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FROM THE EDITORIAL COMMITTEE

We are giving you the next 31th 1 (2024) issue of the Scientific Journal of the Faculty of Management at the Rzeszow University of Technology entitled “Humanities and Social Sciences”.

The aim of the Publisher is to raise the merits and the international position of the quarterly published by the Faculty of Management, that is why we are still developing the cooperation with foreign team of reviewers, as well as an international Scientific Council. The Editors have also attempted to apply for international databases; currently the quarterly HSS is indexed in **Index Copernicus Journal Master List, The Central European Journal of Social Sciences and Humanities (CEJSH) ERIH PLUS, DOAJ and EBSCO**.

The Journal has been also included in the list of projects qualified for funding under the **“Support for scientific magazines program”**.

The articles published in this publication are devoted to the broader issues of the humanities and social sciences. They are the result both of theoretical and empirical research. The subjects covered vary considerably and reflect the interdisciplinary nature of the Journal. We do hope that the papers published will meet your kind interest and will be an inspiration to further research and fruitful discussions.

On behalf of the Editorial Board of “Humanities and Social Sciences” we would like to thank the Authors for sending the outcomes of their research. We would like to express particular gratitude to the Reviewers for their valuable feedback that greatly contributed to increasing values of the scientific publications.

With compliments
Editorial Committee

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Ugochukwu David ABASILIM¹

EXPLORING THE CONCEPT OF LEADERSHIP

In today's complex global environment, exploring leadership has become paramount in academia and practice. Despite extensive research and discussion, lingering questions underscore a fragmented comprehension of its essence. This conceptual paper aims to address this gap by unravelling the intricate nature of leadership, providing clarity on its definition and various styles. Based on the tendency to oversimplify or misinterpret leadership, this paper meets the rising demand for a comprehensive analysis that acknowledges its multifaceted dimensions. By delineating the disparities between leadership and management, elucidating diverse theories, and scrutinising organisational leadership styles, this paper strives to offer a holistic understanding of leadership's pivotal role in organisational development and effectiveness.

Keywords: influence, leadership, Management, organisation, organisational leadership.

1. INTRODUCTION

Organisations are created with clear aims in both the public and well-structured private sectors. The human aspect is of utmost importance in achieving these goals, with leadership playing a key role. This emphasises the crucial part that leaders play in ensuring the best possible operational results inside workplaces. Fundamentally, leaders are those who are able to effectively govern and influence others to bring about the tangible results that their beliefs and goals call for (Johansson, Edwards, 2021).

Leadership, as a concept has undergone a continuing proliferation of definitions, this is made worse by a variety of erroneous interpretations that add to the ambiguity and vagueness of the leadership literature (Van Knippenberg, 2020). The terms "management" and "leadership" can be used interchangeably, which furthers the confusion and encourages continuing debate over how to distinguish between the two ideas. As a result, it is imperative that this article start the conversation by reviewing alternative interpretations of leadership, separating it from management, looking at related theories, and examining different leadership styles.

The goal of this paper is to serve as a starting point for scholars, practitioners, and students who are interested in learning more about the depth and breadth of leadership. This will help to promote good leadership practices that can help to create a future that is wealthier and more peaceful.

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2. THE CONCEPT OF LEADERSHIP

Leadership as a concept has enjoyed numerous definitions by various scholars. It is seen as an elastic concept that transcends all fields of human endeavours. At face value, when asked about what leadership is all about, we often say it is simply the act of leading people. Meaning that followership is an element to be seen if one is leading. According to Nye (2008), Leadership can be described as assisting a group in formulating and attaining common objectives. Also, Akinbode, Fagbohunge (2012) see leadership as the “process of impacting the actions of a person within a group with the consciousness of goal attainment in a given circumstance. It has to do with affecting people so that they will strive eagerly and excitedly towards the accomplishment of group goals.” Similarly, Northouse (2021) posits that leadership involves a process in which an individual influences a group of people to achieve mutual objectives.

Corroborating the preceding, leadership is also seen as “a means to impact followers through a correspondence procedure to accomplish certain objectives” (Alipour, Aslani, Rahimi, 2013). Fasola, Adeyemi, Olowe (2013) argue that “leadership is tied to having a mental picture of the future and exhibiting the capacity to transform that vision without hesitation by affecting others to perform at more elevated levels and advancing the significance of organisational and interpersonal citizenship practices”. In a similar vein, Ogbah (2013) sees leadership “as how the leader implements and rouses its subordinates towards achieving the organisational objectives”. Armstrong, Taylor (2014) avers that leadership is the act of “rousing followers to do their best to accomplish the ideal outcome”. His definition considers the development and effective communication of a vision that is futuristic, encourages people and secures their commitment.

Leadership can also be described as the development of a future vision, alongside the motivation of members to achieve the visions set aside which ultimately determine the performance of the organisation (Schiuma, Schettini, Santarsiero, Carlucci, 2022). The various definitions imply that one of the roles of leadership is to establish clear goals for a group of people and harness the contribution of those members to achieve those pre-determined goals. In other words, leadership is defined as a recognisable activity or set of activities that occurs in a group and this involves a leader and followers who enthusiastically buy into common goals and work together to achieve them. This leads to the unending debate on the distinction between leadership and management.

3. THE DISTINCTION BETWEEN LEADERSHIP AND MANAGEMENT IN ORGANISATIONS

The distinction between Leadership and Management in organisations has been a long-standing debate in the literature, although several scholars (Northouse, 2021; Evans, 2022) have contributed to the debate, by comparing and contrasting them. This debate ranges from the inextricability of Leadership from Management, the interchangeability of both concepts and the difference between them. Despite these attempts, there seems to be an urgent need to further demystify both concepts (that is leadership and management). Although, the majority of the scholars agree with the similarities and differences between them. This section aims to present the distinction between leadership and management.

For Dalglish, Miller (2010) “management is an explicit set of tools and techniques, based on reasoning and testing, which can be used in a variety of situations. It involves specific skills like planning and budgeting. Leadership involves having a vision of what the organisation can become, creating a different future, and having the strategy to get

there.” In more precise terms, this dichotomy suggests that individuals in management roles excel at executing tasks efficiently. At the same time, those in leadership positions prioritise making strategic decisions aligned with the overarching goals and values of the organisation (Khan, Rehman, Javaid, 2022). Managers focus on implementing the status quo (achieving vision strictly) while leaders are vision creators, innovative, and flexible as well as provide the strategy needed for goal attainment in an organisation (Ogona, Ololube, 2022).

Although leadership and managerial roles differ, that does not mean that one is superior to the other; just that they are unique. Their disparities, truth be told, can be very helpful, since organisations commonly require both functions performed well in other to be useful (Murphy, 2020). This suggests that leadership and management go hand in hand; both are necessary for the achievement of the organisation's goals and objectives, and both include influence, collaboration, and working toward common goals (Alblooshi, Shamsuzzaman, Haridy, 2021). Leadership and management, on the other hand, are thought to be completely separate fields (Gardner, Karam, Alvesson, Einola, 2021).

Beauchamp, Hulme, Clarke, Hamilton, Harvey (2021) asserts that leadership involves having a vision and anticipating how the organisation might develop. In contrast to leadership, management is a more organised and rigorous practise. It relies on abilities that are broadly relevant, such budgeting, planning strategically, and managing projects. A tangible set of methods and instruments that are flexible to different situations and are based on experimentation and logic make up management. An alternate formulation of leadership calls for the development of cooperation and collaboration among a large group of people and the upkeep of key players' motivation through a variety of persuasion strategies (Platt, 2020). Roberson, Perry (2022) provide another major distinction between management and leadership, broadening on this viewpoint. They go on to say that a leader's primary responsibility is to create the organization's vision (mission or agenda), which should include both lofty goals and a plan of action for achieving them.

The manager's primary duty, in contrast to the leader's, is to carry out the predetermined vision. Therefore, it is up to the management and their team to decide on the strategies to carry out the goals the leader has set forth. This concept is best expressed by Northouse (2021), who claims that while there are distinctions between the leadership and managerial roles, these differences do not indicate that one is superior to the other but rather that they are separate. Given that organisations often require both responsibilities to be completed properly in order to achieve success, such distinctions can prove to be very beneficial. The conclusion is that management and leadership work in tandem and are both essential to an organization's success (Northouse, 2021).

The findings from the distinction between leadership and management showed that they are both distinct, although, with some similarities in dealing with people, which is vital in achieving organisational goals, they both employ the use of influence and inspiration as a strategy to get their followers/subordinate to work in line with the desired targets specified by their organisation.

4. THEORIES OF LEADERSHIP

Leadership theories encompass a wide range of opinions, they are categorised as follows: Great Man Theory, Trait Theory, Behavioural Theory, Contingency Theory, Situational Theory and Full Range Leadership Development Theory. These theories

explain why leaders behave in specific ways in an attempt to accomplish specific tasks or goals (Samimi, Cortes, Anderson, Herrmann, 2022).

a. Great Man Theory of Leadership

The term Great Man Theory was promoted by the nineteenth-century Scottish historian Carlyle Thomas (1993) who stated that “The history of the world is but the biography of great men”. He further expressed that heroes shape history through the vision of their brains, the excellence of their speciality, the ability of their leadership and in particular, their celestial motivation. This proposes that research on leadership depended on the investigation of individuals who were at that point, incredible leaders.

According to Peretomode (2021), the theory believes that people are born to leadership. For instance, members of royalty, high-ranking military officers and industry heads. What it emphasises is on “Leaders are born and not made”. The theory also assumes that the capability and ability rest within a leader which re-emphasises that great leaders are born, not made. Buttressing further on the major tenets of the great man theory, Day, Riggio, Tan, Conger (2021) asserts that the Great Man Theory posits that exceptional leaders possess inherent qualities from birth, setting them apart from non-leaders. This theory highlights figures such as Napoleon, Churchill, Mao, and Mahatma Gandhi, attributing their leadership prowess to innate traits.

According to this perspective, leadership is intrinsic rather than learned, emphasising the importance of selecting individuals with natural leadership abilities rather than investing in their development through personnel programmes. From this, the theory is centred on whether someone is a natural-born leader, or not. The focus of the theory was to look at people who were already successful leaders (Haraida, Blass, 2020).

b. Trait Theory of Leadership

The trait theory of leadership was developed in the early 1900s, with a slight difference from the postulations of the Great Man theory. One of the researchers of trait theory argues that irrespective of leaders being born or made, they are different from other people (Coopasamy, Botha, 2022). The Great Man Theory suggests that specific traits, qualities, or characteristics differentiate leaders from non-leaders (Kalish, Luria, 2021). Likewise, according to Fiolleau, Libby, Thorne (2020), the theory posits that leaders must possess the “right stuff”, a set of qualities or attributes not universally present in all individuals. Identifying this elusive combination of traits could aid in identifying individuals with the potential for leadership roles.

However, some shortcomings were discovered in the theory. Evaluators of the theory have found that there is a lot of inconsistency in their findings (Cai, Liu, Tang, Bo, 2023). Based on the shortcomings, researchers moved away from this school of thought that believes and assesses leaders regarding traits, to the actions of leaders that contribute to the success or failure of leadership.

c. Behavioural Theories of Leadership

The behavioural leadership theory emerged during the late 1940s and extended into the early 1960s. This theory focuses primarily on examining leaders' actions, leadership styles, and behaviours. (Dinibutun, 2020). One of the significant assumptions of this theory is that it goes beyond the reason for choosing the correct individuals for leadership and assumes that people can be prepared to be leaders (By, 2021). Several studies were conducted to

identify leadership behaviour, which ranges from the Iowa Studies, Ohio State Studies, University of Michigan Studies, and the Managerial Grid Model.

The Iowa Studies

The Iowa studies were conducted and influenced by Lewin, Lippitt, White (1939) in an attempt to identify diverse styles of leadership and their effectiveness. Three styles of leadership were explored namely the autocratic, democratic and laissez-faire style and their effects on the performance of groups in a boy's camp (Lewin, Lippitt, 1938; Lewin, 1939; Lippitt, 1940). Robbins, DeCenzo, Coulter, Langton (2008) describe the leadership styles thus: the autocratic style portrayed a leader who ordinarily would unify authority, dictates direct work strategies, settle on one-sided choices, and limit employee involvement. The democratic style depicted a leader who would in general include employees in decision-making, assign authority and encourage and empower interest in choosing work techniques and objectives, and use criticism as an open door for tutoring employees. Finally, laissez-faire style leaders by and large gave the group total liberty to settle on choices and complete the work in the manner in which it saw fit.

The outcome of their studies revealed mixed results as it pertained to the most effective leadership style when democratic and authoritarian styles were compared. That is, in some instances, the democratic style sometimes created higher performance levels than the autocratic style, however, in different circumstances, it delivered lower or equal performance levels. Also, when a measure of subordinate preference was sought, they preferred the democratic style over other styles (autocratic and laissez-faire style) of leadership. Nevertheless, the laissez-faire leadership style was least preferred (Perpék, Györi, Lengyel, 2021).

The Ohio State Studies

The investigation into a leader's behaviour was the focus of the study done at The Ohio State University. The investigations aimed to pinpoint the various facets of a leader's conduct (Stogdill, Coons, 1957). The Leader Behaviour Description Questionnaire (LBDQ) was developed by the researchers to achieve this goal. It was used to examine the leadership behaviours of a variety of people in positions such as Commanders and Crew Members of Bomber Crews in the Department of the Air Force, Commissioned Officers, Non-Commissioned Personnel, and Civilian Administrators in the Department of the Navy, Foremen in a manufacturing plant, Executives in regional cooperative associations, College Administrators, School Superintendents, Principals, Teachers, as well as leaders in diverse student and civilian groups and organizations (Hemphill, Coons, 1957).

After extensive studies were carried out, two main types of behaviour were found to be exhibited by leaders. The first was called Initiating Structure, which refers to the degree to which a leader's activities are said to be task-oriented and direct subordinates' work activities towards goal achievement. Thus, it is merely the relationship between the leader and his subordinates. The second one was called Consideration, which refers to leader behaviour that is characterised by the extent to which the leader is thoughtful towards subordinates, respects their notions and feelings and establishes mutual trust (Abdulfatai, 2021).

University of Michigan Studies

The Michigan leadership studies were conducted by researchers led by Rensis Likert around a similar time to the Ohio State University leadership studies with similar

objectives: to recognise behavioural attributes of leaders that seemed related to performance effectiveness (Saltik, 2023). The findings of the studies revealed two measurements of leadership behaviour namely: employee-oriented behaviour and production-oriented behaviour. Van Quaquebeke, Vogt (2022) describe the two dimensions of leadership behaviour as follows: The employee-oriented leader places importance on interpersonal relationships by showing individual interest in the needs of employees and accepting differences among them. The production-oriented leader prioritises the technical or task-related aspects of the job, focusing on achieving group tasks efficiently.

They further noted that these measurements are similar to the Ohio State Studies measurements in that both studies indicated two essential measurements of leader behaviour: a work measurement (Production-Centred) and the people measurement (Employee-Centred). Therefore, employee-oriented leadership is alike to consideration, and production-centred leadership, which is also identical to initiating structure and a great number of leadership researchers used the term interchangeably (Mbivya, 2023).

However, the distinction between production-centred and employee-oriented leaders is that the former type of leader's behaviour emphasises subordinates paying high attention to the task to be performed, while the latter focuses on the development of effective work groups or the human sides of their subordinates.

The Managerial Grid

The Managerial Grid, also known as the Leadership Grid was advanced by Blake, Mouton (1984) to identify and classify various leadership styles. They described five unique categories of leadership founded on a concern for production (task orientation) and a concern for people (people orientation/relationship). Each of these concerns varies in degrees which ranges from low 1 to high 9. Explaining further about these concerns, Tran (2021) succinctly highlighted that "concern for" reflects how managers prioritise production or people. "Concern for production" encompasses a supervisor's focus on various factors, including policy decisions, strategies, innovation, quality of services, work efficiency, and productivity volume. On the other hand, "concern for people" involves aspects such as fostering individual commitment to goal attainment, enhancing workers' self-esteem, providing favourable working conditions, and nurturing positive interpersonal relationships.

Managers are expected to express their care in terms of their level of concern for either the workforce or for output. "Concern for production" includes a supervisor's qualities towards a wide range of components, such as the nature of strategy decisions, strategies and procedures, the creativeness of research, the administration of employees, work productivity, and output volume. "Concern for people" includes elements like the degree of individual dedication to goal attainment, fostering worker confidence, setting up good working circumstances, and maintaining meaningful interpersonal relationships. It is the combination of these two concerns that gives birth to the following five leadership styles (Polinaidu, 2011) described below:

Style 1,1 Impoverished Management: Under this style, the leaders exert a minimum exertion to complete the required work, and this is sufficient to continue organisational membership. This represents a low-task and low-people-oriented style.

Style 1,9 Country Club Management: In this situation, the leader has either a little worry about production or is disturbed about the requirements of individuals for satisfying

relationships which prompts an agreeable, benevolent organisational climate and work tempo. This is a low task and high people orientation style.

Style 9,1 Task Management: This is also known as Authority-Obedience Management. This style of leadership concentrates on task efficiency which is a function of masterminding states of work so that human components meddle to the slightest degree but exhibit little concern for the development of subordinates and their morale. This is a high-task and low-people orientation style.

Style 5,5 Middle of The Road Management: The term 'Middle of The Road Management' is usually used interchangeably with Organisational Man Management. This leadership style implies that adequate organisational performance is conceivable through adjusting the need to get exercise while keeping up the assurance of individuals at an acceptable level. This is a compromise between the two orientations.

Style 9,9 Team Management: This style of leadership entails that committed people's interdependence accomplishes work through a shared stake in the organisation's purpose which leads to relationships of conviction and reverence. This is a high emphasis on both task orientation and people orientation style. Below is the managerial grid as depicted by Blake, Mouton (1984).

