

POLISH E-DEMOCRACY – LEGAL STATE OF AFFAIRS

POLSKA E-DEMOKRACJA – STAN PRAWNY

Justyna Matusiak

Poland, WSB University in Poznan, Institute of Law and Administration,
Nr ORCID: 0000-0002-2008-3865, e-mail: justyna.matusiak@wsb.poznan.pl

Abstract. One of the elements upon which e-Government is based is electronic democracy. It stands for a broad range of activities engaging citizens in state matters. In Poland, it is difficult to find examples of such activities whether in the area of e-Voting, e-Engagement, e-Controllershship, or e-Consultation. This is due to many reasons, one of which may be errors committed by the legislator, and upheld by it, with respect to the conceptual framework related to the e-Government, as well as the conceptual framework used in acts of law, while another reason may be the legislative quality of some of them. The phenomenon which raises the highest concern, however, is the fact that the initiatives that are undertaken, usually at local, not central, level, arouse very little interest among citizens, who do not trust public administrative authorities providing the solutions to question. By way of illustration, the paper presents local solutions related to electronic voting, and central solutions related to public information. Due to the scarcity of solutions and their often questionable quality, it is hard to say that in Poland electronic democracy solutions are well developed and shaped.

Keywords: e-Democracy, e-Government, e-Administration, information society, e-Voting, public

Streszczenie. Elektroniczna demokracja jest jednym z elementów konstytuujących eGovernment. Oznacza ona działania angażujące obywateli w sprawy państwowe za pomocą środków komunikacji elektronicznej. W Polsce trudno znaleźć przykłady takich działań czy to w obszarze eVoting, eEngagement, eControllershship, czy eConsultation. Przyczyny takiego stanu rzeczy są różne. Powodem mogą być popełnione i kontynuowane przez ustawodawcę błędy w zakresie siatki pojęciowej dotyczącej eGovernment, jak i tej zastosowanej w aktach prawnych, ale również jakość legislacyjna części z nich. Budzącym najwięcej niepokoju zjawiskiem jest fakt, iż podejmowane już inicjatywy, najczęściej na szczeblu lokalnym, a nie centralnym, cieszą się bardzo małym zainteresowaniem ze strony obywateli, którzy nie darzą zaufaniem organów administracji publicznej świadczących przedmiotowe rozwiązania. Tytułem przykładu przedstawiono rozwiązania lokalne odnoszące się do elektronicznych głosowań oraz rozwiązania centralne odnoszące się do informacji publicznej. Znikomość rozwiązań oraz często ich dyskusyjna jakość powoduje, iż w Polsce trudno mówić o rozwiniętych i ukształtowanych rozwiązaniach w zakresie elektronicznej demokracji.

Słowa kluczowe: e-demokracja, elektroniczna demokracja, eGovernment, elektroniczne głosowanie

Introduction

The idea of information society should be treated very seriously in Poland primarily because of the European political context in which it was entrenched (Tadeusiewicz, 2006, p. 32). The popularity of information society programmes and strategies in Poland is the result of adopting, at least partially, of the *acquis communautaire* with the many institutions and concepts it is built on. Plans, strategies, and programmes related to information society, prescribed by the law and within its boundaries (with different restriction levels), are to stimulate the development, order, and cohesion, helping coordinate actions, cooperation, activities, and partnership. It needs to be stressed that while programs do not contain legal norms, and consequently do not meet criteria

required from national law acts, and are not acts laying down law, they do not impose any new obligations nor confer any rights on addressees (Duniewska et al, 2005, p. 143).

A characteristic phenomenon for Poland is the adoption of successive information society development strategies, modelled after European documents. The ones presently in effect are “Strategic trends of informatization development in Poland until 2013 and prospective prognosis of the information society transformation until 2020” and “Suggested trends of development of information society in Poland until 2020”.

The “Strategic trends of informatization development in Poland until 2013 and prospective prognosis of the information society transformation until 2020”

identified a list of priority services which is slightly different from those proposed by the European Union. They are listed in Table 1. This list shows that Polish priorities, with respect to the development of information society, contain two e-Participation services,

i.e. online voting, and public forum management. This note is extremely significant in the context of activities which are undertaken, or rather are not undertaken, in the area of electronic democracy.

