in the field of educational and popularization achievements and international cooperation of the candidate under § 5 of the Regulation in all areas of knowledge.

1. Participation in European programmes and other international or national programmes

2. Participation in international or national conferences or participation in the organising committees of those conferences – appendix No. 7 and 9

3. Managing projects carried out in cooperation with scientists from other Polish and foreign centres, and in the case of applied research in cooperation with entrepreneurs

4. Participation in editorial committees and scientific boards of journals

- since 2012 member of the Science Committee of *Przegląd Prawa Konstytucyjnego* periodical

- since 2014 secretary of the Editorial Board of *Radca Prawny. Zeszyty Naukowe* quarterly

5. Membership in international or national scientific organisations and societies – appendix No. 8

6. Information on educational accomplishments and scholarly supervision of students and Ph.D. candidates – appendix No. 7

7. Internships in international or national science or academic centres

8. Information on activities promoting science – appendix No. 8



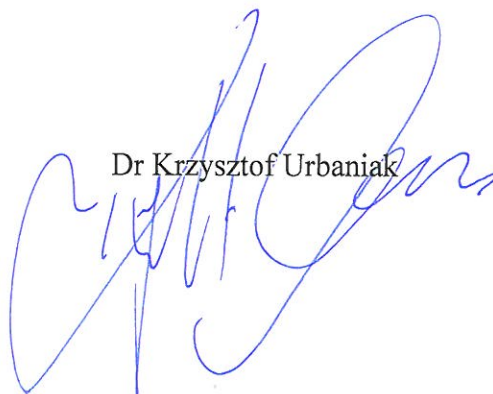
9. Drafting expert opinions and conducting other studies on behalf of public authorities, local government, entities performing public tasks or entrepreneurs

- I took part in the preparation of the local government reform in 1998 (advisor to the Undersecretary of State in the Ministry of the Interior and Administration responsible for the implementation of the reform) - among others, preparation of a preliminary draft of the local government electoral law, preparation of draft executive acts, participation in work on the administrative division of the state,
- preparation of a civic project to amend the electoral code for municipal, district and provincial councils (single-seat constituencies) in collaboration with the Batory Foundation,
- Preparation (with Prof. S. Gebethner) of a governmental draft of the Electoral Law for the European Parliament, which became the foundation of the Act in force in the years 2004-2011,
- expert opinions on electoral law for the Bureau of Studies and Analyses of the Sejm, the Ministry of the Interior and Administration and the Chancellery of the Prime Minister,
- expert opinions for the Poznań City Hall in the field of local government law.

10. Participation in bodies of experts and competition authorities

- body of experts for drafting the Electoral Law for the European Parliament in Poland (2003),
- competition team for the best MA thesis on constitutional law and political systems – *Przegląd Prawa Konstytucyjnego*.
- member of the Council of the Wielkopolska Chapter of the Regional National Health Fund since 2012 (2012-2016 – chairperson).

Poznań, 30 April 2019


Dr Krzysztof Urbaniak