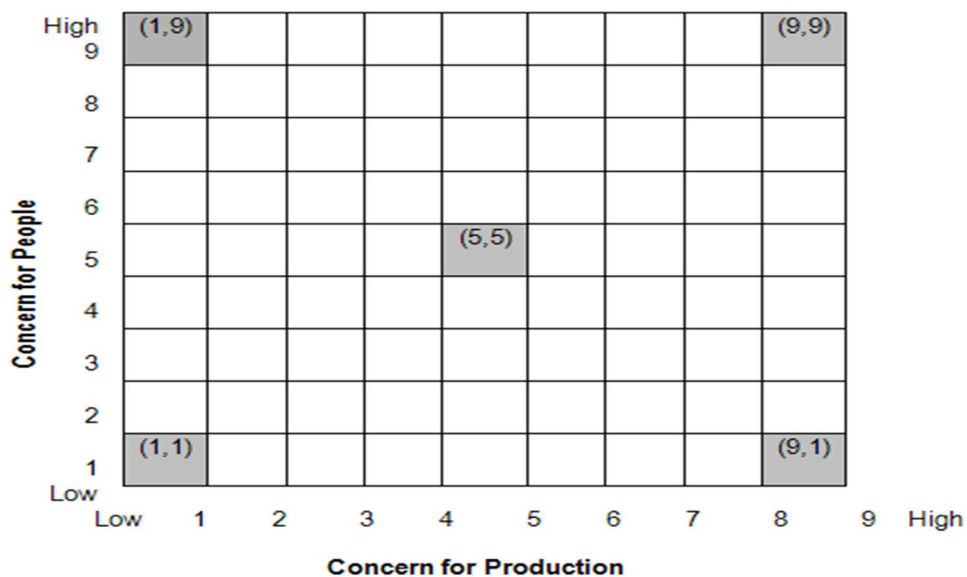


Figure 1. The Managerial Grid

Source: (Blake, Mouton, 1984).

d. Situational (Contingency) Theories of Leadership

The main focus of this theory was on how leadership changes from circumstance to circumstance. As indicated by these theories, effective leaders analyse the circumstance, isolate the leadership style that will be most beneficial, and afterwards decide if they can apply the required style (Husk, Blockley, Lovell, Bethel, Lang, Byng, Garside, 2020). Notably among these theories are Fielder's Contingency Theory of Leadership, Path-Goal Theory of Leadership, Hersey and Blanchard's Life-Cycle Theory and the Leader-Member

Exchange (LMX) Theory. These theories of leadership came to fruition with the mindset of building upon and improving the trait and behavioural slants of leadership. In other words, situations or circumstances are the dominant feature that determines how effective a leader is (Shaw, 2023).

e. Fiedler's Contingency Theory of Leadership

The proposition of Fiedler's (1967) Contingency theory of leadership is that "successful group execution relies upon the best possible match between the leader's style and the how much the circumstance gives the leader control" (Robbins, Judge, Vohra, 2012). Fiedler (1967) also suggested three major contingency or situational dimensions or variables that define or regulate the suitable style of leadership for a given situation:

1. Leader-member relations: The extent to which a leader is personally attractive to his group members and is respected by them.
2. Task structure: The extent to which the task is defined and structured in terms of goals to be achieved and means for achieving goals.
3. Position power: The extent of power and authority that the leader's position provides (Reward and Punishment) (Cole, 2002; Robbins, Judge, Vohra, 2012).

f. House's Path-Goal Theory of Leadership

This theory was propounded by Robert J. House in 1971, noting that the term path-goal was gotten from the conviction that a leader will effectively clarify the path to assist his or her followers get from where they are to the accomplishment of their work objectives, and ensures that the journey along the path is made stress-free by decreasing stumbling blocks and drawbacks that could impede their performance (House, Mitchell, 1974; House, 1996). Overall, Sapru (2011) summarises that path-goal theory indicates that leaders display four types of behaviour:

1. Directive behaviour: Under this behaviour, a leader guides the followers and shows them how to do it. The leader indicates what must be done to achieve them.
2. Supportive behaviour: The leader is friendly and shows enthusiasm for followers as human beings. Through steady conduct, the leader shows thoughtfulness to the individual needs of the followers.
3. Participative behaviour: This behaviour is aimed at eliciting proposals from followers regarding business activities to the degree that followers are engaged in settling on important organisational choices.
4. Achievement-oriented behaviour: This behaviour is intended at developing challenging objectives for followers to reach, and communicating and exhibiting confidence that will measure up to the task (Sapru, 2011).

g. Hersey and Blanchard's Situational Theory of Leadership

This situational leadership theory was advocated by Hersey, Blanchard (1969) and is otherwise termed the life cycle theory of leadership. The theory is focused on followers and subordinates. In essence, this framework encompasses four leadership styles: "telling" (directive), "selling" (consultative), "participative" and "delegating". The choice among these styles depends on the followers' or subordinates' readiness (ability, education, experience) and maturity (willingness, self-esteem, motivation) (Bachkirova, Jackson, 2024). This means that leadership is said to be successful when appropriate leadership style(s) is selected in accomplishing a specific task that is dependent upon the level of subordinate readiness and maturity. According to this theory, readiness is characterised as

“the capacity and certainty to complete an errand” (Gill, 2012). This readiness can be categorised into four:

R1: People are both unfit and reluctant to assume responsibility for accomplishing something. They are neither competent nor confident.

R2: People are incapable but ready to do vital job assignments. They are interested but presently do not have the suitable abilities.

R3: People are capable yet reluctant to do what the leader needs.

R4: People are both capable and willing to do what is asked of them (Robbins, DeCenzo, Coulter, 2008).

Hersey, Blanchard (1969) in explaining this theory using the life cycle model also aligned with Fiedler’s task and relationship type of leadership behaviours but classified this brand of leadership behaviour to be either high or low when combined with the four specific leadership styles proposed (directive, consultative, participative and delegating).

Building upon these insights, there are four functional leadership styles with the utmost focus on the conduct of leaders, their group members (followers) and different circumstances. Thus, leadership effectiveness is a function of the actions of his or her follower’s level of readiness or maturity and where the levels of availability and maturity are not the appreciable training of individuals that fall within this spectrum in adapting to the styles of leader behaviour to different situations becomes pertinent.

h. Leader Member Exchange (LMX) Theory of Leadership

This theory is also referred to as the Vertical Dyad Exchange Model. The theory is attributed to George Graen and his followers who believe that followers form connections of fluctuating intensity and quality with their leader (Graen, Cashman, 1975) and that leader’s relationship among followers differs from person to person; and followers within-group status will have considerable performance ratings, participating in more activities at work, and will be satisfied with their superiors (Ilies, Nahrgang, Morgeson, 2007; Kusmargono, Jaya, Hadna, Sumaryono, 2023). Similarly, according to Helmy (2024), leaders do not treat all followers equally; instead, they form close relationships with subordinates perceived as belonging to the in-group. Similarly, Avery (2004) states that “leaders do not treat all followers equally, but establish close relationships with subordinates regarded as part of the in-group.”

However, many factors have been given to be the reason for in-group types of relationships. According to Ashkanasy, Weierner (1996), they identified similarities in value between the leader and followers, demographic characteristics and followers’ competence as the cause of the diverse type of relationship that subsists between the leader and followers. Also, Robbins, Judge, Vohra (2012) believe that it is “because of time pressures, leaders establish a special relationship with a small group of their followers.”

5. STYLES OF LEADERSHIP

Indeed, the leadership literature encompasses various leadership styles, including autocratic, democratic, laissez-faire, transformational, and transactional leadership, among others. Leadership style pertains to the demeanour of a leader in terms of their actions or behaviours. It can also be understood as the strategies employed to motivate followers (Fischer, Sitkin, 2023). They further assert that leadership styles vary and the application should be based on what fits the organisation, in a particular situation and with specific groups or individuals. Leadership style is also seen as the particular pattern of behaviour

applied by a leader when relating to employees in an organisation (Hancock, Gellatly, Walsh, Arnold, Connelly, 2023). In line with the imperative of leadership style in assisting to improve both the employees and organisational performance, it becomes expedient to examine various styles of leadership.

a. Authentic Leadership Style

This style of leadership is said to have gained popularity due to the corruption evident in corporate settings among Chief Executive Officers (Kiersch, Byrne, 2015). Authentic leadership is gotten from the idea of authenticity, which signifies “one acts as per the genuine self, expressing oneself in a manner that is unswerving with internal contemplations and emotions” (Harter, 2002). Authentic leadership is a process that draws from positive mental abilities and exceedingly developed organisational settings, which results in both more prominent mindfulness and self-directed positive practices concerning leaders and partners, encouraging positive self-advancement (Kelemen, Matthews, Matthews, Henry, 2023). Iqbal, Ali, Zafar, Hassan, Rukh (2020) additionally characterised authentic leadership as an exemplary demonstration of leadership that integrates and promotes positive mental capabilities and a supportive moral climate involves a leader who consistently encourages mindfulness, fosters an internalised moral compass, engages in balanced information processing, and maintains transparent relationships with followers. Through these actions, the leader nurtures an environment conducive to positive self-improvement among themselves and their team members.

Accordingly, this type of leadership has similar traits associated with other leadership styles such as transformational, charismatic, servant, and spiritual, which are different from each other (Subhaktiyasa, Andriana, Sintari, Wati, Sumaryani, Lede, 2023) and are manifested in the leaders' mindfulness of his/her qualities and shortcomings and the influences of their behaviour on their followers, their ability to welcome ideas from their followers, that is followers are encouraged to voice out their opinion, and it is integrated into the decision-making process, which makes for objectivity and well-informed decisions, thereby leading to balanced processing before making decisions. Information is shared openly, that is transparent which expresses their exact thoughts and feelings, and their quest of initiating ethical conduct with high standards of morals (Asim, Turi, Shahab, Rubab, 2023). However, Gardner, Karam, Alvesson, Einola (2021) underscore two crucial points regarding authentic leadership: Firstly, the literature on authentic leadership emphasises that authenticity is not simply an individual's inherent trait. Secondly, more than merely observing leaders in isolation is required to determine their authenticity. Authenticity only becomes discernible over time through ongoing relationships, perceptions, and evaluations by others. These points highlight the importance of external perspectives in assessing authenticity, as others ultimately define and recognise it based on their understanding of authentic behaviour.

Given the descriptions mentioned above, the authentic leadership style focuses on promoting morality and transparency. It is also seen as those inherent characteristics displayed by leaders whose action depicts their inner values, which are exemplary and, in most cases, cause followers to emulate the values and attitudes of their leaders by internalising them into their lifestyle (Shaw, 2023). These inner values are integrity, confidence, hope, optimism, resilience, trustworthiness, honesty, display of moral courage and independent-mindedness irrespective of what the leader's values and behaviours would cost them personally or professionally when faced with situations that contradict their value system (Raj, Singh, Kumar, Bhatt, 2023).

b. Autocratic Leadership Style

This style of leadership is otherwise called authoritarian leadership style. It is characterised by the leader wielding much power and decision-making authority. This is manifested by the leader's non-involvement or consultation with the employees in the decision-making process. Employees are expected to obey orders without receiving any explanations and not having the right to question those orders issued by their leaders (Konovsky, 2000; Khan, Khan, Qureshi, Ismail, Rauf, Latif, Tahir, 2015). Autocratic leaders are also seen as being domineering and distant from their employees or subordinate (Gastil, 1994).

Also, Beggan, Allison, Goethals (2023) note that an authoritarian leader hastily reinforces established procedures by emphasising hierarchical differences between themselves and their subordinates. This is often achieved through revising definitions and frequently bestowing titles. Those who apply this style of leadership desire to consciously institute the status quo and maintain control, which tends to lead to the use of supervisory techniques that is termed offensive (Saher, Masih, Raju, 2021). This category of leadership style is frequently manifested in the form of threats and punishment to subordinate, which has a negative consequence in organisations. Corroborating the aforementioned, Salem, Van Quaquebeke, Besiou (2022) noted that in an autocratic leadership style, leaders are acutely conscious of their authority. They have little faith or trust in their subordinates, viewing "pay" as the sole incentive for work. An autocratic leader issues commands and expects strict compliance without room for questions or explanations. Group members shirk responsibility for performance and follow orders. As a result, productivity is high when the leader is present but declines in their absence.

The above implies that the autocratic leadership style is that in which the leader is full of himself/herself, does not allow any form of questioning from employees or subordinates as the case may be, decision-making role is his/her prerogative and neither requires the participation nor consults with staff in the process and lacks trust and faith in his/her employees. In line with the foregoing insights of this style of leadership, the likely adverse effects it has on subordinates/employees are instability, uneasiness, vulnerability, and general distress, since followers' impression of such leadership behaviours is that they stand a high level of peril that the leader can abuse the power reliance irregularity in etiquettes that are risky to followers (Akdeniz, Kalem, 2020). Furthermore, followers/subordinates end up hypocritical in the services they render. It incites retaliatory expectations and additional activities from subordinates, which can be intended at the leader or the organisation the leader represents (Bell, 2020).

c. Bureaucratic Leadership Style

This style of leadership is that which relies on organisational procedures and rules in carrying out its functions. It is also known as the routine style of leadership (Tolstikov-Mast, Murnane-Rainey, 2021). Besides, this style of leadership is linked with the notion or phrase "by the book", which implies that leaders manage employees by the rules and regulations laid down by an organisation and ensure strict compliance. Leaders who exhibit this style of leadership rely on the supervisor for guidance when the existing laws and regulations do not envisage any new situation (Zaidi, Jamshed, 2023).

The following are some of the unique qualities of this style of leadership: the leader displays an impersonal relationship with his or her organisational members, which strictly focuses on work environment status and benefits and is not viewed as autonomously oriented (Em, 2023). Communication between the leader and his or her followers is when

the followers use hierarchical structures to pass on any issues request to the leader, and in this manner, the leader is required to give policy-based solutions to their followers (Rickleby, Stackhouse, 2022), stick to the principles thoroughly, and ensure that their staff also follow processes completely (Akbari, Pratomo, 2023).

However, there have also been various views about this style of leadership. For instance, this leadership style is associated with new or insecure project managers who are scared of failing in their given task, due to deviation from the organisation's guidelines and regulations (Çoban, 2022). Hodgkinson further opined that this style of leadership mostly hinders the team more than helps it and can be helpful in a government or regulatory department. On their part, Leroy, Anisman-Razin, Avolio, Bresman, Stuart Bunderson, Burris, Claeys, Detert, Dragoni, Giessner, Kniffin, Kolditz, Petriglieri, Pettit, Sitkin, Quaquebeke, Vongswasdi (2022) stated that in this style of leadership, leaders disregard the characteristics and qualities of the general population they lead in their group and are worried to the degree that their subordinates are adhering to set down guidelines.

Abdullahi, Baba, Umar, Maishanu (2022) opine that for an organisation that employs this style of leadership, it is the policies that drive execution, strategy, objectives and outcomes in the organisation. He further stated that the implication of adopting this style of leadership is that leaders often lose touch with realities and are highly averse to change because they rely on procedures and processes instead of employees. Swarup (2013) argues on the effectiveness and non-effectiveness of bureaucratic leadership style. To him, this style of leadership can be operative when workers are executing the same tasks recurrently; workers need to recognise specific standards or procedures that accompany certain tasks. Where employees are managing perilous or fragile equipment that includes spelt out methods to perform, where safety or security training is being directed and when employees are carrying out responsibilities bordering on money dealing with similar strategies and guidelines are likewise being maintained. This style of leadership can be unproductive when work habit methods are hard to do away with, especially when the employees are no longer useful to the organisation and when the employees become dissatisfied with their jobs and their co-workers, which tends to make them unmindful of organisational policies and processes.

The general consequence of the bureaucratic style of leadership in an organisation is that: it undermines the assistance of the leader to influence and improve employees since the set strategies are lacking in the assignment of spurring and building up employees' commitment in the working environment. Though policies are not destructive in themselves, any policy that is not futuristic, negligently created and aimlessly executed can dispirit employees and disappoint wanted results. This, to a large extent, may hinder the desired employee and organisational performance and instigate employee turnover in the organisation (Amanchukwu, Stanley, Ololube, 2015).

d. Democratic Leadership Style

The democratic leadership style is otherwise called a participative leadership style. This is because leaders that exhibit this style of leadership encourage shared responsibilities and also take into consideration subordinate inputs (Abdulfatai, 2021). This is the opposite of the authoritarian leadership style, the attributes of the democratic leadership style are as follows: employees are permitted to be part of decision-making processes and share in critical thinking and problem-solving responsibilities, creates plans to enable employees to assess their performance, enables employees to set objectives, urges employees to grow on the job and be advanced, recognises and energises accomplishment (Amina, 2022).

The advantages of this style of leadership are: it fosters cooperation between the leader and the employees, it encourages team spirit, it increases the morale of the employees and thereby making them highly motivated, varied ideas are harnessed, there is an element of trust and confidence of the group members, equal right is enshrined. On the other hand, the disadvantages of this style of leadership comprise time-consuming for the leader; especially in making final decisions, difficult for the leader and very dependent upon age (Dastane, 2020).

The above implies that a democratic leadership style tends to impact employee job satisfaction, and leads to productivity due to employee's involvement in daily activities; it has the capacity of enhancing employees' skills and it helps their perception of belongingness in an organisation. However, the other side of the democratic leadership style is that it slows down decision making especially when timeliness is demanded. Another demerit is that it requires highly knowledgeable employees if quality input for decision-making is needed (Javed, Jamal, 2022).

e. Distributed Leadership Style

This style of leadership is characterised as the apportioning of common leadership responsibilities to sway resource accessibility, decision making and goal-setting inside an organisation (Aypay, Akyürek, 2021). They further noted that this style of leadership had the ability for profound organisational change as another more coordinated work, advancing division of work at the core of organisational activities. This is to ensure that acceptable accomplishment of optional undertakings inferable to the job performed by majorities of codependent organisational members with leadership and encouragement comprising a bit of that labour inside those organised relationships are realised.

In addition, this style of leadership is credited for the receptiveness of limits and its capacity to energise the improvement of systems as opposed to depending on customary hierarchically organised policymaking and communication concept (Jambo, Hongde, 2020). This implies that distributed leadership is seen as disassembling the oppression of organisation (Fitzgerald, 2009), which empowers all to work, learn and display creative thoughts further than bureaucratic enclosures (Freeth, Akpan, Sunday, 2023).

Alkrdem (2020) asserts that distributed leadership is concerned in a general sense with the co-execution of leadership and the corresponding interdependencies amongst employees in an organisation which shapes leadership practice and achieves organisational effectiveness. That is, it involves an essential change in the way leaders appreciate their practice and decipher the leadership role they find themselves. It avoids a focus on the formal position of the leader and instead looks out for avenues to co-opt other individuals to accept one responsibility or the other to effectively promote organisational goals and objectives (Rehbock, 2020).

In all, Mohamed, Ibrahim, Silong, Abdullah, 2016) summarises the universal principles of distributed leadership to include the following:

- Multiple dimensions of inclusion in decision-making,
- It centers around enhancing practice or instruction,
- It includes both formal and informal leaders,
- It joins vertical and lateral leadership structures,
- It is adaptable and flexible,
- It is fluid and substitutable.

In addressing the strength of this leadership style, Modeste (2022) argue that distributed leadership can support the joint action of numerous persons in either formal (teams or committees) or through special arrangements in accomplishing set goals. They additionally see distributed leadership as giving a chance to engage a variety of know-how that cuts across several individuals, with the idea of achieving dynamic outcomes which speak to more than individual results. However, distributed leadership style is not devoid of disparagements. Scholars have raised doubt about the motivation of those upholding distributed leadership, especially those taking a normative stance (Traver-Marti, Ballesteros-Velazquez, Beldarrain, Maiquez, 2023). In their collective view, they opined that distributed leadership is minimally more than an attractive method for urging naïve workers to accomplish more work, a way of fortifying institutionalised and strengthening the status quo. Rather than being a more equitable type of leadership, Liu (2020) cautioned that distributed leadership could essentially be another superficially appealing instrument for conveying top-down policies. These are critical notes of caution and are not to be taken lightly (Traver-Marti, Ballesteros-Velazquez, Beldarrain, Maiquez, 2023).

Other opponents make note of the potential for persons in positions of authority to egregiously misinterpret or distort distributed leadership (Ibrahim, 2022). The proponents of distributed leadership are fully aware of this critique and have unquestionably provided examples to support it. For instance, Harris (2013) provides a few examples of distributed leadership where some in organisations with more authority and knowledge have abused it for hindering, destructive, and harmful goals. These simulations demonstrate how distributed leadership can go wrong and how it ultimately hurt individuals who had formal leadership responsibilities. Though only when the right circumstances are present, practical evidence suggests that distributed leadership can be a cause for good organisational change (Harris, Jones, Ismail, 2022). The evidence supports that different types of leadership distribution have different effects and haven't produced the results that were widely anticipated (Hallinger, 2023).

f. E-Leadership Style

This style of leadership is frequently alluded to as virtual leadership and is simply that style of leadership that is characterised by the employment of electronic media in the communication and coordination of teams that are not necessarily on one spot (Torre, Sarti, 2020). According to Berkovich, Hassan (2022), e-Leadership is the capacity of an individual to affect the conduct of others in a computerised technology-interceded environment. While Rybnikova, Juknevičienė, Toleikienė, Leach, Ābolaņa, Reinholde, Sillamäe (2022) see e-leadership is a social impact process occurring in immediate and remote environments mediated by advanced information technologies (AITs), resulting in changes in attitudes, emotions, cognition, behaviour, and performance.

Also, it has to do with leadership of projects involving virtual or dispersed teams (Morrison-Smith, Ruiz, 2020). More clearly, Elyousfi, Anand, Dalmaso (2021) aver that e-leadership refers to a set of innovative processes facilitated by technology to transform attitudes, emotions, cognition, behaviour, and performance within organisations.