Table 1. Priority public services according to the “Strategic trends of informatization development in Poland until 2013 and prospective prognosis of the information society transformation until 2020”

Services to the public	Services to business
1) Personal income tax	1) Social insurance process for natural persons
2) Making a medical appointment	2) Process of providing statistical data to the Central Statistical Office
3) On-line voting	3) Process of providing customs data
4) Borrowing publications from a library	4) Process of settling corporate income tax
5) Employment service	5) Process of settling VAT
6) Social insurance management	6) Process of handling public procurement
7) Applying for studies	
8) Obtaining required documents from a registry office	
9) Public forum management	

Material and methods

The aim of the paper is to identify reasons for the lack of proper legal solutions concerning e-Democracy in Poland and to present some of the existing solutions.

To achieve the aim analysis of the literature on the subject and relevant legal acts has been carried out.

Definition discrepancies in reference to e-Government

E-government is understood as the use of all kinds of electronic means of communication, in particular, however, the Internet, and also as the supply, and improvement of services provided by the state to its citizens. In addition, it also should be understood as the involvement of the latter in state matters (*Jain Palvia Shailendra and Sharma Sushil, 2012, pp. 4-17; Gil-Garcia, 2012, pp. 4-17*). Electronic government (e-Government) comprises electronic administration (e-Administration), i.e. electronic services provided to natural persons and businesses provided by public entities, and electronic democracy (e-Democracy), i.e. citizens' active participation in political life to improve their quality of life. E-democracy is understood as a direct contact between a selected representative of the nation and a citizen, be it at central level, or by a local representative. e-Democracy also comprises electronic voting during elections (e-Voting). E-democracy also stands for engaging citizens in public matters using means of electronic communication (e-Engagement), consultations between civil servants and citizens (e-Consultation), and also the control by the people of costs and services in a public entity (e-Controllorship).

E-administration, which uses modern tools provided by information and communication technologies, is often pointed to as the key initiator and performer of the changes which are taking place (6, 2004, p. 16). Thanks to some unchanging attributes, public administration can use IT techniques in such a way, so as to perform its activities in the most efficient manner. A question arises, whether this phenomenon can lead to the contradiction of the ideal bureaucratic structure formulated by Max Weber. Bureaucratic structure is characterized, inter alia, by the fact that conventional actions performed within its framework, are performed in writing, and are not connected with a specific person who performs them (Ziemiński, 1994, p. 88). Furthermore, bureaucracy is characterized by formalism, hierarchical structure, attachment to procedures, and work stability. E-administration, however, is described (Dąbrowska et al., 2009, p. 48) as non-bureaucratic, transparent, effective, cheap, and fast, i.e. efficient and friendly, where any document is intangible in its form. Thus, on the one hand e-Administration is not bureaucratized, but on the other it is bureaucratized e.g. in terms of speed and transparency. From the beginning of the twentieth century bureaucracy has had strong influence on the organization of public administration. On the one hand it is to ensure impartiality and neutrality, on the other, however, from the middle of the 20th century it has a derogatory overtone (Mises, 1998, p. 17).

Also in Poland, it is hard to associate the concept of bureaucracy with something positive, given that even the lawmaker itself perceives it, to an extent, as a nuisance. Article 227 of the Act of 14 June 1960 Code of Administrative Procedure stipulates that the object of a complaint in administrative proceedings

may be, specifically, lengthy or bureaucratic attendance to a case. It should be pointed out that such a pejorative view of bureaucracy is definitely the result of the misunderstanding of the concept and, especially for citizens, is misleading. This regulation stems from a complete misunderstanding of what bureaucracy is about, and what handling cases in a bureaucratic way is about (Supernat, 2009, p. 772). The handling of cases in a bureaucratic way simply means that they are managed in accordance with the rules of a bureaucratic organization, which organization is the materialization of the concept of the rule of law. In effect, it is about the right to file a complaint against the handling of a matter in a non-bureaucratic way. Bureaucracy is associated with arduousness, lack of effectiveness, and blurred lines of responsibility. Consequently, one can postulate (Homburg, 2008, p. 57) that attempts are being made to reform the bureaucratic organization of public administration and use new technologies to implement this reform. Nonetheless, bureaucratic organization is important for the functioning of democratic states (Cordella and Willcocks, 2009, pp. 99-101).

The fact that the Polish academic discourse passes over e-Democracy is the result of erroneous interpretation of the concept of e-Government. E-government is quite often interpreted, both in government documents and plans on the informatization of the state, as e-Administration. Due to this error, which is repeated in subsequent documents prevailing at state and local level, e-Democracy does not constitute the object of an in-depth legal analysis, leaving e-Administration as the matter of interest to the academia, and practitioners. As a result, there are few solutions which could be used as an example of e-Democracy activities.