The definitions imply that e-leadership is that style of leadership that employs the use of information technologies in influencing followers within the organisation, which alters their behaviour, changes their mental dispositions and the entire way they go about their tasks (Rademaker, Klingenberg, Süß, 2023). Regarding the efficacy of e-leadership, the essential capabilities include electronic communication, electronic social skills, electronic change skills, electronic team skills, electronic tech-savvy, and electronic trustworthiness

(Soon, Salamzadeh, 2021). However, e-leadership is often challenged in communication, which frequently hinders fundamental leadership functions such as communicating, influencing, decision-making, and managing (Bans-Akutey, Ebem, 2022).

g. Inclusive Leadership Style

The term 'inclusive leadership style' is not new to the strands of leadership embedded in leadership literature. This style of leadership is simply relationship driven and values the differences of personnel in organisations. This leadership style was originally associated with Nembhard, Edmondson (2006) as a relationship style that accommodates the unique contrasts of different individuals in an organisation at all times. The scholars assert that when the various members of an organisation have the perception that their leaders seek their opinion, it breeds a form of belongingness and "psychological safety is aroused in them" (Hasan, Kashif, 2021). This psychological safety aroused in employees makes them be at ease to express their thoughts without fear (Wu, Li, 2023).

Likewise, Shafaei, Nejati, Omari, Sharafizad (2024) defined inclusive leadership as a style of relational leadership in which leaders focus on listening and are attentive to their followers' needs. He further explains that this idea is a paradigm shift from the dependents on the leader's characteristics to focusing on followers' needs and the way they perceive things. He sees inclusive leadership to be concerned primarily with the involvement of followers in the scheme of things rather than their manipulation. The following features (respect, recognition, responsiveness and responsibility) were also seen as imperative for the successful execution of inclusive leadership (Ashikali, 2023).

Additionally, according to Anane-Simon, Atiku (2023), inclusive leadership is present when a leader demonstrates discernible quality, transparency, and openness in their interactions with their followers. According to Edmondson, Kramer, Cook (2004) and Nembhard, Edmondson (2006), leader inclusivity refers to efforts made by leaders to include others in discussions and decisions where those individuals' voices and opinions may have been absent in some way. It has been noticed that this leadership style shares characteristics with other leadership philosophies such as ethical leadership, transformational leadership, and servant leadership. For example, Choi, Tran, Kang, Malik, Suleman, Ali, Arshad (2017) and Malik, Suleman, Ali, Arshad (2017) all mention the importance of having an open, accessible, and available leadership style.

This leadership style is said to be advantageous to both employees and organisations. The reason for this assumption is premised on the leader's behaviour that often tries to bridge the gap between followers, thereby removing every form of discrimination that is caused by diversity in social class, race, ethnicity, gender, religion and ability (Kuknor, Bhattacharya, 2022).

h. Laissez-Faire Leadership Style

This style of leadership is characterised by its physical presence but absent in leadership (Busse, Weidner, 2020). It is characterised by incapacity or indication of a broad lack of capability to assume responsibility for supervising and organising tasks, revealing leaders who refrain from making decisions, procrastinate action and are absent when needed in crucial situations (Henriksen, Lundby, 2021). Similarly, Puni, Hilton, Quao (2021) characterise this leadership style where leaders refrain from making decisions, hesitate to act, and are absent when needed. Moreover, it involves the leader's hands-off approach to employees' decision-making processes, allowing them the freedom to achieve organisational goals (Bwalya, 2023). Likewise, Arikan, (2020) observe that laissez-faire

leadership entails a non-interference strategy, providing complete autonomy to all workers and lacking a specific method for goal attainment. There is no form of communication, commitment, feedback, involvement and rewards in this leadership style (Polat, Turhaner, 2024).

Additionally, the characteristics of this type of leadership was further highlighted by Marliza (2022) as that behaviour possessed by a leader that shows non-confidence in his/her leadership ability, does not dictate the goals that will be achieved by the group (employees/subordinates) for the organisation and decision making is left to be performed by whoever in the group that is willing to accept and take that responsibility. Laissez-Faire style of leadership is not concerned with the processes involved in an organisation, because leaders shy away from their responsibilities, avoid making decisions or being part of decision-making processes and they do not monitor and interfere in the activities of their employees/subordinates. However, this leadership style has been noted for its advantages and disadvantages.

According to Robert, Vandenberghe (2021) laissez-faire leadership style has been noted to decrease the satisfaction of subordinate and leader effectiveness. On the contrary, Hajjali, Kessi, Budiandriani, Prihatin, Sufri (2022) argue that this leadership approach can boost job satisfaction and enhance productivity. However, it could also pose challenges if team members need help with time management or lack the necessary knowledge, skills, abilities, or motivation to perform effectively. This means that the merits or demerits of this leadership style are relative. Implying that, it depends on the way such style is perceived by individuals.

i. Servant Leadership Style

Robert Greenleaf, who is credited with popularising this leadership ethos, is recognised by the name "servant leader." He claims that the idea of "Servant Leadership Style" emphasises the responsibility of the leader to help those who are under him or her (Greenleaf, 1970) and is modelled after an arrangement to lead and develop others (Khan, Chaudhry, 2023), with the ultimate goal of achieving a more advanced purpose or objective that will be advantageous to people, organisations, and societies (Van Dienendonck, 2011). Greenleaf (1970, p. 27) outlined the noteworthy highlights of servant leadership in a brief manner. He claims that servant leadership begins with the inherent desire to serve and prioritise service above all else. Then, a deliberate choice leads one to aspire to lead. This is markedly different from someone who assumes leadership primarily to fulfil a power drive or acquire material possessions. For them, serving comes as a secondary consideration after establishing leadership. The leader-first and servant-first approaches represent two distinct types. However, within this spectrum, shades and blends reflect the infinite diversity of human nature.

On the other hand, Wheaton (2022) added that this style of leadership energises joint effort, trust, foresight, listening, and the proper utilisation of power and empowerment. This infers that this style of leadership tends to ingrain in their followers a pressing need to serve others (Sharpley, 2024). Several researchers in this field have convincingly contended that servant leaders represent a good solid example that impacts the followers through learning processes and experiences thereby leading to better service delivery (Liden, Panaccio, Hu, Meuser, 2014; Brown, Bryant, 2015; Huang, Qian, Jin, Wang, 2017).

j. Transformational Leadership Style

This leadership style encourages employees to put the needs of the business ahead of their own interests and go above and beyond what is expected of them. Their perception, behaviours, morality, ideas, interests, and values are altered to achieve this (Bass, 1985). It is crucial to remember that Burns (1978) offered this idea first, and other scholars such as Bass, Avolio (1990), Bass, Avolio, Jung, Berson (2003), and Antonakis, Avolio, Sivasubramaniam (2003) further developed it. According to Burns (1978), transformational leadership is defined as the process of achieving a shared objective through a reciprocal relationship between leaders and followers that is geared towards a higher level of morale and motivation that results in the desired change in an organisation. In the same vein, Bass, Riggio (2006) defined transformational leaders as individuals who have a habit of energising and motivating their subordinates to achieve ground-breaking results while simultaneously strengthening their own leadership capabilities.

This suggests that transformational leadership is change-driven, particularly in relation to how and in what manner objectives are attained. These managers care about developing the capacity of their staff members or subordinates as well as achieving organisational goals that go above and beyond the expectations that have been set forth. According to Bass, Avolio (1997), the five distinguishing characteristics of a transformational leadership style are idealised attributes, idealised influence, inspirational motivation, individualised consideration, and intellectual stimulation (Bass, Avolio, 1997). Idealised Attribute is characterised in terms of the qualities of a leader that are valued, including charisma, self-assurance, ethics, idealism, and dependability. extends beyond the subordinate recognising the characteristics of the leader that are deemed significant to the actual behaviour or actions taken by them to the actual dispositions of the leaders, particularly in the leader's ability to articulate the organization's vision to the followers clearly and motivate them to accept and internalise the vision (Bass, 1999).

According to Avolio, Bass (2004), the traits of the transformational leadership style make the leader charismatic and a role model for their followers. Inspirational motivation is the leader's capacity to push their followers by giving them self-assurance and a feeling of purpose, helping the organisation achieve its goals (Yukl, 2013). This suggests that the leader has a high level of zeal, good faith, and offers both purpose and test to the work activities intended to strengthen their adherence to the organization's goals and shared vision. The leader's attitude as a mentor and coach is characterised by Individualised Consideration. When the followers accomplish the organization's common goals, the leader exhibits happiness and demonstrates respect for each follower by paying attention to their needs (Kumar, Dhiman, 2020). According to Wamalwa (2023) a leader's intellectual stimulation is measured by how much they take chances, challenge conventional wisdom, and are receptive to fresh ideas from their followers without passing judgement.

k. Transactional Leadership Style

Transactional leadership is distinguished by an exchange relationship based on mutual benefits between the leader and followers (Young, Glerum, Joseph, McCord, 2021). This style of leadership is characterised by the use of the carrot and stick strategy to achieve organisational objectives (Frangieh, Rusu, 2021). According to this, workers are rewarded for completing their jobs, and in order to avoid being punished, they make sure that the leader's demands are likewise met (Frimayasa, Windayanti, Fathiani, Rahmat, Febrian, 2021) because of what the leader expects (the achievement of organisational goals), transactional leaders are more concerned with providing what the followers need

(Abdelwahed, Soomro, Shah, 2023). Transactional leadership, according to Avolio, Bass (2004), consists of three elements: contingent reward, active management by exception, and passive management by exception.

While Aljumah (2023) assert that contingent rewards involve the leader setting goals and performance standards for his or her followers and using incentives and promotions as an incentive to persuade them to meet those goals. According to Oswald, Lingard, Zhang (2022), active management by exception refers to the leader actively watching over subordinates to make sure that tasks are completed, issues are identified and fixed, and policies are reinforced. This suggests that the leader is keeping an eye on what their followers are doing. Leaders that are overly sensitive and only react to issues as they arise exhibit passive management by exception. Before acting, these leaders wait for issues to arise (Richards, 2020).

6. CONCLUSION

This paper explained the concept of leadership, examined the distinction between leadership and management, identify and discusses the major theories of leadership. The various leadership styles applied in an organisation were also presented. It is imperative to state that leadership is the art of motivating a group of people to work together to achieve a common goal. Meaning that there are certain attributes like being motivational, inspirational, vision-driven and so on that are attached to leadership. Based on the distinction between leadership and management in an organisation, they are both distinct in the way they are defined, the functions they entail, and the behaviours they utilise to accomplish their respective jobs. All these can be seen from the assumptions of the theories of leadership explicated and the styles of leadership adopted in an organisation.

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IN SEARCH OF THE FACTORS FOSTERING GREEN PROJECT MANAGEMENT IN NONPROFIT ORGANIZATIONS: RESEARCH RESULTS FROM POLAND

This article addresses the insufficiently researched topic of Green Project Management (GPM) in nonprofit organizations (NPOs). Factors supporting the application of GPM in NPOs can be identified among both external conditions (e.g., environmental policy, funder requirements) and internal conditions related to the specificity of the functioning of the NPO (e.g., size, forms of employment, sources of financing, project management solutions). This article aims to contribute to the discussion on the factors facilitating GPM in NPOs. The focus is specifically on the frequency of GPM practices in the areas of People, Planet, and Prosperity during project implementation. The study employed a quantitative survey using the CAWI technique; the respondents were individuals representing NPOs in Poland with project experience.

Keywords: project management, green project management, GPM, nonprofit organizations, NPOs, sustainable development.

1. INTRODUCTION

The literature highlights the emergence of several new research trends in the field of project management, emphasizing a shift from exclusively addressing technical problems to studying the organisational and social context of projects (Jacobsson, Jałocha, 2018; Pollak, Adler, 2015). One such area is sustainable project management. In September 2015, the UN program “Transforming our World: 2030 Agenda for Sustainable Development” and the Sustainable Development Goals were adopted. This agenda pertains to the activities of individual organisations and is based on the triple bottom line model, illustrating the

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equivalence of three spheres/lines of development referred to as the Triple P: People, Planet, and Profit/Prosperity. Sustainability entails the harmony of economic, social, and environmental sustainability that is achievable through a project approach (Silvius, Schipper, 2014).

Research in the literature (Wawak, Woźniak, 2020) indicates that sustainable project management is a growing trend evident in project management publications. In the literature, the terms Green Project Management and Sustainable Project Management are often used interchangeably. It is also emphasized that although “green” was initially considered more of a business term, promoted more by the press than by the scientific community (Baines et al., 2012), it has now become a permanent part of the subject of project management. In general terms, the “green” approach means “the application of environmentally and socially sensitive practices to reduce the negative impact of [...] activities while, at the same time, harmonizing the pursuit of economic benefits” (Baines et al., 2012). However, the issue is rarely discussed from the perspective of nonprofit organisations (NPOs). At present, considerations in this area mainly refer to business organisations, but it seems inevitable to adapt this approach also in the area of projects carried out in NPOs, particularly since many NPOs orient their activities toward solving social or environmental problems. The identified research gap argues in favor of undertaking research within the indicated topic.

Projects in a not-for-profit organisation are largely geared toward community-wide needs. Therefore, conducting research in the area of GPM is essential both from a cognitive perspective and for the practical needs of managing NPOs (Saidoun, 2020; Subedi, Wagner, 2018).

In this context, the aim of the article is to identify factors favouring GPM in NPOs operating in Poland. Following the TBL model, attention was given to the frequency of GPM practices in the areas of People, Planet, and Prosperity.

2. THEORETICAL BACKGROUND

2.1. GPM in NPOs

Unlike the business sector, NPOs focus on achieving socially relevant goals (Shumate et al., 2018) and meeting the needs of the local community (Glover et al., 2014). These organisations have a significant impact on both society and the environment. They are treated as institutions of civil society that encourage interaction and organising around a common goal, giving these initiatives a formal character. In these organisations, projects are most often carried out by volunteers who identify with the goals and values of the NPO, voluntarily belong to the organisation in question, and are not paid for their work.

Projects in NPOs play a key role in fulfilling the mission and achieving established social, educational, environmental, etc., goals. They often aim at improving the quality of life in the local environment as well as solving more complex problems. They are characterised by great thematic diversity and a range of activities undertaken. They are oriented toward meeting the needs of both direct beneficiaries and other stakeholders. In NPOs, projects are based on the work of volunteers and cooperation with different actors, among which other NPOs, local authorities, the local community, or business companies can be identified. The contact between NPOs and the business community influences the development of management methods and techniques and provides opportunities to improve quality, timeliness, reduce costs, as well as optimise many processes and develop innovative practices (Moshtari, Vanpoucke, 2020). It also allows for better solving of social

problems, distributing donor support more efficiently, and minimizing waste (Taysir, Taysir, 2012). A visible, current trend in business operations is GPM. Organisations are emphasising the need for project managers to include sustainability in project management as their professional responsibility (Silvius, Schipper, 2016). Sustainability is based on the TBL model (Carboni et al., 2020). The model illustrates the equivalence of three spheres, referred to as the Triple P: People, Planet, and Profit/Prosperity. The Sustainable Development Goals refer to the UN resolution (Transforming our World: the 2030 Agenda..., 2015). They include areas such as combating poverty and hunger, tackling climate change, preventing economic and social inequalities, pursuing sustainable consumption, as well as peace and justice, and promoting strong, sustainable, inclusive economic development, among others (Carboni et al., 2020).

GPM is becoming increasingly prominent in project-oriented organisations. It is an environmentally friendly project management that enables environmentally conscious decisions at different stages of a project (Silvius et al., 2017). GPM is also defined as “a way to ingrain green thinking” into every project management process (Maltzman, Shirley, 2010). GPM practices help organisations to align with their strategy and become more environmentally focused. In this way, project managers with an environmental, people, and efficiency orientation look for ways to improve processes to minimize project costs without sacrificing quality. Carvalho and Rabechini Junior (2015) noted that GPM can be viewed from two perspectives: internal or external. The internal perspective is linked to the project life cycle, knowledge areas, and process groups and also relates to project team members. The external perspective, on the other hand, is linked to the project's impact on society and the environment in the long term. Projects and their management are recognized as a “way to make companies sustainable” (Huemann, Silvius, 2017). Project-oriented organisations require relevant (so-called green) information, which may include knowledge about innovation or green technologies (Singh et al., 2022). GPM practices can be crucial in introducing sustainable management, in an effort to minimise costs, save energy and water, or reduce CO₂ emissions.

In NPOs, on the other hand, GPM can support the effective management of budgets and human resources. This is crucial because these organisations struggle to finance their activities, and trust and willingness to support an organisation increase when it presents concrete results of its activities and shows the change that has occurred due to its activities (Charycka et al., 2023). GPM is aimed at implementing projects in a transparent, honest, and ethical way that includes the active participation of different stakeholders (Silvius, Schipper, 2010). It can, therefore, improve the image of NPOs and foster fundraising from different donors. There is a high turnover among the volunteers who make up project teams, so motivating them and keeping them engaged throughout the project is a major challenge (Seiler, Bortnowska, 2020). GPM can support project teams to acquire ecological knowledge and develop the responsible use of resources, while at the same time providing ample opportunities to develop competencies and care for their needs, as well as the needs of potential service recipients (rather than the needs of the organisation) – taking into account their scale and hierarchy (Marciszewska, 2014).

2.2. Enabling factors for GPM in NPOs – hypotheses development

The presented article aims to identify conditions conducive to the implementation of sustainable project management in NPOs. However, to meet this aim, it is useful to focus on factors that can stimulate sustainable project management. Given the consideration of the use of GPM in NPOs, the focus was on factors that primarily characterise the project

management process precisely in these organisations (Marciszewska, 2019; Trocki et al., 2020) and may favour the implementation of GPM (Carboni et al., 2020). Among these, project experience, knowledge in the area of project management (project management knowledge), training programs in this area and IT support for project activities.

Project management knowledge plays a key role in successful project management. It includes information and skills related to project planning, implementation, and control, but also to the latest trends in the field of project management. Project management knowledge should be considered from the point of view of project implementation as a useful resource of information that facilitates project implementation. It influences the quality of the results obtained, the satisfaction of project stakeholders, and the effective management of resources allocated to project implementation (Wyrozębski, 2014). Among recently emerging trends in project management issues related to sustainability, digitality or AI use arise very often. According to Malik et al. (2023), due to economic uncertainties, project complexities, cost overruns, pollution prevention, or green production expectations, sustainability is imprinted into the contemporary project management scenery, and green knowledge capabilities are essential in developing sustainable procedures committed to the methodology of GPM. Therefore, the following hypothesis may be formulated:

H1(a–c): *The higher the level of project management knowledge in an organisation, the greater the frequency of applying GPM solutions (People (a), Planet (b), Prosperity (c)).*

The source of knowledge, as well as skills, is project experience (experience in project implementation and management). The combination of knowledge and practical experience can be considered the foundation for successful project management (Schindler et al., 2003). Project experience facilitates a better understanding of project processes; project managers with longer experience often have a better understanding of typical project problems, making it easier for them to plan project phases and control activities. Project experience also manifests in the ability to adapt to change and respond flexibly to unforeseen situations. It also translates into better risk discernment and faster decision-making. According to this, the following hypothesis may be formulated:

H2(a–c): *The greater the project experience, the higher the frequency of GPM solutions (People (a), Planet (b), Prosperity (c)).*

Gaining knowledge and learning from project experience is an important issue in project management. However, project managers and project team members acquire skills, tools, and techniques not only through experience but also through training. We are then dealing with the transfer of so-called explicit knowledge. During training, knowledge is also imparted about new trends in project management, new technologies, and project opportunities. Thus, investing in various types of project management training – by shaping awareness of the importance of developing sustainable procedures committed to the methodology of GPM – has the potential to encourage the greater use of GPM practices. Therefore, the following hypothesis may be formulated:

H3(a–c): *There is a positive relationship between the implementation/existence of a project management training program and the frequency with which sustainable project management practices (GPM practices) are applied in NPOs generally and in specific areas ((a) People, (b) Planet, (c) Prosperity).*

IT project management support helps organisations manage projects effectively. However, implementing such a system requires adequate preparation (i.e., an analysis of the needs of a given organisation, the selection of an appropriate solution/tool, and user training). It is worth noting, however, that this support can include the use of project, program, or portfolio management software but can also serve as a tool for communication and collaboration within a project team. Among the benefits of its use, streamlining processes, increased efficiency, and cost reduction, but also the achievement of pro-environmental effects, are mentioned above all. This emphasizes the advantages of using this type of support, especially in the GPM area, and points it out as a factor favouring GPM (Carboni et al., 2020). In the context of the above, the following hypothesis can be formulated:

H4(a–c): *In organisations using IT support for the project management process, the frequency of application of the solutions in (People (a), Planet (b), Prosperity (c)) is higher.*

The diagram illustrating the adopted research hypotheses is presented in Figure 1.

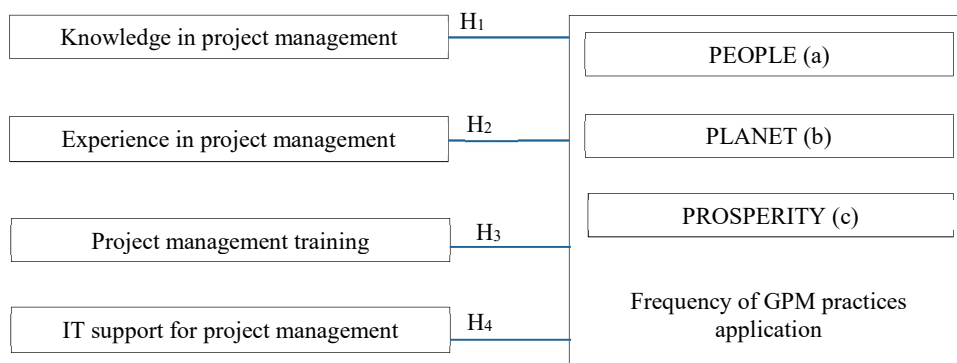


Figure 1. Enabling factors for GPM in nonprofit organisations

Source: Own study.

3. RESEARCH METHODOLOGY DESCRIPTION

The aim of the study was to determine whether a specific project management related factors (knowledge, experience, training and IT support), can promote more frequent use of GPM practices in NPOs. The research process consisted of several steps. First, a literature review and a study of project management in NPOs, GPM, and GPM in NPOs were conducted. Publications were searched in the scientific databases Scopus, WoS, and polish scientific base BazEkon. The search, conducted both in Polish and English, was limited to scientific publications from 2013–2023. Search criteria were defined, and keywords were selected. Boolean operators were used, considering the following phrases: “Project management AND nonprofit organisations”, “Green Project Management AND nonprofit organisations”, “GPM AND NPOs”, “Sustainable project management AND nonprofit organisations”, “Project management AND Green Project Management AND nonprofit organisations”, “PM AND GPM AND NPOs”. The search confirmed that a relatively small number of publications deal with issues linking GPM and project

activities of NPOs. The results of the literature research made it possible to identify factors that favour GPM in NPOs, establish research hypotheses (presented above), and design a quantitative study.

3.1. Data gathering process and characteristics of the research sample

The research presented in this paper are part of a broader study focused on GPM in NGOs. The survey was conducted using the CAWI method, and the research process was carried out in few stages between January and May 2023. The respondents were nonprofit (NPO) organisations in Poland. The questionnaire was addressed to and completed by people who have the widest possible knowledge of project management in NPOs (62.2% members of NPO boards, 22.2% persons acting as project coordinators/managers, and 15,6% other members of the organisation). Purposeful sampling was used. The survey was conducted on a group of 45 nonprofit organisations and the total return rate of the questionnaires was 5.14%. Detailed information on the surveyed NPOs is presented in Table 1.

Table 1. Research sample characteristics

		Registered association [n]	Foundation [n]	Sum	
				[n]	[%]
Public Benefit Organisation (PBO)	yes	14	12	26	57.78
	no	8	11	19	42.22
NPOs Age	up to 5 years	3	5	8	17.78
	6-10 years	1	3	4	8.89
	11-15 years	3	3	6	13.33
	16-20 years	4	3	7	15.56
	over 20 years	11	9	20	44.44
Project management training	yes	4	5	9	20.00
	no	18	18	36	80.00
IT Support of Project Management	yes	13	14	27	60.00
	no	9	9	18	40.00

Source: own research.

Almost all surveyed NGOs (except of two of them) operate only in Poland: 20% operates on local market, almost 38% – on regional market and the same amount (app. 38%) on domestic market. The registered associations operate rather on the local market, while foundations on the domestic one, and this tendency is confirmed by the results of the results of the Chi-square test ($\chi^2(3,N=45)=8.054$; $p=0.045$). The vast majority of the surveyed NGOs are experienced organisations – 60% of them operates on market 15 years or more. The experience of the surveyed NGOs in project implementation (measured in years and in the number of projects completed) is varied. Almost a half of them (49%) declares that implements a few, single projects, while the other group implements many projects continuously and in parallel. The surveyed sample includes organizations with long experience in project implementation (44.4% of them declares such a way of acting for over 15 years), as well as rather short – up to 5 years (28,9%), using rather the traditional (waterfall) methods (82.2%), than the Agile methodology (17.8%).

3.2. Variables measurement

In order to examine the proposed hypotheses, five key variables were defined: Knowledge in Project Management (*KnowPM*), Experience in Project Implementation (*ExPIY*), Project Management Training (*PMT*), Organizational IT Support of Project Management (*ITSup*) Standard of Sustainable Development and Social Responsibility (*SDStd*) and the frequency of application of the Green Project Management practices (*GPM Practices*) with supporting variables: People, Planet and Prosperity.

Knowledge in Project Management (KnowPM) variable describes the level of knowledge on project management in organization. 3-points' scale (from "low" to "high" with a middle point: "medium") was taken to rate it.

In order to measure organizational *Experience in Project Implementation (ExPIY)* a variable describing organizational experience measured in years of project implementation was built. It is a three-value variable: 1 – corresponding to up to 5 years of experience in project implementation, 2 – from 6 to 15 years of experience and 3 – 16 years of experience or more.

Project Management Training (PMT) and *IT Support for Project Management (ITSup)* are the dichotomous variables with values of 1 – yes or 0 – no (informing whether the organization conducts project management training or not and whether the IT support for project management processes is used).

Green Project Management Practices (GPM Practices) is a variable designed to evaluate the frequency of application of the Green Project Management practices. Items constituting the variable and the scale, on which they were assessed, were taken from the literature (Juchniewicz, 2019) and adapted to nonprofit organisations (NPOs). The GPM Practices variable is built using a 3-point scale (never, usually, always) as a mean of three auxiliary variables: *People, Planet* and *Prosperity*.

4. DESCRIPTION OF THE RESEARCH RESULTS

4.1. Descriptive statistics and reliability analysis of scales

As a first step of a research process, the descriptive statistics and analysis of the internal consistency of response for tested variables were conducted. The calculations were made using the PS Imago Pro ver. 7.0. For all tested variables the Cronbach's α was acceptable (over 0.7) or high (over 0.8), which indicates a high internal reliability of the scales and measurements. As a next step of analysis the normality of variables distribution was tested. Due to the size of the sample Shapiro-Wilk test was used. The test turned out to be statistically insignificant for variables GPM Frequency ($W(41) = 0.976$, $p=0.522$), Planet ($W(41) = 0.949$, $p=0.063$) and Prosperity ($W(41) = 0.950$, $p=0.071$), which means that the distribution of the studied variables does not differ from the normal distribution, however for variable People the test results turned out to be statistically significant ($W(41) = 0.908$, $p=0.003$). For all tested variables the standard error of kurtosis and skewness fits in the range $<-2,2>$ that means that this variable distribution is close to normal, however for People variable we can observe a left-skewed, leptokurtic distribution. For the other examined variables, there are no grounds to reject the assumption of normality, which means that we can assume that the variables distributions are normal. The results of this analysis are presented in Table 2.

Table 2. Defined variables along with the results of the reliability analysis of scales

No.	Variable	No. of scales	Alfa-Cronbach	% var	M	SD	skewness	SE skewness	kurtosis	SE kurtosis
1	GPMpract.	3	0.726	66.754	2.331	0.409	-0.038	0.354	-0.600	0.695
1a	People	16	0.906	85.958	2.541	0.329	-1.027	0.354	1.132	0.965
1b	Planet	3	0.847	78.114	2.217	0.506	-0.018	0.361	-0.668	0.709
1c	Prosperity	5	0.914	75.148	2.167	0.594	-0.223	0.365	-0.736	0.717

Source: own research.

4.2. Project management practices and the frequency of application of GPM practices in NPOs

As a next step, in order to verify the hypotheses H1(a-c) – H5(a-c) the correlation analysis between variables was performed. Since in all cases the independent variable is nominal or ordinal and the dependent variable is quantitative, in case of its normal distribution, t-Student test or one-way ANOVA were used. However due to unequal number of responses in all tested groups U Mann-Whitney test or Kruskal-Wallis test for the independent trials were also counted and reported in all cases. Additionally, to assess the effect size, the Eta squared measure was counted. The results of this analysis are presented in Table 3.

Table 3. Correlation analysis results – U Mann-Whitney test, H Kruskal-Wallis test, eta squared (η^2)

NON-LINEAR CORRELATION									
variable	People		Planet		Prosperity		GPM Practices		
	N	45	N	43	N	42	N	45	
<i>Knowledge in Project Management (KnowPM) (H1)</i>	η^2	0.200	η^2	0.036	η^2	0.102	η^2	0.105	
	F(2,42)=5.253; p=0.009		F(2,43)=0.739; p=0.484		F(2,39)=2.219; p=0.122		F(2,42)=2.458; p=0.098		
	H(2,45)=5.078; p=0.079		H(2,43)=1.282; p=0.527		H(2,42)=3.923; p=0.141		H(2,45)=3.837; p=0.147		
<i>Experience in Project Implementation in years (ExpPIY) (H2)</i>	η^2	0.070	η^2	0.067	η^2	0.036	η^2	0.062	
	F(2,42)=1.571; p=0.220		F(2,40)=1.435; p=0.250		F(2,39)=0.728; p=0.490		F(2,42)=1.377; p=0.264		
	H(2,45)=2.616; p=0.270		H(2,43)=2.822; p=0.244		H(2,42)=1.210; p=0.546		H(2,45)=1.977; p=0.372		
<i>Project Management Training (PMT) (H3)</i>	η^2	0.107	η^2	0.235	η^2	0.135	η^2	0.195	
	F(1,43)=5.154; p=0.042		F(1,41)=12.597; p<0.001		F(1,40)=5.185; p=0.028		F(1,43)=10.407; p=0.002		
	U=242.0; Z=2.27 p=0.022		U=256.0; Z=3.09 p=0.001		U=206.5; Z=2.27 p=0.022		U=265.0; Z=2.92 p=0.002		
<i>IT Support of Project Management (ITPMS) (H4)</i>	η^2	0.115	η^2	0.073	η^2	0.083	η^2	0.082	
	F(1,43)=5.577; p=0.023		F(1,41)=3.223; p=0.080		F(1,40)=3.597; p=0.065		F(1,43)=3.820; p=0.057		
	U=320; Z=1.784 p=0.074		U=285.5; Z=1.756 p=0.079		U=278.5; Z=1.836 p=0.066		U=326.0; Z=1.923 p=0.054		

Source: own research.

The first examined variable described the level of knowledge in the field of project management in the organization declared by the study participants. The obtained results showed that there is not a statistically significant correlation between this variable (*KnowPM*) and *GPM Practices* and all of its components as well. Non-parametric tests were the basis for this assessment due to the failure of meeting the assumption of tested variable distribution normality. Thus according to that hypotheses H1(a-c) should be rejected. However, the relationship between *Knowledge in Project Management (KnowPM)* and *People* variable should be the subject of further observation. The suspicion that there may be a positive correlation between the variables is supported not only by the parametric (statistically significant) test result, but also by rho-Spearman correlation analysis ($r_s=0.326$; $p=0.029$). It would mean that higher knowledge on project management is correlated with higher maturity of solutions in *People* area, while lower knowledge would translate into a lower level of maturity in discussed area. Also eta squared measure suggests the existence of an strong effect between the studied variables ($\eta^2 = 0.2$). Moreover, coming back to the *GPM practices* variable, post hoc analysis with the Scheffe test showed that in organizations where the level of knowledge in project management is low, the frequency of using sustainable solutions in terms of the *People* variable is statistically significantly lower ($M=2.22$, $SD=0.488$) than in organizations where employees have an average ($M=2.55$, $SD=0.269$) or high ($M=2.67$, $SD=0.236$) level of knowledge confirmed by experience or education in project management (see also Fig. 2). Although a similar trend is visible in the case of the remaining tested dependent variables, the differences between the average ranks did not prove to be statistically significant.

The results of Kruskal-Wallis non-parametric test brings to the conclusion that the relationship between *Experience in Project Implementation* and *GPM Practices* and all its components is statistically insignificant, thus hypotheses H2(a-c) must be rejected.

The obtained result shows that the relationship between *Project Management Training (PMT)* and *GPM Practices* is statistically important ($U(45)=265$, $p=0.002$) and strong ($\eta^2 = 0.195$). It was confirmed also by t-Student test. This means that the existence of a project management training program in the organization is significantly related to the *GPM Practices* and hypotheses H3 can be accepted. Due to the fact that the U Mann-Whitney test does not provide an answer in which group the values of the dependent variable are higher, the average rank in each group, the median and averages in groups were calculated. For all tested variables they are presented in Table 4. Average ranks in groups for all tested variables are presented also in Fig. 1. Organizations, which possess a project management training program, the frequency of *GPM practices* turned out to be significantly higher ($M=2.68$; $SD=0.28$) than in organizations, which do not use this type of training ($M=2.24$; $SD=0.39$). This statement is also true for all components of *GPM practices* (see Tab. 4), and the difference is clearly visible especially in the lowest rated area (*Planet*). The size effect in this case is the strongest ($\eta^2 = 0.235$). It means that all partial hypotheses H3(a-c) can be accepted.

The analysis of average ranks in groups (Table 4, Fig. 1) shows that organizations that support the project management process with IT tools apply *GPM practices* more frequently, however the obtained results showed that there is not a statistically significant correlation between this variable and *GPM Practices* (and its components). Hence the H4(a-c) hypotheses must be rejected too.



Figure 2. Mean ranks in groups for tested variables

Source: own research.

Table 4. Comparison of averages and average ranks in groups

Variables		People	Planet	Prosperity	GPM Practices	
PMT	yes	Mrank	31.89	33.44	30.31	34.44
		Media	2.800	3.000	2.542	2.652
		N	9	9	8	9
		Mean	2.754	2.688	2.577	2.688
		SD	0.197	0.406	0.407	0.279
	no	Mrank	20.78	18.97	19.43	20.14
		Media	2.527	2.042	2.000	2.212
		N	36	34	34	36
		Mean	2.487	2.092	2.070	2.242
		SD	0.336	0.457	0.594	0.389

Source: own research.

5. DISCUSSION

The study aimed to consider factors favouring GPM in NPOs operating in Poland. Following the TBL model, emphasis was given to GPM practices in the areas of People, Planet, and Prosperity. Four factors were defined: project management training, organisational experience in project implementation, project management knowledge and IT support for project management. These were related to the variable GPM practices, used to assess the frequency of applying GPM practices.

The statistical analysis of the obtained data confirmed a positive relationship between the implementation/existence of a project management training program and the frequency with which sustainable project management practices (GPM practices) are applied in NPOs – both generally and in specific areas: People, Planet, and Prosperity. This is also the only one of all the factors studied that turned out to be statistically significant. NPOs rely on the knowledge, skills, and individual potential of the people running the projects. This determines their ability to adapt to changing realities and generate new solutions. The development of the nonprofit organisations depends on both external and internal determinants, grounded in human capital (Fudalinski, 2010). Nowadays, more and more NPOs do not solely rely on the work of volunteers but employ professional staff. In Poland, in the year 2021, almost two out of three organisations (65%) paid their employees for the work performed (Charycka et al., 2023). This may translate into increased professionalism in project management and the introduction of new concepts in this area. It seems that to increase the use of GPM practices in projects implemented by NPOs, there is a need to develop and implement training programs based on knowledge of the social processes, practices, and patterns found in these organisations (Brookes et al., 2006) in combination with more mature project knowledge management (Mikovic et al., 2019). There are many different courses, training offers and postgraduate studies available on the market, however, there is still a huge gap between the NPOs needs and the market offer. Developing a better understanding of the project context, especially in conditions of increasing diffusion of the concept of sustainable development, is a key need today (Ramazani, Jergeas 2015) and the trainings in project management may be a great opportunity of transferring not only explicit, but also tacit knowledge and experiences from more experienced project managers to NPOs.

The analyses conducted indicated no relationship between organisational experience in project implementation and GPM practices. Admittedly, it can be assumed that project experience can be measured not only by the number of years of project implementation but also by the total number of completed projects. However, an additionally constructed binary variable categorizing surveyed organisations into those implementing single projects and those involved in continuous, simultaneous implementation of multiple projects did not show a statistically significant relationship with the frequency of applying GPM solutions. These results should be the subject of further research. Projects are organisational activities that provide opportunities for continuous learning, involving specific knowledge management processes that facilitate the accumulation of knowledge generated by experience. They also expose contractors to new opportunities and trends. According to research (Montes-Guerra et al., 2015), in some NPOs where volunteers and core staff have extensive experience or knowledge of project management, the project approach has been structured, and many new elements of project management are being implemented.

The level of project management knowledge in the organisation, as declared by the survey participants, was the next variable studied. The results showed no statistically significant correlation between this variable and GPM practices, which was a surprise. When comparing this observation with studies conducted among NPOs implementing EU projects for an extended period (10–20 years) on a large scale and locally (Miković et al., 2020), it can be noted that the primary factor conducive to effective project management is the process of project knowledge management combined with social capital, a domain of NPOs. Other studies (Rathi et al., 2016) note the specific needs of NPOs in terms of project management knowledge. The organisations in question face challenges in gaining knowledge on the subject because they often rely on models used in for-profit organisations operating with different values, missions, goals, and contexts than non-profits.

The surveyed NPOs make little use of the capabilities of IT solutions in the area of project management, and this is not related to GPM practices. Such a situation seems related to the low level of informatisation of Polish NPOs (The Capacity of NGOs in Poland, Report, 2022). Financial constraints play a role here. According to researchers, IT can significantly support the improvement of the environmental performance of organisations (Hack, Berg, 2014). Given IT's functional ability to improve, change, and reinvent business processes, IT and information systems can provide organisations with the ability to change and improve business processes to better support sustainable practices (Silvius, 2012).

6. CONCLUSIONS

GPM in NPOs is a novel and relatively unexplored topic. This article contributes to the ongoing research on GPM and sustainable management in organisations, shedding light on a rarely addressed topic. The authors hope that it will enhance the understanding of research needs in the field of GPM. The presented results also aim to highlight the changes anticipated in NPOs concerning the social and environmental aspects of their activities.

The research results can serve as a reference for researchers interested in the topic of GPM in NPOs. In terms of practical implications, the study provides NPO managers insights into developing project management practices. It is recommended that ongoing research continues to expand knowledge in the indicated area. Given the results obtained, further exploration through qualitative research, particularly using the case study method

and interviews with project managers, is worthwhile. Expanding the respondent group to include NPOs outside Poland and conducting a comparative analysis of GPM in NPOs, companies, and public institutions could be interesting.

It is essential to note that the presented research process had its limitations. One limitation was the study sample size (n=45) despite efforts made to distribute 684 questionnaires. The conclusions drawn from this research are not universal but should be applied only to the studied population. The extensive survey questionnaire did not efficiently serve the purpose of answering the questions. Future research could consider aggregating some of the questions. Another limitation was the adoption of a 3-point response scale. The use of this scale aimed to align with the survey tool used for business entities. Investigating more interdependencies between GPM areas in NPOs might require modifying this scale. The last limitation was conducting the survey in NPOs operating in Poland, where civil society institutions are still in the development phase.

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DETERMINANTS AND PROSPECTS FOR THE DEVELOPMENT OF THE OPIATE ECONOMY IN AFGHANISTAN

Drug production and trafficking, and the related development of criminal groups, are among the most serious problems of the modern world. Issues related to the drug business appear when the institutions and the economic and social systems of the state disintegrate. An example of this is Afghanistan, which has recently become the world's largest producer of opiates. The growing production of opiates has had negative consequences for Afghan society, causing various social problems, and for the international community, strengthening organized criminal groups involved in drug trafficking around the world. The aim of this study is to look for the most important factors causing the rapid increase in opiate cultivation in Afghanistan, and to assess how the Taliban's return to power will affect the drug business. The study was carried out through an analysis of available scientific literature, including statistical studies, as well as various compilation documents.