Consequences for e-Administration

While e-Administration is not a separate division of public administration, it must definitely be considered as its important element. The word "revolution" used in this context (Arévalo Nieto et al., 2006, p. 11) could be an exaggeration, however, we are witnessing a new approach to the relationship between the citizen / entrepreneur vs. the public administration, involving a gradual technical and organizational evolution.

This view, however, is not common in literature. Literature states (Fountain, 2002, pp. 118-119) that the Weberian model is such a form of organization which in the nearest future, at least over the next few decades, will still be in place. If a new type of the organizational form is to appear, then it is hard to specify how it will look. Therefore, it is said, that presently one can only talk about bureaucracy being under the influence of information technologies, about information-based bureaucracy.

There is no agreement in literature, as far as the issue of modelling services provided by public administration after private services, provided in electronic

commerce. An attempt to look at citizens and entrepreneurs as customers of public administrative authorities does not gain common approval. Fountain (Fountain, 2001, pp. 55-73) points out that such an approach ignores the fact that public administrative authorities often fulfill more than one function – of being a service provider, since they also may often have supervisory or legislative competencies. For that reason they cannot be treated only as service providing entities, like entrepreneurs, and consequently citizens cannot be treated as their customers. Also citizens have different roles in this relationship, e.g. casting votes in elections, being taxpayers, persons filing applications, citizens, entrepreneurs, or merely civil servants performing their duties. It must be stressed that in many cases, without citizens' volition, a relationship exists between them and public administrative authorities, because, e.g. citizens are taxpayers, or persons paying a fine. A citizen is not authorized to negotiate the price or the quality of a service. This stems from the simple principle that public administration authorities do not compete with each other in terms of price, speed, quality, or level of friendliness of service. Also, the citizen must be assured that a specific service will be provided, since that is the obligation imposed by law on public entities (Stefaniuk, 2011, p. 708). Also Mises (Mises, 2007, pp. 266-267) does not agree to compare citizens and entrepreneurs to customers of public administrative authorities. He is of the opinion, that the efficiency of authorities and industrial efficiency are two completely different things.

Referring to Polish legal acts which contain regulations on e-Administration, one should quote, *inter alia*, the Act of 18 July 2002 on the Provision of Services by Electronic Means, the Act of 17 February 2005 on the Informatization of the Activities of Entities Performing Public Tasks, or the Act of 18 September 2001 on Electronic Signature. The aforementioned acts lay down the foundations for introducing more detailed solutions in other normative acts, like the Act of 29 August 1997 - Tax Ordinance Act, or the Act of 29 January 2004 Public Procurement Law.

Misconstruction of the above legal regulations causes problems connected with the implementation of e-Administration projects. Although some legal acts related to that problem had already been amended, a large number of the acts, like the Act on the Electronic Signature, still require amendment. Given the afore-mentioned, one should praise such statutory regulations which use modern IT tools, like the Tax Ordinance Act. As the lawmaker introduces numerous and complicated definitions in many legal acts, it is impossible for a citizen to grasp the topic of electronically provided services. Unification of IT terminology in Poland is a difficult task, since it is scattered across many legal acts which should be compatible with each other. Some of these problems were resolved by a 2010 amendment of the Informatization

Act. However, this amendment did not bring major changes related to the state's informatization plans and should be deemed a negative development. This element in Poland fails to be properly governed. Projects specified in subsequent plans are not implemented at all, or implemented with major delays, and the resulting state of affairs will have no repercussions on anyone. Errors committed with respect to the definitions influenced not only solutions applying to e-Democracy, but also partially contributed to problems arising in e-Administration.

Results and discussion

To exemplify, two institutions, in which the development of e-Democracy is visible, are being described.

Local e-Voting

Electronic voting should be understood as voting using electronic devices. Such devices can be used for electronic registration of voters, electronic calculation of votes, or casting votes electronically using a specific device, Internet in particular (Kersting and Baldersheim, 2004, p. 5). This form of citizen activity in public life can also be called electronic participation, or e-Participation.