Keywords: Afghanistan, drug business, opium, heroin, crime, drug addiction.

1. INTRODUCTION

Drug production and trafficking and the associated development of criminal groups are one of the most severe problems of the modern world. According to the World Drugs Report published by the United Nations Office on Drugs and Crime about 284 million people representing 5.6% of the world's population used drugs in 2021. Out of those, about 61 million used the so-called hard drugs. Approximately 86% of opiate production on the world market came from Afghanistan. (UNODC WDR, 2022)

Afghanistan, since the fall of the Islamic Republic of Afghanistan (August 15, 2021), is internationally recognized as the Islamic Emirate of Afghanistan. Since the attack on the World Trade Center in New York on September 11, 2001, Afghanistan has become the center of public attention.

Problems related to the drug business and, as a result, to organized crime, arms trafficking, or human trafficking appear where the institutions and the economic and social system of the state are disintegrating. An example of that is Afghanistan, where there has been a permanent internal and international conflict since the 1970s, contributing to drug cultivation and production growth, feeding various types of rebel groups, and causing

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social degradation. The aim of this study is to look for the most important factors causing the rapid increase in opiate cultivation in Afghanistan and how will the Taliban's return to power affect the drug business. The study was carried out through an analysis of available scientific literature, including statistical studies as well as various compilation documents.

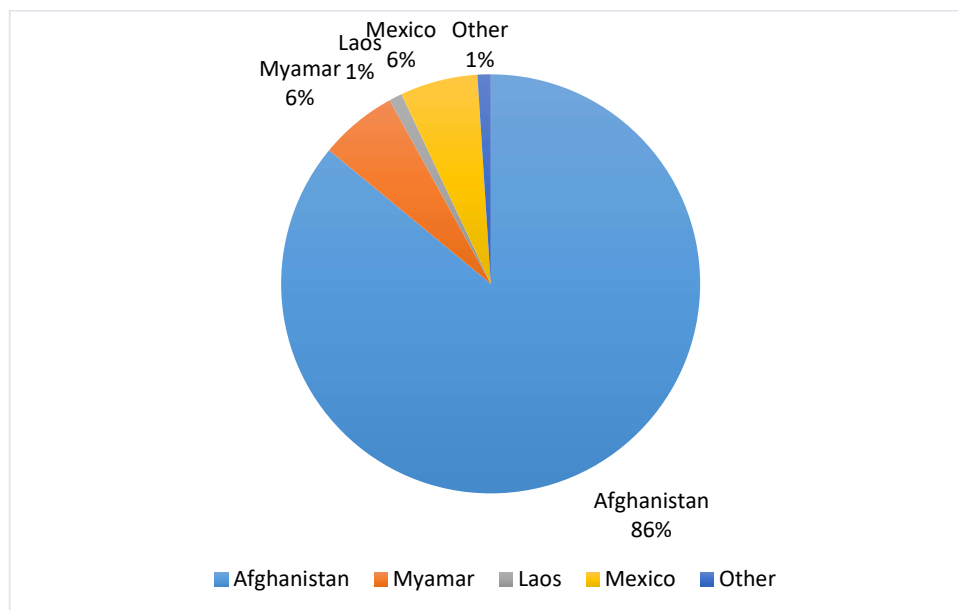


Chart 1. Global opium production

Source: Data from UNODC World Drug Report 2022.

2. THE GENESIS OF THE NARCO-BUSINESS IN AFGHANISTAN

The homeland of poppy cultivation is the Euphrates and Tigris basins. The Sumerians knew how to obtain and use the opium from poppy seeds even around 3000 BC. Opium poppy, the “plant of joy”, was grown in Asia Minor, Egypt, Persia, and ancient Greece (Booth, 1996). The association between drugs and soldiers/warriors has been known since the dawn of time. Narcotics were primarily known as a factor stimulating aggressive behavior in combat, on the one hand reducing pain, on the other increasing the susceptibility to carry out the orders of commanders (Jędrzejko, 2005).

The use of opium poppy for opium production came to Afghanistan with the conquest of this part of the world by Alexander the Great around 329 BC, when the great army, on its way to India, reached the borders of today's Afghanistan and conquered a country where afterwards, the Greek colonists lived next to the natives. They had long known how to obtain opium and its narcotic effects (Gaur Singh, 2006). The introduction of opium, and consequently addiction, by Alexander the Great to this part of the world almost two thousand years later, became a serious problem for Europe and the West. The properties of opium were known to the European colonizers, especially the British, who colonized the Indian subcontinent. Realizing the potential of the opium trade, they took control of most of Bengal's poppy-growing areas, introducing opium to trade with China in the nineteenth

century. Consequently, this led to the Opium Wars between the British Crown, France, and China² (Gaur Singh, 2006).

Historically, Afghanistan was not a classic producer of opiates (opium and processed morphine and heroin) on a large scale. In the eighteenth century, local consumption in the mountainous region of Badakhshan in northeastern Afghanistan drove farmers to cultivate and produce poppy seeds and opium. At the beginning of the twentieth century, small quantities of opium were made in Herat in western Afghanistan and Nangarhar in eastern Afghanistan (Mass, 2020). Afghanistan became the world's largest exporter of opiates, providing cash for the mujahideen in the Afghan-Soviet War in the 1980s. Money from the opioid trade contributed to the mujahideen's budget, much needed for the purchase of modern equipment and training.

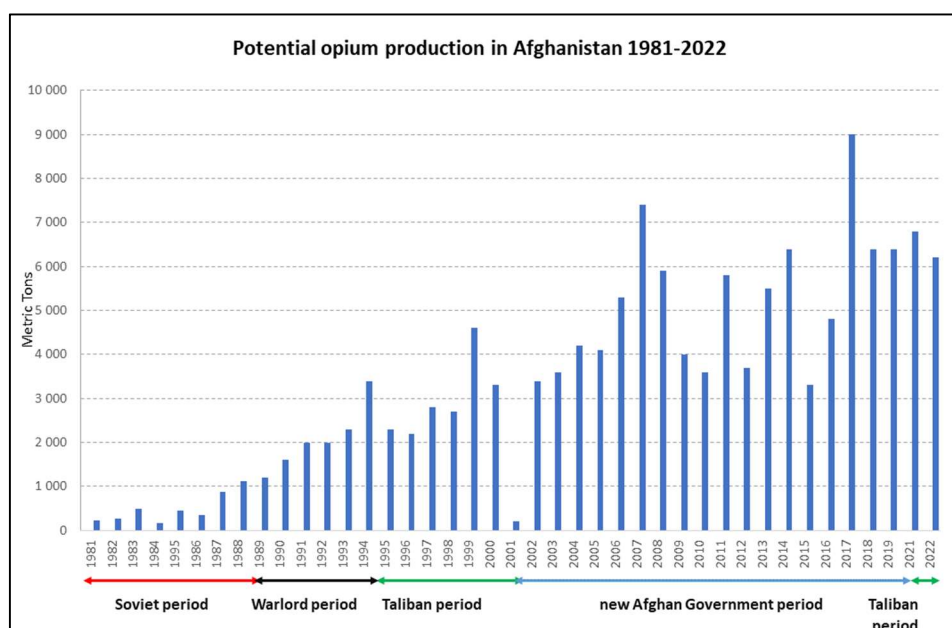


Chart 2. Potential opium production in Afghanistan 1981–2022

Source: Compiled from data in the documents UNODC.

Afghanistan produced approximately 100 tons of opium in 1971, this amount suddenly increased after the start of the anti-Soviet jihad in late 1979. Between 1991 and 1998, Afghanistan produced 2,000–2,800 tons of opium per year. In 1999, production reached 4,600 tons. In 2001, due to the Taliban's ban on opium poppy cultivation, opium production fell to 185 tons. With the fall of the Taliban regime at the end of 2001, farmers started growing poppies again³ (UNODC, 2003). Afghanistan became the world's number one

² Bengal is a historical region in South Asia, in the eastern part of the Hindustani Plain, on the Bay of Bengal. Currently, the western part of Bengal lies in India, and the eastern part is Bangladesh.

³ Probably the aim of the ban was, on the one hand, to reduce international criticism of the Afghan authorities for exacerbating the drug problem in the world, and on the other, to seek to control all opium production and trade in the state, and thus to obtain higher incomes. Before the ban, the

opium producer in the following years, pushing Myanmar (Burma) to second place. No other country has ever managed to achieve such a monopoly. In 2007, Afghanistan produced 7,400 tons of opiates, representing 93% of the global drug market (Mass, 2020). Afghanistan was able to maintain a high market share for the following years. The efforts made by the authorities had failed to change the upward trend in drug production, peaking in 2017, when Afghanistan produced about 9,000 tons of opium. In 2021, they produced 6,800 tons of opium, accounting for 86% of the global production.

Currently, Afghanistan produces about 6,200 tons of opiates, which accounts for about 80% of the world market. The reduction in production compared to 2021 was caused by a drought in early 2022, causing a sharp decline in opium yields. As per the U.N. research, from this amount of raw opium obtained during harvest, drug producers can attain 350–380 tons of heroin (50–70% purity) for export (UNODC Research Brief, 2022).

3. REASONS FOR THE DEVELOPMENT OF OPIATE CULTIVATION AND PRODUCTION IN AFGHANISTAN.

What external factors contributed to the rapid growth of opiate cultivation and production in Afghanistan?

Firstly, the countries of the Golden Triangle in Southeast Asia (Burma, Laos, Thailand), which in the fifties and sixties of the twentieth century constituted the world's largest opium production region, were affected by several factors, causing a reduction in the level of production. These included the droughts often hitting the area and the Thai government's consistent policy of destroying plantations and promoting alternative crops. In the 1970s, the persistence of the United States in attacking and prosecuting the region's most significant drug traffickers and above mentioned actions led to a geographical shift of the opium-growing area from the Golden Triangle to the Golden Crescent - Central Asia (Iran, Afghanistan, and Pakistan).

Secondly, in 1974, the Turkish government took control of opium production and began licensing opium cultivation for medical purposes, which restricted opium cultivation in Turkey and moved it to Afghanistan.

The third factor came from Iran, which directly impacted Afghanistan. Due to Iran suffering from high production levels and widespread drug addiction, Shah Mohammad Reza Pahlavi had tried to, in vain, limit production since 1955. After the overthrow of the Shah in February 1979, the leader of the Iranian revolution, Ayatollah Khomeini, achieved an essential partial success in the fight against drug production. Ayatollah Khomeini reduced the total production volume, and the domestic market consumed the remaining stocks almost in full. Since there was no longer a surplus required for heroin exports to the United States and Europe, producers from the Afghanistan-Pakistan border soon filled the supply gap (UNODC, 2003). Ultimately, in the mid-eighties, the production concentrated on the territory of Afghanistan because, the United States forced the military dictator of Pakistan, Muhammad Zia ul-Haq, to limit cultivation in the Pakistani border region. As a result, opium was produced in Afghanistan but processed in Pakistani heroin laboratories before being shipped via transit routes to Europe and the United States. This cross-border cooperation has formed the structural foundation of Afghanistan's war economy (UNODC, 2003).

price of opium was about USD 30 per 1 kg, while after its introduction it reached about USD 700 per 1 kg.

Regarding the internal factors, the problematic mountainous situation of Afghanistan has become a decisive factor in the development of opiate production. A significant role was played here by the hard-to-reach, sun-scorched steep mountain valleys of the Hindu Kush Mountains, covering almost 80% of the country's area with their surface, with peaks reaching over 7000 m. For Afghan farmers living in isolated mountain settlements, the cultivation of opium poppy became a valuable source of income, bringing a tangible profit from the product.

Because of its underdeveloped industrial infrastructure, the limited use of natural resources, and the poor conditions for maintaining agricultural production, Afghanistan and its population cleverly adapted to the new economic needs by transforming their barely surviving farms and small-scale local trade into highly profitable opiate cultivation and marketing. The cultivation and trafficking of drugs created opportunities for local farmers and smugglers to raise their standard of living to levels not seen in the past.

Furthermore, the developed traditional tribal culture involved in the smuggling of many goods legitimized the illicit drug trade and led to the rapid growth of the necessary smuggling networks. The lack of centrally registered farms made it easier for smugglers to fully involve farmers in poppy cultivation, and to support them, in the interests of their tribe members, to switch from their traditional crops. The isolation of many Afghan tribes among various hard-to-reach areas of the Hindu Kush contributed to their position in the social, financial, and political system.

As a result of these factors, Afghanistan developed a comprehensive opiate economy, from poppy seeds, the production of opium and more complex opiates, to their export to neighboring countries in Asia (especially the former Soviet republics), Europe, and the United States. In return, large quantities of weapons flowed into Afghanistan from the former Soviet republics, China, Iran, and Pakistan.

Arms and drug smuggling created unlimited opportunities for corruption in Afghanistan's political institutions. The level of corruption affected all levels of state power, from ordinary office officials at the local level, police officers, and corrections officers to politicians, ministers, judges, and bankers. Corrupt links between the government and the drug business were considered widespread. Corruption was based on personal, religious, and tribal relationships. An example is the ambiguous activity of Hamid Karzai's half-brother, Ahmed Wali Karzai, who was the chairman of the Kandahar provincial council. Coming from an influential Pashtun clan, Popalzai was considered by some to be the most significant drug lord in the province. Despite widespread allegations of involvement in drug trafficking from the opposition and U.S. officials, Ahmed Wali Karzai was never held accountable until he was shot dead by a trusted head of his security on July 12, 2011 (Sachs, 2011). For these reasons, over the two decades of the presence of coalition troops, the fight against drug trafficking became a significant challenge for the Afghan government and the countries involved in the Afghan conflict.

The profits from poppy cultivation became the driving force behind the drug business and the fuel for insurgent groups in Afghanistan. Due to poppy cultivation being the beginning of a process which ends in the production of heroin, this marks Afghanistan's crucial role in the chain of global distribution of illicit opiates.

4. POPPY CULTIVATION – CONDITIONS

Afghanistan have cultivated poppy in most provinces of Afghanistan. The main regions being the provinces of Helmand and Kandahar in the south, Badakhshan in the north, and

Nangarhar in the east. These provinces have had the best farmland, the most experienced poppy growers, and a well-functioning socio-economic system geared in this direction.

By the end of the 2000s, the burden of poppy cultivation had shifted to the southern and southwestern provinces, primarily due to security considerations. This area had been mostly controlled by the Rebels. In 2008, 98% of opiate poppy was grown in the south and southwest provinces (UNODC, 2008). In 2010s, the same factors caused poppy cultivation to be dispersed to other provinces. Currently, 73% of opiate poppy is grown in the southwestern regions (UNODC Research Brief, 2022).

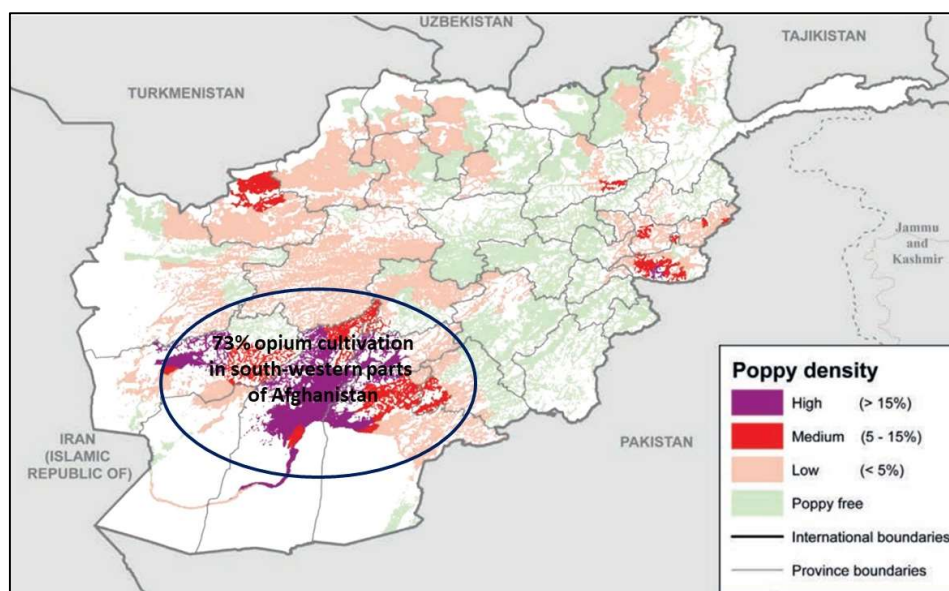


Chart 3. The density of opium poppy cultivation in Afghanistan in 2022

Source: UNODC, Opium Cultivation in Afghanistan, November 2022.

September and October are the decisive months for the Afghan farmer. During this time, he must decide whether to grow poppies, sow wheat, or plant other plants. It is the most crucial point in the entire cultivation process, and the deciding factor for the annual yield due to the poppy being usually sown before winter and ripening in spring. Therefore, farmers must make their decisions in the fall (Byrd, 2008). The poppy cultivation cycle for most types of species takes about 120 days. Opium poppy – *Papaver somniferum* generally blooms after about 90 days of cultivation and keeps flowers for 2 to 3 weeks. Small spherical bags called poppies emerge from the flowers, and later increase in size, reaching the size of a chicken egg. Only this part of the plant, the poppy, produces opium alkaloids (Wikipedia, n.d.). When the poppy is ripe, the farmer has a limited time to harvest it until the plant begins to wither. Each poppy is cut by hand, requiring specially designed tools to achieve the best results. Fresh milk that flows from the poppy seed is later collected (McCoy, 2009). The limited harvest, lasting 8–12 days, puts the most pressure on the farmer's family and the whole agricultural society (UNODC AOS, 2019). Wage laborers are often hired for this work, which is the most challenging part of poppy cultivation.

Typical laborers are often contracted in advance, and their wages are twice as high as the work at the wheat harvest or on the construction sites. According to the UNDOC report, in 2009 it was possible to earn \$8.7/day from harvesting opium milk, \$4.3/day from the wheat harvest, and \$3.6/day from working on construction sites. Many wage laborers now migrate along the country for the greatest possible wages. In addition, workers are often recruited from neighboring countries or from local religious schools, madrassas, which are closed during the harvest to allow for their help.

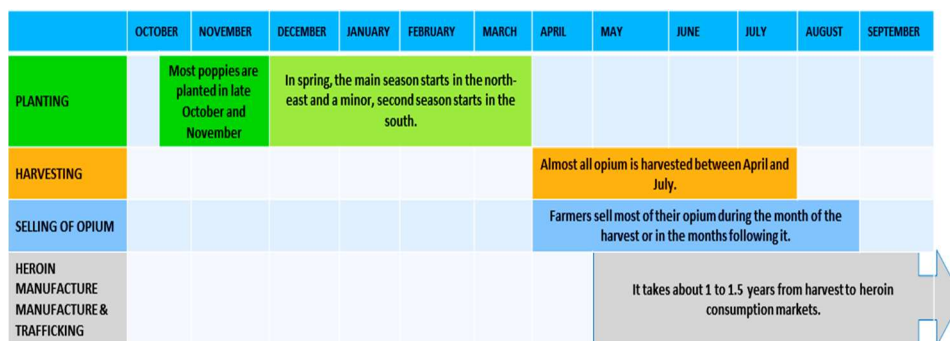


Chart 4. Afghanistan opium poppy calendar

Source: UNODC, Opium Cultivation in Afghanistan, November 2022.

5. OPIATE PRODUCTION

After the opium milk is collected during the harvest, the processing process begins. We distinguish three production phases: moist milk to dried opium, opium to morphine, and morphine to heroin. Opium is usually dried in places where poppy seeds are grown. It is the most straightforward process of extracting water from freshly harvested opium milk. It is generally dried in the sun, or a press is used for this.

Converting opium into morphine and then into heroin requires specific skills and knowledge that only few specialists, called chemists, possess. Drug producers often contract chemists to produce heroin.

The production of morphine and heroin often occurs in laboratories in hidden places of different regions of the country. These laboratories can work as small independent manufacturers, preparing material to order or as part of large, organized cartels with paid managers who direct this activity and the staff formed of specialists like chemists. The number of staff employed in such laboratories may vary. Morphine processing requires more and less skilled workers, while heroin, especially that of a high-quality, requires the most qualified. Several laboratories employ same chemists with the most skill, thus they end up earning the most.

6. DRUG TRAFFICKING IS A KEY INCOME FACTOR FOR THE AFGHAN COMMUNITY

The opioid trade occurs in a network of open bazaars and markets nationwide. The system of open bazaars is the main thread connecting growers, traders, opioid processors, and intermediaries who operate on both the internal and external markets. Traffickers or brokers who operate in bazaars maintain shops or stalls where they sell opium, morphine,

and heroin of various qualities. They usually work independently or may be linked to a larger drug dealer or a baron. In addition to freshly harvested opium and its products, other illegal goods are available in the bazaars, such as chemical precursors required in the processing process or weapons. In addition to selling and buying at bazaars, you can also get financial assistance from intermediaries. Intermediaries, especially in growing regions, have specialized in granting usurious loans, the so-called *salaam*, to farmers for guarantee of receiving the future harvest. When concluding such transactions, an independent *hawala*, a type of a money exchange network, often helps (Maimbo, 2006).

The Hindus invented *hawala* more than a thousand years ago. Later on, Arab merchants traveling with goods along the Silk Road adopted it. Arabs, from then on, no longer had to carry large sums of money with them and expose themselves to robbers. When the years-long conflict in Afghanistan and the imposition of international sanctions by the Taliban government led to the complete collapse of the domestic and international financial system, *hawala* filled this gap in the money system flow.

The total turnover of the global heroin market in 2008 was estimated at \$65 billion. The total income of Afghan opium farmers – \$0.7 billion in 2008 – was minimal by comparison. Between 2002 and 2008, Afghan farmers earned \$6.3 billion, and Afghan drug traffickers more than \$18 billion. Afghan farmers paid 10 percent of their total income, or \$600 million, to the Taliban, warlords, mullahs, and government officials as a tax, or *ushr*. Rebels working with the Taliban received weapons and money from drug traffickers in exchange for their safety⁴ (UNODC, 2009).

7. REBELS AS THE MAIN BENEFICIARIES OF THE NARCO-BUSINESS

The beneficiaries of drug trafficking revenues were united by a complex amalgam of fluid and changing alliances. This mix included various types of warlords, tribal leaders, religious leaders (mullahs), foreign jihadists, mercenaries, and various criminal organizations and rebels, who derive the most significant benefits from the drug business. Most rebels were associated with the Taliban, a fundamentalist movement of radicalized Pashtun peoples, or al-Qaeda (UNODC, 2009). Four rebel groups stood out, including the Taliban, al-Qaeda-linked militants, Gulbuddin Hekmatyar's Hezb-e-Islami rebels, and the Haqqani network.

The Taliban were the largest and most influential group formed from the remnants of the Islamic Emirate of Afghanistan (IEA) led by Mullah Muhammad Omar. This group included not only students at Koranic schools, called the Taliban, but also fighters and commanders mainly of Pashtun origin, in the past fighting against Russians who supported the Taliban movement and a new young generation supporting the fundamental ideology of Islam.

They originated from madrassas operating in Afghan refugee camps scattered across the border area of Pakistan and arrived in southern Afghanistan in 1994. In September 1996, they seized Kabul and proclaimed the creation of the First Islamic Emirate of Afghanistan (Rashid, 2001). After the overthrow of the Taliban by the international coalition and the Northern Alliance in 2001, many Taliban leaders found refuge among other Pashtuns in Pakistan's border territories. Since then, there has been an increased operational cooperation between the Pakistani Taliban and the fleeing Afghan Taliban. The

⁴ Ushr is a 10% tax sanctioned by Islamic law.

two groups have begun working together, planning, and carrying out attacks in Pakistan and Afghanistan (UNODC, 2009).

Much of the funding for the Taliban came from the tax applied to the opioid trade. The Taliban believed that there was a consensus between poppy cultivation, which is religiously forbidden, and the taxation of crops and trade. Following the Taliban, war imperatives justified drug production and trade. Similar flexibility was evident in the criminal activities of other Islamic groups linked to al-Qaeda.

Taliban power collapsed in 2001 with the Allied intervention, but hidden structures were still operating in Afghanistan. Pakistan's border area and militias were reborn in 2021 with an even greater force than before, leading to the collapse of the internationally recognized Islamic Republic of Afghanistan and the return to the Islamic Emirate of Afghanistan on August 15, 2021.

Al-Qaeda, like the Taliban, has evolved under international pressure by increasing the autonomy of individual terrorist cells that have often appropriated the “brand” of al-Qaeda. Al Qaeda was highly decentralized, as a loosely knit group of individuals based in at least 60 countries. Unlike the more localized Taliban, al-Qaeda was a transnational terrorist network with operational links to like-minded organizations worldwide. Al-Qaeda probably did not play a direct role in the Afghan opioid trade. Beyond ideological considerations, involvement in the drug trade would have increased the visibility of this highly clandestine group. However, extremist groups linked to or ideologically allied with al-Qaeda have been involved in a wide range of illegal activities, including drug trafficking, to fund their activities in areas as diverse as North and South Africa, Southern Europe, and Central Asia. In Afghanistan, al-Qaeda did not “control” territory and probably could not impose taxes on the cultivation or trafficking of drugs. However, its members were well prepared to participate in drug and arms smuggling on the Pakistani border. A joint investigation by the DEA⁵ and FBI in the U.S. in 2001 uncovered a transnational heroin network based in Peshawar and identified money launderers with alleged links to al-Qaeda. Maritime smuggling from Pakistan to Europe via the Gulf States was significant for financing al-Qaeda. In two weeks in December-January 2004, the U.S. Navy intercepted four ships carrying tons of hashish, heroin, and methamphetamine. Al-Qaeda members operated the first ship and had nearly two tons of hashish worth \$8–10 million on board (UNODC, 2009).

Hizb-i Islami (H.I.) had members and influence in many areas of Afghanistan and was an important insurgent group during the conflict in the nineties and was divided into two fractions, each led by a former anti-Soviet mujahideen. The first fraction was led by Gulbuddin Hekmatyar⁶ (HiG), and the second by Anwar ul-Haq Mujahid⁷. (HiK). The HiK

⁵ DEA – Drug Enforcement Administration, a U.S. government agency that conducts drug enforcement activities.

⁶ Gulbuddin Hekmatyar – Pashtun, Afghan politician and former mujahideen leader. In 1975, he founded the Hizb-e-Islami Gulbuddin (HIG) movement, modeled on the Muslim Brotherhood movement and the Islamist revolution in Iran. During the Afghan-Soviet war, HIG became one of the main beneficiaries of aid from Pakistan and America. As a result of the compromise in post-Soviet Afghanistan, Hekmatyar became Prime Minister of Afghanistan from 1993 to 1994 and again briefly in 1996, before the Taliban takeover of Kabul forced him to flee to the Iranian capital, Tehran. He returned to Afghanistan in late 2001 or 2002, and launched attacks against coalition forces, especially in northeastern Afghanistan.

⁷ Anwar ul Haq Mujahid (born 1967 in Nangarhar province) is the eldest son of the late Afghan militant leader Mohammed Yunis Khalis, founder of Hezb-e Islami Khalis. On 22 August 2016,

fraction was assigned to the Taliban in 2003 (UNODC, 2009). However, the Hekmatyar fraction was closer to al-Qaeda than to the Taliban. The group operated in eastern Afghanistan, particularly in the provinces of Kunar, Nuristan, and Laghman, and it benefited from the support and shelter in the neighboring border areas of Pakistan. Hekmatyar also maintained a certain degree of activity in his native Kunduz and the western province of Takhar; he directly confronted the Taliban in some areas of Afghanistan. Competition continued in regions such as Wardak and Logar. This fraction was not as strong in most opium-growing areas of Afghanistan, apart from provinces such as Kunar and Laghman. Given its influence on these provinces, it was assumed that Hekmatyar controlled their opium cultivation. Most of the drug-related financial benefits consisted of informal taxes on crops in border areas and, to a lesser extent, involvement in the production process. According to some experts, Hekmatyar was the only mujahideen who systematically used the profits from opium. Money from drug selling was a basis for the existence of the party and the maintenance of his army. Most of its commanders were involved in selling raw opium, furthermore, Hekmatyar also invested in laboratories in cooperation with Pakistani heroin syndicates. Hekmatyar likely maintained several laboratories in Nangarhar and Badakhshan provinces from which he drew funds for the rebellion (UNODC, 2009). Hekmatyar and his party play a significant role and propose intra-Afghan talks to form an inclusive government to replace the current Taliban interim government.

The Haqqani Network (HQN) was headed by Jalaluddin Haqqani⁸, a mujahideen known for his activities during the Soviet occupation of Afghanistan. The network operated in southeastern Afghanistan (mainly in Khost and Paktya provinces) and was based in neighboring North Waziristan (Federally Administered Tribal Areas of Pakistan). Haqqani's network maintained strong ties to the Taliban in Afghanistan and Pakistan and established several training camps in North Waziristan. Haqqani's network provided shelter and protection to al-Qaeda and conducted joint operations with group elements. Information from UNAMA suggested that al-Qaeda favored Haqqani over the Taliban as a “subcontractor” for complex and spectacular attacks. In addition to receiving financial support from al-Qaeda, members of Haqqani's network derived funding from cross-border trade, primarily the protection of drug shipments. Haqqani's network had a more limited territory than the Taliban, and its drug tariffs were lower. However, control of an important trade route from Miram Shah (North Waziristan) via Khost, Paktya, on to Logar, and on to Kabul provided them with significant benefits from the flow of goods to and from Pakistan (UNODC, 2009).

one of the Taliban's spokesmen, Zabiullah Mujahid, announced that Anwar ul Haq had pledged allegiance to the Taliban's new emir, Hibatullah Akhundzada.

⁸ Jalaluddin Haqqani, (b.1939) Pashtun, a veteran of the Soviet Afghan war, who later became a minister in the Taliban government. After the fall of the Taliban, Haqqani fled to his base in Waziristan and decided to join the insurgency. Due to his older age, he commanded his forces together with his three sons. One of Sirajuddin Haqqani's sons is the current Afghan interior minister and one of the two deputy commanders of the Taliban's supreme commander, Mawlawi Hibatullah Akhundzad. Another of the sons, Khalil Haqqani, in August 2021, after the fall of Kabul, became responsible for Kabul's security during the transfer of power, and on September 7, 2021, he was appointed Minister of Refugee Affairs in the restored Islamic Emirate of Afghanistan.

8. COUNTER-NARCOTICS AND ALTERNATIVE PROGRAMMES

The fight against drug trafficking has become a significant challenge not only for the Afghan government but also for the coalition troops conducting a stabilization operation on the territory of Afghanistan for two decades. Over the years of fighting the drug business in Afghanistan, several strategies have been developed to address the drug problem in Afghanistan. These strategies evolved and reflected lessons learned from previous drug efforts. The failures in the fight against the drug business in the initial phase of allied operations in Afghanistan resulted from the small effort of the interim government. The reluctance of the United States to engage in the fight against poppy cultivation also contributed to this. They believed that the priority was to break up the Taliban and al-Qaeda.

For the first time, the Afghan government introduced the National Drug Control Strategy to eliminate the production, consumption, and trade of opium, as recommended by UNODC in 2003. After taking office in 2004, President Karzai declared a “jihad against poppy”, declaring poppy cultivation illegal in Islam. His position was underlined by adopting a “zero tolerance” decree in the fight against drugs in January 2005, which banned the cultivation, production, abuse, and trafficking of drugs (C-MFC, 2012).

In 2005, in response to the growing cultivation of opium in Afghanistan, in coordination with the U.K. and the Afghan government, the United States took a more significant role in Afghan counter-narcotics efforts. The United States has developed its first five-pillar strategy to combat drugs in Afghanistan⁹. The strategy introduced eradication, defined as the “elimination of opium poppy cultivation by destroying illicit opium plants before farmers are able to harvest them”, which had not been a major focus of previous drug policies.

In 2006, the Afghan government issued an updated five-year, eight-pillar strategy, which also incorporated eradication. The Afghan strategy stated that the goal is to “secure a sustainable decrease in cultivation, production, trafficking and consumption of illicit drugs with a view to complete and sustainable elimination”. While in early 2002, the United Kingdom assumed “lead nation” responsibility for coordinating international counternarcotics activities, that responsibility shifted to the Afghan government as part of the 2006 Afghan Strategy. Eradication became the core of the drug policy in Afghanistan until 2009¹⁰ (C-MFC, 2012).

In April 2008, at the NATO summit in Bucharest, member states decided on a new approach and to give priority to the NATO mission in Afghanistan. The following four principles were adopted: solid and long-term commitment, strengthening the Afghan authorities and their accountability, a comprehensive approach by the international community taking into account the strengthening of civilian and military efforts, and the development of cooperation and engagement with Afghanistan's neighboring countries, in particular Pakistan (NATO, 2008).

In October 2008, at an informal meeting of NATO Defense Ministers in Budapest, it was decided that NATO would increase its military contribution to the fight against drugs. It was agreed that, in agreement with the Afghan government, NATO could influence

⁹ The five pillars include: Alternative Livelihoods, Elimination/Eradiation, Interdiction, Law Enforcement/Justice Reform, Public Information.

¹⁰ The eight pillars include: Public Awareness, International & Regional Cooperation, Alternative Livelihoods, Demand Reduction, Law Enforcement, Criminal Justice, Eradication, and Institution Building.

facilities and adversaries supporting the insurgency in an anti-drug context but only within the framework of a United Nations resolution (BBC, 2008).

The new strategy placed primary focus on interdiction of the nexus between narco-trafficking and the insurgency, but also emphasised agricultural assistance to farmers and comprehensive rural development. The objective of interdiction operations have been to decrease narcotics trafficking and processing by disrupting and dismantling drug trafficking organisations. NATO forces have been given permission to operate directly from the ground and air on drug infrastructure, raids on drug warehouses and laboratories (C-MFC, 2012).

However, direct attacks on drug laboratories have sparked a dispute between NATO and ISAF Command. The dispute concerned the conditions for violence against targets for which there was often no direct evidence that they were actively engaged in armed resistance against the Afghan government or coalition troops. Seemingly innocent people, ordinary workers, were often killed during such attacks (C-MFC, 2012).

In 2009, under the administration of U.S. President Barack Obama, the U.S. strategy was refined and adapted to the situation at that time. The strategy interrupted the U.S.-led elimination of poppy cultivation, stating that the strategy was "ineffective and prompted farmers to side with the Taliban". Recognizing that eliminating Afghan farmers from poppy cultivation, for whom opium was the primary or often the only source of income, the U.S. military distanced itself from destroying poppy crops and financially supported provincial governors who initiated the eradication using Afghan forces. The elimination was still conducted by Afghan governors at the regional level and carried out by the Afghan National Police.

Alternative crops were an essential pillar of the drug strategy. As an example, the activities of Gulab Mangal, the governor of Helmand province, can be cited on his initiative to create the Food Zone Program (Ghilzai, Qazi, 2016). The primary assumption of this program was the free distribution of wheat seeds, fertilizers for cultivation, and training aimed at teaching farmers about this crop. This program was financed mainly by the Americans and the British.

The alternative wheat cultivation program has been implemented on many farms, reducing poppy cultivation in Helmand province to more than thirty percent in 2009. However, some critics claimed that it had caused an increase in crops in the neighboring provinces (C-MFC, 2012).

Despite the Afghan government's substantial financial outlays and long-term efforts supported by coalition partners, the effects of drug policy measures have been poor. In the perspective of subsequent years, opium cultivation increased, reaching the highest level of 123,000 ha in 2009 to 328,000 ha in 2017, bringing adverse social effects to Afghanistan (UNODC AOS, 2019).

9. DRUG ADDICTION AMONG THE AFGHAN COMMUNITY

Afghanistan is not only the number one producer of opium and heroin globally, but it has also become a significant consumer of the drugs it produces. The growing problem of addiction among Afghan citizens is the result of three decades of wars, growing quantities of drug cultivation, and consequently, their low price and universal and unlimited availability, and on the other hand, limited access to medical care. The vast scale of addiction in Afghanistan brings various problems: social and health, increased crime, the

development of prostitution, and the spread of HIV and other blood-borne diseases. Drug addiction affects the individual and his own family and profoundly impacts society.

According to a 2009 UNODC study, there were 920,000 drug users in Afghanistan, of whom 120,000 were women (UNODC Survey, 2009). By contrast, in 2015, estimates were already in the range of 1.9 million to 2.4 million adult drug users, equivalent to 12.6% of the adult population, more than double the global rate of drug use of 5.2% that year (Ahmad Alaie, 2017).

As highlighted in a 2014 UNODC study, drug addiction was the primary source of domestic violence. More than half of the family members interviewed said they had been punched or struck by a drug-using relative during a confrontation over drug use. In many cases, addicts exhibited violence caused by the effects of drugs on the nervous system, causing mental disorders.

Women have become the most disadvantaged and vulnerable members of the Afghan community because the dependence on their husbands and sons primarily affects them as wives and mothers. When a man in the family becomes an addict, the family loses its breadwinner and primary caregiver, while the family foundation would gradually weaken. The number of children addicted to drugs continues to increase, and the impact of narcotics on them is devastating, especially in their education. Over a third of the children interviewed said they had been forced to leave school due to a family member's drug use. According to the 2014 UNODC report, more than 30% of those surveyed mentioned that children dropped out of school because of their parent's addiction (UNODC, 2014). The future of many children is threatened and destroyed because of their parents' narcotics dependence.

Drug use has a negative impact on the health of individuals and health of the society as a whole. Poverty, unemployment, peer encouragement, and easy drug access are the main factors of addiction. Drug addiction in Afghanistan is growing dangerously, and urgently needs a proper solution to the problem (Ahmad Alaie, 2017).

10. SUMMARY AND CONCLUSIONS

Drug production and trafficking and the related development of international criminal groups are one of the most severe problems of the modern world. Problems related to the drug business, and as a result of organized crime, arms trafficking, or human trafficking, appear where the institutions and the economic and social system of the state are disintegrating. Afghanistan has recently become the largest producer of opiates in the world.

The functioning of the opioid economy in Afghanistan has resulted in the systematic destabilization of state security, allowing the use of funds from drug cultivation, production, and trafficking for insurgent and terrorist activities.

The growing production of opiates in Afghanistan has produced adverse effects on the Afghan society, which has become consumers of the drugs it makes. The output of opiates has caused various social and health problems, an increase in crime, the development of prostitution, the spread of HIV and other blood-borne diseases but also on the international community by strengthening organized criminal groups involved in drug trafficking around the world. Drug addiction has begun to affect the individual and their family and profoundly impacted society.

Analyzing the problems related to the Taliban's return to power, it is difficult to clearly state in which direction the drug business in Afghanistan will go. Given the difficult

situation caused by the suspension of foreign aid, the economy has collapsed, and many Afghans have gone into famine. Such a situation may consequently lead to a humanitarian catastrophe, a migration crisis, and the collapse of the state.

The Taliban can compensate for the lack of money and foreign aid with funds from illegal sources, including the expansion of opium production. In this case, there will be a political reduction in pressure on the control of crops, production, and trafficking of drugs, which will lead to a drastic or gradual increase in opium production. According to the UNDOC 2022 report, since the Taliban took over Afghanistan in August 2021, opium cultivation has increased by 32%, or 56,000 hectares, compared to the previous year, making it the third-largest opium growing area in 2022 since the monitoring began. Increased levels of opium cultivation and production will increase the opioid trade and related criminal activities and an increasing number of users and overdose deaths.