In Poland, there are no forms of electronic voting at national level. That is why all local initiatives on that matter deserve special praise. Such activities apply to initiatives related to the passing of local participatory budgets and take place in all major Polish cities. A participatory budget, called in Poland 'civic budget', is a decision process in which the citizens of a given local government unit co-decide on the spending of public money on projects submitted by citizens themselves. The creation of a participatory budget is a lengthy process and its results should have a binding nature. Although public consultations are not binding in nature, the very legal regulations governing them form the basis to introduce more detailed legal regulations enabling the implementation of participatory budget principles in Poland. Article 5a of the Act of 8 March 1990 on Commune Self-Government stipulates that in cases envisaged by the Act, and in other matters important for the commune, consultations with the citizens of the commune can be held on its territory. In such cases, the rules for and mode of holding such consultations shall be specified by a resolution passed by the commune council (in towns: resolutions passed by the town council), i.e. the decision-making body of a given local government unit. Details from the provisions of the resolution of the town council are reflected in directives of mayors who are the executive body of the local government unit. The provisions of Article 5a of the Act on Commune Self-Government constitute a kind of compensation for the inability to presently apply direct democracy. That is how the return to participatory democracy

takes place (Hauser and Niewiadomski, 2011, p. 66). In this case, the purpose of using forms of direct democracy is to approve or disapprove of the activities of local authorities, and gives to commune authorities greater legitimacy in terms of exercising power (Dolnicki, 2010, p. 88).

In literature (Szewc et al., 2010, p. 86) it is stressed that consultations are an alternative to a referendum held at commune level. What consultations and a referendum have in common is the intention to gauge opinions, views and stances. What is different, however, is the outcome, since a referendum is binding in its nature, consultations have only an opinion giving character. However, while consultations are not binding for the authority that is taking up a specific action, the very authority should justify the action, when the decision is taken against consultations. Lack of such a justification should be treated as a breach of the law. Any other approach to the matter would in fact mean that social consultations serve merely as window dressing, having a reverse effect than intended by the lawmaker (Hauser and Niewiadomski, 2011, p. 66). It should be stressed that identical regulations on the organization of social consultations are stipulated in Article 3d of the Act of 5 June 1998 on County Self-Government and in Article 10a of the Act of 5 June 1998 on Provincial Self-Government, which means they maintain their currency in terms of organizing any kinds of electronic consultations also at the above levels, while maintaining differences with regard to the number of consulted entities.

The participatory budget is a tool used not only for electronic voting, or electronic consultations, but also electronic engagement and control. In electronic participatory budgets presently in place, votes are cast on-line, while budgets themselves are an expression of social consultations. They help engage citizens in the life of the local community, influence its development, and also review budget performance from the quality and financial perspectives. Putting it differently, electronic participatory budgets are tools which enable the implementation of goals behind the idea of electronic participation of citizens.

Voters casting votes under the participatory budget process are verified by requesting place of residence, the PESEL number (Universal Electronic System for Registration of the Population), or the number of the ID card.

The main conclusion from analyzing participatory budgets in terms of turnout, and the use of electronic tools in participatory budgets, is that there is a decline in the number of votes cast electronically vs. the number of votes cast traditionally, i.e. in paper form. This may be closely connected with Polish citizens' distrust of electronic forms of voting, in particular when contacting public administrative authorities. Trust is a crucial element which often turns out to be a significant barrier when using online resources. Lack of trust in public administrative authorities, which had developed among

Polish citizens, spans into services provided in an electronic way. Furthermore, it must be stressed, that in the case of some entities in which participatory budget is organized (e.g. in Kraków), information was spread about attempts of electronic fraud related to votes cast electronically, to ensure that one of the projects would win. Such reports definitely intensified fear among citizens living in the specific area.

It should also be noted that a characteristic feature of organized participatory budgets is very low turnout. Although cities do not publicize turnout, only sometimes estimating it, like e.g. in the case of Kraków which estimated it at 10% and 8% in 2014 and 2015, respectively, the share of voters compared to the population is low. City authorities do not disclose turnout in participatory budgets because votes are also cast by people who only declare that they are citizens of a given city, but are not registered there (for permanent or temporary residency), consequently it is impossible to unambiguously determine the number of people eligible for voting, compared to the population in a given administrative unit.

Although in the process of passing participatory budgets it is proposed to use electronic tools in quite a simple way, it should be noted that neither the procedure itself, nor electronic tools used in it, are a matter of particular interest to citizens. This is due to a range of factors, such as failed advertising campaigns, distrust of public administrative authorities, and other (Sguelo, 2015, pp. 77-95). The decline in the use of electronic tools is highly alarming. The problem cannot be analyzed in depth, since most units do not evaluate the solutions they use. Furthermore, no comparative studies are held, which could help solve arising problems.