As a result of the Taliban's ban on opium poppy cultivation in April 2022, opium prices have risen, resulting in farmers' income from opium sales tripling from \$425 million in 2021 to \$1.4 billion in 2022, equivalent to 29% of the value of the agricultural sector in 2021 (UNODC Research Brief, 2022). The 2022 ban on poppy cultivation could significantly reduce production, as it did in Afghanistan in 2000 under pressure from the world opinion. The reduced opium production has resulted in a drastic increase in opium prices in Afghanistan and heroin prices in Western Europe and the United States. Possible consequences of this move include a reduction in opium production for opium-supplied countries and heroin, resulting in a decline in use, a reduction in the number of new users and opioid deaths, and a reduction in opioid-related crime. It is also possible that users will replace heroin or opium with other similar substances.

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THE SIGNIFICANCE OF KNOWLEDGE MANAGEMENT PROCESSES FOR BUSINESS SUSTAINABILITY: THE ROLE OF SUSTAINABILITY-ORIENTED PROJECTS

The paper aims to investigate the correlation between knowledge management and business sustainability through sustainability-oriented projects. The role of projects in promoting sustainability is already recognized, with sustainability-oriented projects emerging as a pivotal mechanism for companies to actively contribute to sustainability goals. Theoretical arguments also suggest that the enhancement of knowledge management is crucial for the advancement of sustainable business. Still, assertions in both areas lack solid empirical verification. Simultaneously, there is a growing emphasis on exploring the connection between knowledge management and project management, as existing studies indicate that knowledge management enhances the efficiency and effectiveness of projects. However, the nexus between knowledge management, project management, and business sustainability remains largely unexplored. This study aims to address two questions: whether knowledge management has a positive effect on business sustainability, and whether it is mediated by sustainability-oriented projects. The research hypotheses are verified through a large-scale empirical study utilizing SEM.

Keywords: knowledge management, knowledge processes, business sustainability, sustainability-oriented projects, management, project management.

1. INTRODUCTION

Sustainable development, considered as one of humanity's most critical and urgent challenges, cannot be achieved without significant business involvement. The role of projects in the sustainable development of organizations and society is recognized and

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investigated (Sabini, Alderman, 2021), which has resulted in fast-growing stream of research on sustainable project management (Silvius, 2017). While business sustainability (BS) is realized through a variety of business commitments and activities for the benefit of contributing to sustainable development (Zgrzywa-Ziemak, Walecka-Jankowska, 2020), sustainability-oriented projects (SOP) are a direct way for business to be involved. These projects are possibly potent means of developing, implementing and validating new sustainable solutions within the business (internal projects), by the business (external projects) and in the space of inter-organisational collaboration (inter-organisational projects).

Knowledge management (KM) is considered as having a significant positive impact on BS. There are theoretical arguments that the intensification of KM processes, *incl.* acquisition, development, transfer and implementation of new knowledge in the area of sustainability, is essential for the development of a sustainable organization (Velazquez et al., 2011). There are also individual empirical results confirming that KM positively effects the sustainability of enterprise operations and that companies which promote creating, sharing and implementing new knowledge are more likely to engage in sustainable development practices (Kumari, Saharan, 2020; Sun et al., 2022). Some studies indicate that KM improves project management (PM) efficiency and effectiveness (Hu et al., 2019; Olukpe et al., 2010). However, it is still an under-research topic (Moutinho, Silva, 2022; Todorović et al., 2015).

The main purpose of the article is to explore the relationship between KM and BS through SOP. The current study addresses three main research questions:

RQ1: Does knowledge management affect positively business sustainability?

RQ2: Does knowledge management affect positively business sustainability, through sustainability-oriented projects?

Literature research was carried out to identify relationships between KM (process approach is adopted), PM (sustainability-oriented projects are chosen) and BS (sustainable performance approach is adopted). Research model was tested using SEM on a sample of 694 Polish and Danish companies.

2. LITERATURE REVIEW

2.1. Sustainability-Oriented Projects

Concepts of BS refer to the organization's objectives – in relation to sustainable development goals, processes or activities which constitute BS, characteristics of a sustainable organization and results – the contribution of organizations to sustainable development. Zgrzywa-Ziemak and Walecka-Jankowska (2021) propose the BS approach based on the sustainable performance (SP) construct and this approach is adopted in the paper.

Growing body of knowledge have coupled sustainability and PM (Goel et al., 2020; Sabini, Alderman, 2021). Different types of relationship between sustainability and PM are considered in the literature, foremost: the sustainability of the deliverable that the project realizes (content perspective) and the sustainability of the project's process of delivering and managing the project (process perspective) (Silvius, 2017). More recently, additional perspective has emerged that shifts the emphasis from management of specific project to project management within an organisation or even wider network arrangement (Silvius, Marnewick, 2022).

In the paper, SOP are considered. In this case, projects are potentially important organisational forms supporting the business involvement into sustainable development. Projects can be a form of developing, implementing and validating new solutions for sustainable development within the business (internal projects), by the business (external projects) and in the space of inter-organisational collaboration (inter-organisational projects).

2.2. Knowledge Management Processes

KM lacks an universally accepted definition, with various perspectives from theorists and practitioners. Bukovitz and Williams (2000) define KM as a process that enables an organization to generate value from intellectual assets or other knowledge-based resources, generating wealth for the organization. While Probst, Raub and Romhardt (2000) specifies it as an integrated set of activities aimed at the appropriate formation of knowledge resources. Initially, practitioners emphasized safeguarding intellectual capital and gaining a competitive edge through knowledge use (e.g. KPMG, PWC). Currently, these definitions increasingly include sustainability goals as well: KPMG for instance, describes it as a business model utilizing knowledge as an asset for sustainable advantage. Finally, the definitions presented in the literature revolve around three approaches: resource-based (based on Leonard-Barton's concept of wellsprings of knowledge, core competences), Japanese (concentrates on knowledge creating and development through socialization) and process-based (developed by practitioners). A process approach is the most commonly used, built on the experience of consultancies, in which the emphasis is on KM processes such as acquisition, development, transfer, codification and use (logic and ordering are characteristic of this approach, but knowledge is identified as information).

2.3. Knowledge Management and Business Sustainability

It is possible to point to studies by other authors in the literature in the context of KM's links to the concept of sustainability (e.g. López-Torres et al, 2019; Sun et al., 2022). It is worth to highlight the research contained in Abbas' work (2020), which reviled a significant and positive impact of KM on corporate sustainability, environmental and economic sustainability (not social sustainability) and, research model by Abbas and Sağsan (2019) linking KM, green innovation and corporate sustainable development. Iqbal and Malik (2019) in turn indicate that companies that promote their executives to discover, share and implement new knowledge (whether that knowledge relates to business processes, business policies, technological developments or other new trends in the business environment) are more likely to engage in sustainability practices, especially with regard to the environment, human resource management, community development and local development. Similar conclusions (although this time in the banking environment) are developed by Kumari and Saharan (2020), who found out that centralized banking systems are supported by KM systems, providing support for such sustainability efforts. Siebenhüner and Arnold (2007) emphasize the importance of KM processes for BS and the intensification of KM processes, *incl.* the acquisition, development, transfer and implementation of new knowledge in the area of sustainability, seems extremely relevant.

The empirical study aimed at verifying the following hypothesis: *H1: The knowledge management effects positively the sustainable performance.*

2.4. Knowledge Management and Project Management

A literature analysis addressed the importance of KM for PM results and project success, for shaping a project-oriented organisation, the role of KM in inter-organisational projects, knowledge transfer in projects, and the project as a source of knowledge. Moutinho and Silva (2022) indicate that KM improves PM efficiency. KM solves scheduling problems (Rokou et al., 2012), underpins risk management (Neves et al., 2014), improves project cost and quality management (Suresh et al., 2017). Several benefits of KM applied to PM are recognized in the literature, among other KM have an positive impact on lead time, innovation, project success, operational efficiency and generation of new knowledge, and other benefits (Oluike et al., 2010; Wu, Chen, 2010). On the other hand, a lack of KM has on projects, namely it is: inefficiency, repetition of mistakes and a lack of lessons learned (Suresh et al., 2017). In turn, Liu and Liu (2009) propose a framework for KM in PM for those companies that implement projects. Kaiser et al. (2016) provide conceptual considerations for an information management system and a KM system in projects, with a focus on collaborative learning and knowledge sharing processes. Todorović et al. (2015) indicate that one of the main problems in KM in a project environment is poor analysis of project success and lack of adequate documentation of the results of previous projects.

Despite the growing number of publications on the topic, KM is still an under-researched topic in PM (Moutinho, Silva, 2022; Todorović et al., 2015). This article is therefore part of this research strand. The empirical study aimed at verifying the following hypothesis: *H2: The sustainability-oriented projects mediate the relationship between KM and sustainable performance.*

3. RESEARCH RESULTS

An empirical study was aimed at verifying the research hypotheses regarding the relationship between the KM process and SP and the role of SOP for this relationship. A conceptual model was developed (Figure 1).

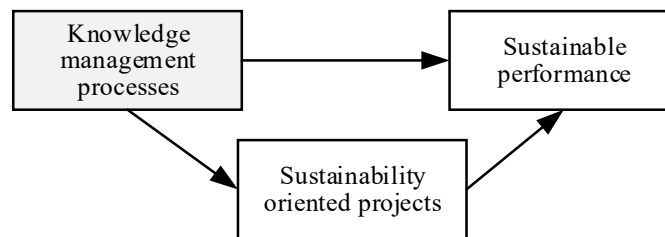


Figure 1. Conceptual framework of the relationship between KMP, SOP and SP

Source: Author's own work.

3.1. Research methodology

The survey was composed of the questions measuring each of 5 dimensions of KM processes (19 items), those referring to SOP (6 items), and 3 dimensions of SP (15 items). All items are rated on a 5-point Likert scale. The studies were conducted in the businesses functioning in Poland (391) and in Denmark (303). The research covered business organizations, employing at least 10 people. Higher-level managers or other people who

have a broad view of the entire enterprise were the respondents. Numerically similar groups as far as their sizes and significant diversification in terms of their industries were obtained. The primary statistical method was SEM (in AMOS 28).

3.2. The measurement of sustainability-oriented projects

The measurement scale has been developed based on the assumption that SOPs are projects focused on sustainable value-building. Model developed by Hart and Milstein (2003) is adopted, as it is an important model for structuring the notion of sustainable value in the context of the business contribution to both social and environmental problems, now and in the future (Senge et al., 2010). Accordingly, SOPs are those in which business engages in research initiatives on:

- radically new, proecological technological solutions, and products and/ or services oriented on solving significant social problems,
- improving the processes and/ or products to limit the negative impact of our operations on the natural environment,
- adapting the products and/ or services to clients that have been excluded so far (e.g. disabled, elderly, poor, minorities),
- whereby the company's product and/or process development projects are carried out in collaboration with stakeholders (suppliers, customers, local community, legislators, NGOs, etc.).

Secondly, commitment to SOPs manifests itself in the company's participation in inter-organizational projects for developing solutions that are socially and/or environmentally beneficial (with other organizations or the local community). The confirmatory factor analysis (CFA) was used to test SOP scale. The measures of the overall fit indicate the fit of the structural model: $\chi^2(9)=45.357$, $\chi^2/df=5.04$, NFI=0.96, CFI=0.967, RMSEA=0.076, SRMR=0.043.

3.3. The measurement of knowledge management processes

Processes-based approach to KM is adopted in the study. The KM process model is the result of solutions and practices developed in large consulting firms (Zieba, 2021). The measurement scale used for the research focused on the following processes: knowledge acquisition, development, transfer, utilization and storage (described by i.e. Zaim et al., 2007). Knowledge generation (acquisition and development) refers to activities that increase the stock of organizational knowledge, which can be done by improving and developing existing or by buying/renting information. In organizations there is a strong focus on mutual learning in teams. Moreover, the organization ensures that employees have access to the necessary knowledge, to various sources of knowledge and various channels of information exchange. The organization's information systems and their support services demonstrate high usability and reliability by providing a robust and trustworthy technological infrastructure. The final process that makes up the measurement of KM is utilization. It is important that organizations have robust early warning systems to monitor internal processes and those in the environment. The CFA was used to test the model. The measures of the overall fit indicate the fit of the structural model: $\chi^2(142)=459.598$, $\chi^2/df=3.237$, NFI=0.924, CFI=0.946, RMSEA=0.057, SRMR=0.046.

3.4. The measurement of sustainable performance

In the paper, organizational performance is understood holistically as sustainable performance (SP) and multi-dimensional scale which combines economic, social and

environmental performance is adopted (Tworek et al., 2019). The social performance is measured by: employee satisfaction, health and safety at work, customer satisfaction, the organization's contribution to the development of healthy and life-friendly communities in general, and the suppliers' compliance with social and environmental criteria. The economic performance is assessed by revenues, productivity (low costs), quality (robustness, reliability, diligence), return on investment (ROI), the number of new products and/or services successfully implemented. The environmental impact of the business' activities in terms of resources consumed and emissions and waste generated, the environmental performance. The CFA was used to test the SP scale. The measures of the overall fit indicate the fit of the structural model: $\chi^2(87) = 301.02$, $p < 0.001$, $\chi^2/df = 3.46$, NFI=0.911, CFI=0.935, RMSEA=0.06, SRMR=0.03. SP variable and the variables measuring each of the dimensions of SP should be considered reliable (Cronbach's α exceeds 0.7).

The reliability of the constructs and scales was assessed using Cronbach's α and composite reliability, indicating the adequate reliability of all constructs (cf., Appx. 1).

3.5. Study results

Table 1 contains descriptive statistics for all variables and Mann–Whitney U test statistics verifying the significance of differences in variables between Polish and Danish companies.

Table 1. Variables descriptive statistics and Mann–Whitney U test statistics (n=694).

Variable				Mann–Whitney U test	
	<i>M</i>	<i>ME</i>	<i>SD</i>	<i>Z</i>	<i>p</i>
SOP	2.05	2.12	0.55	-4.660	< 0.01
KMP	3.01	3.07	0.56	-1.929	0.054
KMP - acquisition	2.43	2.44	0.67	-5.398	< 0.01
KMP - development	2.80	2.86	0.62	-2.407	< 0.05
KMP - transfer	3.67	3.75	0.76	-1.745	0.081
KMP - storage	3.60	3.75	0.79	-1.795	0.073
KMP - utilization	3.53	3.67	0.83	-0.455	0.649
SP	3.47	3.44	0.51	-2.097	0.036
Economic performance	3.42	3.43	0.56	-1.070	0.285
Environmental performance	3.46	3.40	0.61	-2.897	< 0.01
Social performance	3.54	3.60	0.67	-1.009	0.313

M – mean; *ME* – median; *SD* – standard deviation; *Z* – Mann–Whitney U test, *p* – significance level.

Source: Author's own work.

The Mann–Whitney U test was used to check whether the organizations from Poland and Denmark differ in terms of their KMP, SOP and SP (cf., Table 1). The results revealed that there are significant differences between companies operating in Poland and Denmark with regard to the intensity of knowledge acquisition and new knowledge development processes (they are statistically significantly higher in Denmark). In addition, companies operating in Denmark are more committed to SOP than those in Poland, and they also achieve higher SP (due to the environmental dimension). There are no significant differences in total KM processes depending on the country.

The correlation analysis showed that all three variables are significantly correlated with each other ($p < 0.01$): KMP, SOP and SP (Appx. 1). However, understanding the nature of the relationship between the phenomena under study requires in-depth analyses, SEM was developed (Figure 2).

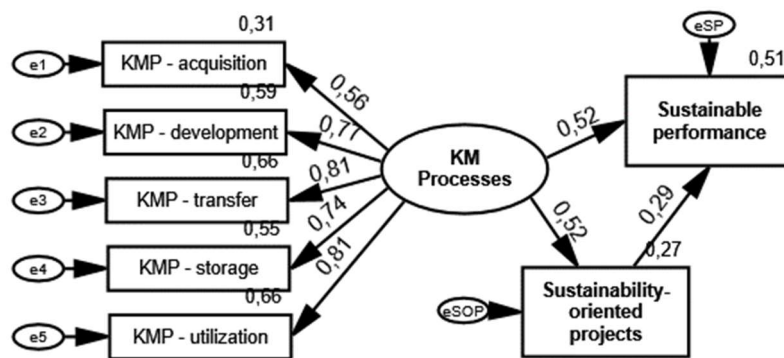


Figure 2. The mediation model of the effect of KMP on SP, where SOP is a mediator
Source: Author's own work.

The measures of overall model fit indicate the fit of the structural model: $X^2(39)=310.786$, $X^2/df=7.960$, $NFI=0.933$, $CFI=0.94$, $RMSEA=0.071$, $SRMR=0.028$. All estimated parameters are significant ($p < 0.001$). Constraint Multi-Group Analysis revealed that there are not significant differences between groups of companies operating in Denmark and Poland in relation to: the effect of KMP on SP ($X^2(1)=3.271$, $p=0.071$), KMP on SOP ($X^2(1)=0.131$, $p=0.718$) and SOP on SP ($X^2(1)=1.213$, $p=0.271$).

To verify research hypotheses, whether KMP positively effects SOP and SP, and whether SOP mediates the relationship between KMP and SP (in accordance to conceptual model, Figure 1), the Hayes Process macro was used. It is dedicated to perform mediation analysis and it provides the results of the analysis in a more systematic and comprehensive manner than SEM. The main results of the analysis are presented in Appx. 2.

The study revealed a significant positive effect of KMP on SOP ($b=0.502$, $t=15.556$, $p < 0.001$). The R-square is 0.259 ($F(1,692)=241.999$; $p < 0.001$), indicating that 26% variation in SOP is accounted by KMP. According to total effect model KMP has a significant positive impact on SP ($F(1,692)=466.962$; $p < 0.001$), 40% change of SP is accounted by KMP (the R-square is 0.403). There is a significant direct effect of KMP on SP in presence of the mediator ($b=0.433$, $t=14.783$, $p < 0.001$) and significant indirect effect of KMP on SP ($b=0.149$, $p < 0.001$) with mediating role of SOP. It should be noticed that SOP has a significant, positive impact on SP ($b=0.298$, $t=10.051$, $p < 0.001$).

The study assessed the mediating role of commitment to SOP on the relation between KM processes and SP. This is a partial and complimentary mediation – KMP effects SP directly and indirectly through SOP (Table 2).

To sum up, both hypotheses H1 and H2 are accepted: KMP effects both SOP and SP, and SOP mediates the relationship between KMP and SP. Model appeared to appropriately characterise the relationship between KMP, SOP and SP. KMP emerges as a significant factor influencing positively SOP and BS. At the same time, the effect of KMP on BS is greater the higher commitment to SOP.

Table 2. Mediation Analysis Summary for relationship: KMP → SOP → SP

Model	Total Effect	Direct Effect	Indirect Effect	Confidence Interval		Conclusion
				Lower Bound	Upper Bound	
Total sample (n=694)	0.582 (p<0.001)	0.433 (p<0.001)	0.149	0.115	0.186	partial and complementary mediation

Source: Author's own work.

4. CONCLUSIONS

Empirical research underscores the crucial and positive role of KM on commitment in SOPs. In addition, studies have also shown that KM has a key role for SP. The study underscores the mutual interdependence of these two factors, suggesting that as organizations refine their KM practices, a simultaneous and discernible enhancement in their commitment to sustainable initiatives occurs. Furthermore, the research findings emphasize that the impact of KM on SP becomes more pronounced with a higher degree of commitment to SOPs. This implies the existence of a reinforcing cycle wherein a strategic focus on KM not only fortifies commitment but also amplifies positive outcomes concerning sustainable practices within organizations. The study suggests that concerted efforts directed toward improving KM can contribute to the establishment of more sustainable organizational practices.

It is essential to underline that the research presented above has some limitations. First, model verification is based only on two samples (from Poland and Denmark). Secondly, the research sample was not representative. However, efforts were made to ensure that the number of groups of organizations of different sizes was similar for both countries.

Further research could attempt to test continuity to see changes in KM, SP and SOPs (this study represents a snapshot in time). Likewise, increasing the size of the research sample and expanding the research to include companies operating in other countries (replication of research) would allow for generalization of the results. Moreover, the hypotheses require further verification in different business contexts – i.e., considering other (internal and external) factors that impact organizational performance and BS, as emerges from the literature review. In addition, the conclusion referring to the differences between countries (cultural or technological advancement and resources) is undoubtedly an attention-grabbing direction.