Access to public information

The right to information is universally guaranteed under European Union law and in the legislation of other countries in the world. The principle of transparency of activities of European Union institutions, provided for under EU laws, where the citizen is granted the right to access EU authorities' documents, can be treated as the equivalent of the right of access to public information guaranteed under the Polish legal system (Szewczyk, 2003, p. 56).

From the standpoint of creating e-Government type systems, lack of cohesive provisions on access to public information at the national level results in system fragmentation, due to free interpretation of the concept of user access to public sector information resources (in other words, due to the lack of clear-cut and uniform regulations the created e-Government system is based to a larger extent on the institutional culture. Consequently, information and service informatization is of secondary importance) (Luterek, 2010, p. 51).

The principle of openness of state authorities, sometimes called "administration transparency" is a

condicio sine qua non for current democracy and civil society (Aleksandrowicz, 2008, p. 7). Freedom of communication, i.e. both the right to be informed, and to inform others, is presently recognized as one of the fundamental human rights (Mucha, 2002, p.17). The principle of administration transparency exists inseparably with the right to access public information, or with the more broadly understood, right to know (Kmieciak, 2000, p. 32). The right to know does not have an absolute character but gains special importance in the age of the information society (Duniewska, 1998, p. 58).

In Poland, a citizen's right to information is expressed in Article 61 of the Constitution of the Republic of Poland. The law governing issues connected with access to public information in the broadest manner is the Act of 6 September 2001 on the Access to Public Information. Pursuant to its Article 1(1) any information on public matters constitutes public information in the understanding of that Act and is subject to disclosure and reuse in accordance with the principles and in the manner laid down in the Act. The aforementioned definition of public information is unclear and is criticized in literature (Aleksandrowicz, 2008, p. 94; Jaśkowska, 2009, p. 56; Bernaczyk, 2011, pp. 26-29), since it may be understood in different ways, and bears a logical fallacy *ignotum per ignotum*, i.e. it defines an unknown concept using another unknown concept.

A very important topic, from the point of view of e-Administration, governed by the Act on Access to Public Information, is the official on-line gazette called Public Information Bulletin (Polish *Biuletyn Informacji Publicznej*). The purpose of creating it is to provide public information freely, in the form of a unified system of pages on the web.

The Act on Access to Public Information is criticized in literature (Aleksandrowicz, 2008, pp. 72-92; Semprich, 2001; Jabłoński and Wygoda, 2002, p. 12), due to the poor quality of regulations and tendency to limit the Act's scope of application, which is a departure from the legislative technique standard adopted in Poland. What is being highlighted, amongst others, is that the act is constructed in such a way, that secrets still seem to be of the highest importance, while access to information is less important, that it is not a "master act", or, in other words, an organic one which governs the principles and exceptions, and additionally, that it is not an end-to-end act, well thought through, but rather full of internal oblique statements and hybrid legal constructions which may lead to many interpretation problems or even paradoxes. The above is confirmed by the Ombudsman's position, who in his letter of 18 October 2010 addressed to the Minister of Internal Affairs and Administration lists, among the key problems connected with the practice of using the Act in question, terminological ambiguities (connected with the notions of "official document", "processed information", "public interest of special

importance”, “public information”), problems related to an open-ended catalogue of “obstacles” in the access to information, abusive use of the clause on the protection of privacy of a natural person or of an entrepreneur’s secret, excessive duration of the procedure of providing information, ambiguous rules of charging fees for the provision of information, and too low an activity of public entities with respect to the Public Information Bulletin.

Out of the allegations given above, worthy of special mention is the one about the lack of a professional, specialized, and independent institution that would watch the application of the Act, an institution whose decisions could be used as grounds to take action in court. This type of demand emerges in particular after a comparative legal research showed that such institutions are present in other European countries and in the world.

It is very difficult to enforce the right of access to public information under the rule of the Act on Access to Public Information. This Act needs to be amended. Given its importance in the context of the Constitution, and comments related to e-Democracy, it should be treated as matter of priority.

Conclusions

Problems connected with e-Democracy in Poland should be in particular regarded with reference to definitions created on the grounds of e-Government. Research in this area should not only focus on systemic concepts, like e-Administration, e-Democracy, but also on legal concepts used by the most important

legal acts. What is called for is a unification of concepts in the Informatization Act, the Act on the Provision of Services by Electronic Means, the Act on Electronic Signature, or the Code of Administrative Procedure. Further development of e-Government will be much simpler, if it is placed in a legal framework. However, this process will be impossible if the conceptual framework is not cleared beforehand. If scientific discussions omit the problem of e-Government, and focus is only given to the problem of e-Administration, then such issues as e-Consultations or e-Control will also be omitted. Consequently, one should stress the importance of multidisciplinary studies, which would resolve definition discrepancies arising in this field. The multidisciplinary aspect of studies is important, since they should combine legal, IT, political, and other fields. An interesting aspect of studying electronic government is its impact on and relation to bureaucracy, which, however, is understood erroneously by the Polish lawmaker in the Code of Administrative Procedure, due to which further definition-related problems ensue.

The scarcity of e-Democracy solutions is visible both at the local and central level, and the solutions which were implemented are not too popular among citizens. Not to mention that some solutions do not work properly. Without an in-depth legal analysis, and without creating grounds for better engagement of citizens in public matters, further development of e-Democracy in Poland should be regarded as being at risk.

References

Legal acts

Act of 14 June 1960 Code of Administration Procedure. Consolidated text Journal of Laws of 2000, No. 98, item 1071, as amended. (Ustawa z dnia 14 czerwca 1960 roku Kodeks Postępowania Administracyjnego (tekst jedn. Dz.U. z 2000 r. Nr 98, poz. 1071 ze zm.).

Act of 8 March 1990 on Commune Self-Government. Consolidated text, Journal of Laws of 1990, no. 16, item 95, as amended. (Ustawa z dnia 8 marca 1990 roku o samorządzie gminnym (tekst jedn. Dz.U. 1990 Nr 16, poz. 95 ze zm.).

Act of 29 August 1997 – Tax Ordinance Act. Journal of Laws of 1997, No. 137, item 926, as amended. (Ustawa z dnia 29 sierpnia 1997 r. - Ordynacja podatkowa (Dz.U. Z 1997 r. Nr 137 poz. 926 ze zm.).

Act of 5 June 1998 on County Self-Government. Journal of Laws No. 91, item 578, as amended. (Ustawa z dnia 5 czerwca 1998 roku o samorządzie powiatowym (Dz.U. Nr 91, poz. 578 ze zm.).

Act of 5 June 1998 on Provincial Self-Government. Journal of Laws No. 91, item 576, as amended. (Ustawa z dnia 5 czerwca 1998 roku o samorządzie województwa (Dz.U. Nr 91, poz. 576 ze zm.).

Act of 6 September 2001 on the Access to Public Information. Journal of Laws 2001, no. 112, item 1198, as amended. (Ustawa z dnia 6 września 2001 r. o dostępie do informacji publicznej (Dz.U. 2001 Nr 112, poz. 1198 ze zm.).

Act of 18 September 2001 on the Electronic Signature. Journal of Laws of 2001, No. 130, item 1450, as amended. (Ustawa z dnia 18 września 2001 r. o podpisie elektronicznym (Dz.U. z 2001 r. Nr 130, poz. 1450 ze zm.).

Act of 18 July 2002 on the Provision of Services by Electronic Means. Journal of Law of 2002, No. 144, item 1204, as amended. (Ustawa z dnia 18 lipca 2002 r. o świadczeniu usług drogą elektroniczną (Dz.U. z 2002 r. Nr 144, poz. 1204 ze zm.).

Act of 29 January 2004 Public Procurement Law. Journal of Laws of 2004, No. 19, item 177, as amended. (Ustawa z dnia 29 stycznia 2004 r.

- Prawo zamówień publicznych (Dz.U. Z 2004 r. Nr 19, poz. 177 ze zm.).
- Act of 17 February 2005 on the Informatization of the Activities of Entities Performing Public Tasks. Journal of Laws of 2005, No. 64, item 565, as amended. (Ustawa z dnia 17 lutego 2005 r. o informatyzacji działalności podmiotów realizujących zadania publiczne (Dz.U. z 2005 r. Nr 64, poz. 565 ze zm.).
- The Constitution of the Republic of Poland. Journal of Laws of 1997, No. 78, item 483, as amended. (Konstytucja Rzeczypospolitej Polskiej z dnia 2 kwietnia 1997 r. (Dz.U. z 1997 r. Nr 78, poz. 483 ze zm.).
- Literature*
- Perri. (2014). E-governance. Styles of Political Judgment in the Information Age Polity. New York: Palgrave Macmillian.
- Aleksandrowicz, T. R. (2008). Komentarz do ustawy o dostępie do informacji publicznej (Commentary to the Act on the Access to Public Information). Warsaw: LexisNexis.
- Arévalo Nieto, G., Fernández Vicente, E., Messía de la Cerda Ballesteros, J.A., Rubio Blanco, J.A. (2006). Data Protection in e-Government in European Regions and Cities, Universidad Rey Juan Carlos. Madrid: Ciencias Jurídicas y Sociales 53.
- Bernaczyk, M. (2011) Informacja publiczna o działalności sądów powszechnych - rozwiązania praktyczne (Public information on the activities of common courts – practical solutions). Na wokandzie. Kwartalnik informacyjny Ministerstwa Sprawiedliwości, 5(8), pp. 26-29.
- Cordella, A., Willcocks, L.P. (2009). ICT, marketization and bureaucracy in the UK public sector: critique and reappraisal. In: F. Contini, G.F. Lanzara (Ed.), ICT and Innovation in the public sector. European studies in the making of e-government. London: Palgrave Macmillian.
- Dąbrowska, A., Janoś-Kresło, M., Wódkowski, A. (2009) E-usługi a społeczeństwo informacyjne (E-services and the information society). Warsaw: Difin.
- Dolnicki, B. (ed.). (2010). Przepisy ogólne, Ustawa o samorządzie gminnym. Komentarz (General regulations, Act on Commune Self-Government. Commentary). Warsaw: Wolters Kluwer Polska.
- Duniewska, Z. (1998) Ignorantia iuris w prawie administracyjnym (Ignorantia iuris in administration law). Łódź: Wydawnictwo Uniwersytetu Łódzkiego.
- Duniewska, Z., Górski, M., Jaworska-Dębska, B., Olejniczak-Szałowska, E., Stahl, M. (2005). Plany, strategie, programy i inne zbliżone formy prawne działania administracji (Plans, strategies, programs, and other similar legal forms of administration activity). In: Podmioty administracji publicznej i prawne formy ich działania, Studia i materiały z konferencji jubileuszowej Profesora Eugeniusza Ochendowskiego (Public administration entities and legal forms of their activity. Studies and materials from Professor Eugeniusz Ochendowski's anniversary conference). Toruń: TNOiK.
- Fountain J.E. (2001). Paradoxes of Public Sector Customer Service. Governance: An International Journal of Policy and Administration. 14(1), pp. 55-73.
- Fountain, J.E. (2002). Toward a Theory of Federal Bureaucracy for the Twenty-First Century. In Kamarck E.C., J.S. Nye Jr. (Ed.), Governance.com. Democracy in the Information Age. Washington: Booking Institutions Press.
- Gil-Garcia, J. Ramon. (2012). Enacting Electronic Government Success. An Integrative Study of Government-wide Websites, Organizational Capabilities, and Institutions. New York: Springer.
- Hauser R., Niewiadomski Z. (Ed.). (2011). Przepisy ogólne, Ustawa o samorządzie gminnym. Komentarz z odniesieniami do ustaw o samorządzie powiatowym i samorządzie województwa (General regulations, Act on Commune Self-Government. Commentary with references to the acts on county self-government, and provincial self-government). Warsaw: C.H. Beck.
- Homburg, V. (2008). Understanding E-Government. Information systems in public administration. New York: Routledge.
- Jabłoński, M., Wygoda, K. (2002). Ustawa o dostępie do informacji publicznej. Komentarz (Act on Access to Public Information. Commentary). Wrocław: Wydawnictwo Uniwersytetu Wrocławskiego.
- Jain Palvia Shailendra, C., Sharma Sushil, S. E-Government and E-Governance: Definitions/Domain Framework and Status around the World, http://www.iceg.net/2007/books/1/1_369.pdf, accessed December 12th, 2018.
- Jaśkowska, M. (2009). Wpływ informatyzacji administracji publicznej na dostęp do informacji publicznej (Influence of public administration informatization on access to public information). In: M. Barczewski, K. Grajewski, J. Warylewski, Prawne problemy wykorzystywania nowych technologii w administracji publicznej i wymiarze sprawiedliwości. III Konferencja Naukowa Wydziału Prawa i Administracji Uniwersytetu Gdańskiego oraz Wolters Kluwer Polska (Legal problems of using new technologies in public administration and the Judiciary. 3rd Scientific Conference of the Faculty of Law and Administration of the University of Gdańsk and Wolters Kluwer Polska). Gdańsk: Wolters Kluwer Polska.
- Kersting, N., Baldersheim, H. (2004). Electronic Voting and Democratic Issues: An Introduction. In: N. Kersting, H. Baldersheim (Ed.), Electronic Voting and Democracy. New York: Palgrave Macmillian.
- Kmieciak, Z. (2000). Ogólne zasady prawa i postępowania administracyjnego (General principles of law and administration procedure). Warsaw: PWN.

- Luterek, M. (2010). e-government. Systemy informacji publicznej (e-government. Public information systems). Warsaw: Wydawnictwa Akademickie i Profesjonalne.
- Mises, L. von. (1998). Biurokracja (Bureaucracy). Lublin: Instytut Liberalno-Konserwatywny.
- Mises, L. von. (2007). Ludzkie działanie (Human action). Warsaw: Ludwig von Mises Institute Foundation.
- Mucha, M. (2002). Obowiązki administracji publicznej w sferze dostępu do informacji (Public administration obligations in the field of access to information). Wydawnictwo Uniwersytetu Wrocławskiego.
- Semprich, Ż. (2001). Jawność – zasada, tajność – wyjątkiem (Openness – the rule, secrecy – the exception), *Rzeczpospolita*, 173, p. C2.
- Sgueo, G. (2015). Web-Based Participatory Democracy: Findings from Italy. In: Ch.E. Reddick, L. Anthopoulos, L. (Ed.), *Information and Communication Technologies in Public Administration. Innovations from Developed Countries*. Boca Raton: CRC Press.
- Stefaniuk, M. (2011). Współczesne postulaty modernizacji działania administracji publicznej (Current postulates of modernizing public administration). In: *Studia z prawa administracyjnego i nauki o administracji. Księga jubileuszowa dedykowana prof. zw. dr hab. Janowi Szreniawskiemu (Studies on administration law and the science of administration. Anniversary book dedicated to professor Jan Szreniawski)*. Przemyśl-Rzeszów: Wyższa Szkoła Prawa i Administracji.
- Strategic trends of informatization development in Poland until 2013 and prospective prognosis of the information society transformation until 2020 (2005). Available at: <http://unpan1.un.org/intra-doc/groups/public/documents/unpan/unpan034027.pdf>. Accessed January 7, 2019.
- Suggested trends of development of information society in Poland until 2020 (2004). Available at: <http://cytobiologia.nencki.gov.pl/kierunki-rozwoju.pdf>. Accessed January 7, 2019.
- Supernat, J. (2009). Biurokratyczne załatwianie spraw jako przedmiot skargi powszechnej - uwagi de lege lata i de lege ferenda (Bureaucratic handling of matters as the subject of a common complaint – comments regarding existing law and future law). In J. Niczyporuk (ed.), *Kodyfikacja postępowania administracyjnego. Na 50-lecie KPA (Codification of the administration procedure. For the 50th anniversary of the Code of Administrative Procedure)*. Lublin: Wydawnictwo WSPA.
- Szewc, A., Jyż, G., Pławecki, Z. (2010). Przepisy ogólne, Ustawa o samorządzie gminnym. Komentarz (General regulations, Act on Commune Self-Government. Commentary). Warsaw: Wolters Kluwer Polska.
- Szewczyk, M. (2003). Prawo do dobrej administracji w świetle aktów prawa międzynarodowego (Law in good administration in the light of international law acts). In: Z. Niewiadomski, Z. Cieślak, *Prawo do dobrej administracji. Materiały ze Zjazdu Katedr Prawa i Postępowania Administracyjnego Warszawa-Dębe 23-25 września 2002 r. (Right to good administration. Materials from the convent of Law and Administration Procedure Faculties Warsaw-Dębe 23-25 September 2002)*, Warsaw: Wydawnictwo UKSW.
- Tadeusiewicz, R. (2006). Rewolucja społeczeństwa informacyjnego na tle wcześniejszych rewolucji cywilizacyjnych (Revolution of the information society compared to earlier civilization revolutions). In: L.H. Haber, M. Niezgoda (Eds.), *Spółczesność informacyjna: aspekty funkcjonalne i dysfunkcjonalne (Information society: functional and dysfunctional aspects)*. Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego.
- Ziemiński, Z. (1994). Elementy socjologii (Elements of sociology). Poznań: Ars boni et aequi.