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Appendix 1. Correlations and coefficients for all variables (n=694)

Variables	<i>It</i>	α	<i>CR</i>	<i>AVE</i>
1. SOP	6	0.80	0.80	0.41
2. KMP total	5	0.85	0.86	0.55
3. KMP – acquisition	3	0.72	0.77	0.53
4. KMP – development	4	0.83	0.88	0.65
5. KMP – transfer	4	0.82	0.85	0.60
6. KMP – storage	4	0.84	0.85	0.59
7. KMP – utilization	4	0.75	0.83	0.54
8. SP	3	0.78	0.87	0.69

All correlations are significant at the 0.01 level.

α – Cronbach's alpha, *CR* – composite reliability, *AVE* – average variance extracted, *It* – number of items

Appendix 2. Regression results for KMP and SP relationship – SOP as a mediator (n=694)

Output variable	Variable	Coeff.	SE	t-Stat	P value	R	Adj. R ²	MSE	F-statistic	P Value
SOP	constant	0.537	0.099	5.428	0.000	0.509	0.259	0.223	241.999	0.000
	KMP	0.502	0.032	15.556	0.000					
SP	constant	1.557	0.079	19.752	0.000	0.692	0.479	0.136	317.731	0.000
	KMP	0.433	0.029	14.783	0.000					
	SOP	0.298	0.029	10.051	0.000					
SP	constant	1.717	0.083	20.790	0.000	0.635	0.403	0.156	466.9621	0.000
	KMP	0.582	0.027	21.609	0.000					

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CONSUMERS' OPINIONS ON THE USEFULNESS, UNDERSTANDABILITY, AND RELIABILITY OF PRODUCT CLAIMS ON NATURAL COSMETICS PACKAGING

Packaging and its integral elements can be among the carriers of product claims, which often encourage consumers to purchase cosmetics, and many make purchasing decisions based on them. There is, therefore, a tendency to put an increasing number of claims on packaging; these, according to requirements, should be useful, understandable, and reliable. This article aims to determine the importance of information placed on packaging during the purchase of natural cosmetics in comparison with other packaging elements, and to assess the usefulness, understandability, and reliability of selected groups of product claims placed on natural cosmetics packaging. The results confirm that the information placed on the packaging of natural cosmetics is an important element to which consumers pay attention. The most useful, understandable, and reliable claims are performance claims, ingredient-related claims, and environmental claims.

Keywords: product claims, natural cosmetics packaging, labelling.

1. INTRODUCTION

Nowadays, cosmetics are treated as necessities and the beauty industry is one of the fast-growing industries, estimated by Statista (2019) to be worth USD 545 billion in 2027. One of the leading trends in the industry at the moment is natural products, which are estimated to have an annual market growth rate of around 9.6% (Market Research Future, 2019). According to Mintel (2020), between 2020 and 2030, consumers will expect so-called 'clean cosmetics', not only in terms of their composition, but also in terms of their environmental and social impact throughout the product life cycle. Additionally, according to the Organic Trade Association (2021), the current strengthening of the natural cosmetics

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trend has been influenced by, among other things, the pandemic and the increased interest in environmentally and health-friendly solutions.

Natural cosmetics belong to a group of products that, in most cases, in order to become marketable, require packaging that is a key element of the marketing communication system, considered as a sign system. They are a channel of communication that carries coded information about the product. They play an important role during the consumer's purchasing decision. This also applies to natural cosmetics, on the packaging of which, in addition to obligatory signs, manufacturers like to place various claims suggesting, for example, the composition, functions and advantages of the products. These claims often encourage consumers to purchase the cosmetic product in question. For this reason, it was decided to investigate the opinion of consumers of natural cosmetics on the claims made on the packaging of these products, and the aim of this article is to determine the relevance of the information and to assess the usefulness, understandability and reliability of selected groups of product claims made on the packaging of natural cosmetics.

2. COMMUNICATION FUNCTION OF COSMETIC PACKAGING

Packaging is regarded as an integral part of a cosmetic product, which performs the functions assigned to it. Their primary role is to protect and secure the product. However, in addition to their protective function, packaging has a communicative function, being a carrier of information, including product claims. Furthermore, they create an appropriate brand image. Of the many tools that interact at the point of sale, packaging is the most important. For this reason, many manufacturers note the increasing importance of packaging in the market communication process and see it as a tool for creating a unique positioning and acquiring a competitive advantage (Przewoźna-Skowrońska, Dewicka, 2016; Rebollar et al., 2017; Purwaningsih et al., 2019). This is also the case for natural cosmetics. According to Bellomo (2021), the packaging of a cosmetic product, including a natural one, performs a number of different functions, including protecting the cosmetic from contaminants and external conditions, facilitating the application of the product, as well as by its appearance influencing attention to the product and enabling communication with the consumer. Also, Nerwerli-Guz (2011) emphasized the multifaceted role of cosmetic packaging, which, in addition to its protective function, now has an informative and marketing function. Also, Shimul et al. (2022) pointed out the important role of the labelling of organic cosmetics in a company's marketing activities. Kappogiani (2011) and Wiwatanaputit (2018), on the other hand, proved that packaging and the labelling on it is an important element affecting the effectiveness of a natural cosmetic's marketing strategy, and The Benchmarking Company (2008) indicated that the majority of women who purchase natural cosmetics read labels carefully before buying them. In addition, the Naturativ (2018) brand proved that consumers who purchase natural cosmetics pay attention to more information than those who do not regularly purchase these products.

Packaging is therefore a tool often used to inform consumers about the properties of a cosmetic product, including its natural character. This is especially the case for unitary packaging, whose purpose is to deliver the product to the final consumer. They are often the only way to communicate relevant information about the product itself, which helps consumers to make informed decisions. They are one of the primary sources of product information on which mandatory labelling is carried out, i.e., without which the packaged cosmetic product will not be placed on the market. In addition to the mandatory labelling required by law, manufacturers often include additional information of a promotional,

educational, informative nature. This is voluntary information, the inclusion of which on the packaging is not mandatory but depends solely on the manufacturer and his policy. Their purpose is to create a certain image of the product or brand. Only some of them are legally regulated, e.g., as to presentation, form, and conditions to be met in order to label a product in a certain way. However, all optional information must be truthful and not mislead consumers. One of the voluntary statements on cosmetic packaging are product claims.

3. PRODUCT CLAIMS AS A TOOL FOR CONSUMER COMMUNICATION

Product claims are understood to be statements in the form of text, names, trademarks, images and other symbols, which serve to inform the consumer about the characteristics and features of the products. They may take the form of certificates granted by external bodies upon fulfilment of their requirements, but they may also be claims made by the manufacturer. They are the primary means of differentiating cosmetics and relate to their function, composition, and performance. They serve to inform at the labelling, sales and advertising stage of cosmetics (Commission Regulation (EU) No 655/2013; Regulation (EC) No 1223/2009 of the European Parliament and of the Council).

According to Cosmetics Europe (2019), 8 most common groups of claims can be distinguished:

- ingredient-related claims, which relate to the ingredients in the product, their properties and mode of action, e.g., “90% ingredients of natural origin”, “contains mango extract”,
- performance claims, which are claims about the product's function, e.g., moisturizing, wrinkle reduction, whitening, etc.,
- comparative claims relating to the indication of the effects after use of the product or comparing the cosmetic to similar products, e.g., “after 2 weeks of use, the skin is firmer”,
- sensory claims that relate to the sensory attributes of the product, e.g., “gentle, foaming formula”,
- consumer perception claims relating to the subjective perception of a product's sensory and performance attributes and attractiveness, e.g., “100% of respondents confirmed significant improvement in stretch marks and scars after 8 weeks of product use”,
- claims related to life-style choices, personal values and beliefs, that enable consumers to choose a product according to their values, e.g., “vegan product”, “kosher product”,
- environmental claims relating to the product's environmental performance, e.g., “contains no microplastics”,
- hyperbolic/puffery claims, which should not be taken literally and which are metaphorical and hyperbolic, e.g., “the smell of the gel will transport you to a freshly mown meadow”.

Regardless of the type, it is mandatory for product claims to comply with the requirements of Commission Regulation (EU) No 655/2013 of 10 July 2013 establishing common criteria for the substantiation of claims made in relation to cosmetics. This regulation is in line with other horizontal legislation on the issue of ethical communication of, inter alia, cosmetic products and marketing claims on their packaging, i.e. the Unfair Commercial Practices Directive (UCPD), which aims to protect consumers and their

economic interests, and the Misleading and Comparative Advertising Directive (MCAD), which aims to protect traders against unfair commercial practices in the form of advertising. The requirements set out therein include: legal compliance, truthfulness, evidential support, honesty, fairness, and informed decision-making.

However, Commission Regulation (EU) No 655/2013 does not specify what declarations can be made on, i.a. the packaging of natural cosmetics, but indicates that when providing information to consumers, a so-called 'flexible approach' should be adopted and the specifics of the market in question, especially social, linguistic and cultural aspects, should be considered. This is intended to increase the level of innovation as well as the competitiveness of the cosmetic industry. Furthermore, according to the Regulation, product claims must be useful, understandable and reliable and enable consumers to make informed decisions and choose products that meet their needs and expectations.

These claims are an excellent marketing tool and can increase a company's competitiveness, which is why there is a trend to include more and more claims on the packaging of new products (Cousté et al., 2012; Ankiel-Homa et al., 2014). As pointed out by Kozik (2022), on average there are several claims on the packaging of a natural cosmetic, which have different forms: short and concise slogans, elaborate messages or graphic symbols. These range from information whose inclusion is the manufacturer's idea to certifications granted by external bodies. However, some researchers have pointed out that manufacturers commit abuses by including claims on natural cosmetics packaging that serve only marketing purposes and not the actual description of product properties (Konopacka-Brud, 2010; Póltorak, 2013; Lixandru, 2017; Pawlik et al., 2017; Soil Association, 2017; The Derm Review, 2021). It is also common practice to include unsupported statements that omit information to assess their accuracy. Less common are vague statements that contain general assertions that make it impossible to clearly assess their correctness and false statements that are made-up and do not correspond to reality (Kozik, 2022). Kuituen (2021), on the other hand, found that, according to consumers, product packaging lacks valuable information, which causes frustration among them.

The multiplicity of claims, the lack of clarified requirements and the inadequacies present in the industry are causing confusion among consumers, a decrease in their trust, as well as their satisfaction with the information provided by the various natural cosmetics packaging. Therefore, it was decided to assess which groups of claims on natural cosmetics packaging are useful, understandable and credible in the opinion of consumers of these products. The definition of usefulness is: the extent to which the information, its scope and presentation can influence the decision of the person receiving the message and is used by him/her for his/her own purposes. The definition of understandability, on the other hand, is the one developed by Lisińska-Kuśnierz (2014), according to which information comprehensibility is 'the degree to which the physical appearance of information determines the ordering, consistency and reception of the meaning of the message as intended by the sender by the general public'. Credibility, on contrast, has been defined as the degree to which the information, its presentation and/or its source are considered trustworthy on a given issue by the person receiving the message.

4. RESEARCH METHODOLOGY

The aim of the study was to examine the opinions of consumers of natural cosmetics on the claims made on the packaging of these products. The scope of the study was to determine the validity of the information placed on packaging when purchasing natural cosmetics in comparison to other packaging elements and to assess the usefulness, understandability and reliability of selected groups of product claims placed on natural cosmetics packaging. The groups of claims were selected based on the division proposed by Cosmetics Europe (2019).

Conducted research was carried out in a quantitative manner. A CAWI survey method was used. The research tool was an electronic survey questionnaire consisting of two parts.

The first part contained 5 questions, of which 1 was a filter question allowing the selection of people who use natural cosmetics to answer subsequent questions. The substantive part used closed questions, i.e. with predetermined answers, among which were:

- alternative questions, i.e., allowing the respondent to indicate one of two mutually exclusive answers,
- scale questions, allowing one to find out the degree or intensity of the respondents' attitudes and assessments towards the phenomenon under investigation,
- conjunctive questions, i.e., questions to which the respondent can indicate at least two of the given answer options (Mazurek-Łopacińska, 2016).

Respondents were introduced to the definitions of usefulness, comprehensibility and reliability before answering the questions.

On the other hand, the second part – the classifying part – consisted of 6 questions, which had a closed form and concerned: gender, age, education, professional situation, place of residence, assessment of income situation monthly. The cafeteria for the metric questions was created based on, among others, the statistical yearbooks of the Central Statistical Office of Poland.

The data obtained in the study were subjected to statistical analysis. The analysis of quantitative variables (i.e., expressed as numbers) was performed by calculating the mean, standard deviation, median and quartiles. The analysis of qualitative variables (i.e., not expressed by number) was performed by calculating the number and percentage of occurrences of each value. The analysis was performed in R software, version 4.3.0.

The survey was conducted in 2022 among 621 respondents of whom 121 were not consumers of natural cosmetics. Therefore, the responses of a purposively selected sample of 500 respondents who purchased natural cosmetics were analyzed.

The characteristics of the group of subjects taking part in the survey are shown in Table 1.

Table 1. Characteristics of the surveyed consumer

Characteristics		Users of natural cosmetics (n=500)		Non-users of natural cosmetics (n=121)	
		n	%	n	%
gender	female	361	72.2	64	52.9
	male	139	27.8	57	47.1
age	≤24	38	7.6	4	3.3
	25–34	138	27.6	26	21.5
	35–44	89	17.8	23	19.0
	45–54	110	22.0	29	24.0
	≥55	125	25.0	39	32.2
education level	primary school	9	1.8	2	1.6
	lower secondary school	8	1.6	1	0.8
	basic vocational school	54	10.8	23	19.0
	secondary school	164	32.8	48	39.7
	post-secondary school	53	10.6	7	5.8
	college and above	212	42.4	40	33.1
employment situation	student	24	4.8	0	0.0
	employed	358	71.6	68	56.2
	unemployed	15	3.0	10	8.3
	retiree/pensioner	71	14.2	36	29.7
	housekeeper	32	6.4	7	5.8
place of residence	village	94	18.8	38	31.4
	city with less than 20,000 inhabitants	55	11.0	14	11.6
	city of between 20,000 and 50,000 inhabitants	76	15.2	15	12.4
	city of between 50,000 and 100,000 inhabitants	68	13.6	11	9.1
	city of between 100,000 and 500,000 inhabitants	121	24.2	26	21.5
	city of more than 500,000 inhabitants	86	17.2	17	14.0
assessment of monthly income	very good	40	8.0	3	2.5
	good	134	26.8	24	19.8
	average	261	52.2	57	47.1
	bad	56	11.2	32	26.5
	very bad	9	1.8	5	4.1

Source: Own analysis based on the survey conducted in the project number 037/ZJO/2022/PRO 'Przydatność, wiarygodność i zrozumiałość informacji zamieszczanych na opakowaniach kosmetyków naturalnych' Cracow University of Economics.

5. THE RESEARCH RESULTS

Analysis of the data revealed that information on packaging is the second most important element of packaging for consumers (3.63). Only the functionality of packaging (e.g., opening, dosing) was found to be more important (3.72). Packaging material (type, quality) was rated as less important than information (3.27). Further elements, i.e., shape (2.84), graphic elements (2.72) and packaging colours (2.50) were rated as unimportant.

Detailed results as to the importance of individual packaging elements are presented in Table 2.

Table 2. Elements of packaging relevant during purchase

Elements	N	Average	SD	Median	Min	Max	Q1	Q3
packaging colours	500	2.50	1.05	3	1	5	2	3
information	500	3.63	1.01	4	1	5	3	4
graphic elements	500	2.72	1.03	3	1	5	2	3
packaging material	500	3.27	1.06	3	1	5	3	4
shape	500	2.84	1.05	3	1	5	2	4
functionality	500	3.72	0.96	4	1	5	3	4

SD – standard deviation, Q1 – lower quartile, Q3 – upper quartile.

Source: Own analysis based on the survey conducted in the project number 037/ZJO/2022/PRO 'Przydatność, wiarygodność i zrozumiałość informacji zamieszczanych na opakowaniach kosmetyków naturalnych' Cracow University of Economics.

In terms of usefulness, the range of indications for the listed labels was between 45.4% and 89.4%. The most useful for consumers were ingredient-related claims (89.4%), performance claims (84.2%) and environmental claims (80.0%), which received 400 or more indications. The next most useful were claims related to life-style choices (76.2%), sensory claims (70.4%), comparative claims (68.6%) and consumer perception claims (59.8%). The claims that received the lowest number of indications – less than 250 – were hyperbolic/puffery claims (45.4%).

Detailed results as to the usefulness of product claims appearing on natural cosmetics packaging in the opinion of consumers are presented in Table 3.

Table 3. Usefulness of product claims in consumers' opinions

Claims	Usefulness (n=500)	
	n	%
ingredient-related claims	447	89.4
performance claims	421	84.2
comparative claims	343	68.6
sensory claims	352	70.4
consumer perception claims	299	59.8
claims related to life-style choices, personal values and beliefs	381	76.2
environmental claims	400	80.0
hyperbolic/puffery claims	227	45.4

Source: Own analysis based on the survey conducted in the project number 037/ZJO/2022/PRO 'Przydatność, wiarygodność i zrozumiałość informacji zamieszczanych na opakowaniach kosmetyków naturalnych' Cracow University of Economics.

When assessed for understandability, the range of indications for each group of claims was between 56.8% and 88.4%. In contrast, the most understandable for consumers were ingredient-related claims (88.4%), product performance claims (86.4%) and environmental claims (80.6%), which were rated as understandable by more than 400 respondents. This

was followed by claims related to life-style choices, personal values and beliefs (79.6%), sensory claims (77.8%), comparative claims (75.6%) and consumer perception claims (70.8%). The least number of indications was given to hyperbolic/puffery claims (56.8%).

Detailed results regarding the understandability of selected groups of claims on natural cosmetics packaging are presented in Table 4.

Table 4. Understandability of product claims in consumers' opinions

Claims	Understandability (n=500)	
	n	%
ingredient-related claims	442	88.4
performance claims	432	86.4
comparative claims	378	75.6
sensory claims	389	77.8
consumer perception claims	354	70.8
claims related to life-style choices, personal values and beliefs	398	79.6
environmental claims	403	80.6
hyperbolic/puffery claims	284	56.8

Source: Own analysis based on the survey conducted in the project number 037/ZJO/2022/PRO 'Przydatność, wiarygodność i zrozumiałość informacji zamieszczanych na opakowaniach kosmetyków naturalnych' Cracow University of Economics.

In terms of reliability, the range of indications for each group of statements was between 44.8% and 84.4%. The most common assessed as reliable were ingredient-related claims (84.4%). In contrast, performance claims (79.8%), environmental claims (76.0%), claims related to life-style choices, personal values and beliefs (74.4%), sensory claims (63.8%), comparative claims (59.6%) and consumer perception claims (54.2%) were indicated as reliable by more than half of the respondents. Under 250 indications were given to hyperbolic/puffery claims (44.8%).

Detailed results as to the reliability of selected groups of information appearing on the packaging of natural cosmetics in the opinion of consumers are presented in Table 5.

Table 5. Reliability of product claims in consumers' opinions

Claims	Reliability (n=500)	
	n	%
ingredient-related claims	422	84.4
performance claims	399	79.8
comparative claims	298	59.6
sensory claims	319	63.8
consumer perception claims	271	54.2
claims related to life-style choices, personal values and beliefs	372	74.4
environmental claims	380	76.0
hyperbolic/puffery claims	224	44.8

Source: Own analysis based on the survey conducted in the project number 037/ZJO/2022/PRO 'Przydatność, wiarygodność i zrozumiałość informacji zamieszczanych na opakowaniach kosmetyków naturalnych' Cracow University of Economics.

6. DISCUSSION

The results of the study correspond with the work developed previously, as confirmed by research conducted by, i.a. Vergura et al. (2019), Bui et al. (2021), Bernard and Parker (2021), and Mohamad Daud and Hee (2021). As stated, consumers who seek information about a product are more likely to be positive towards the purchase of a natural cosmetic, and knowledge about a product and adequate information about its characteristics have a significant impact on consumers' perception of the quality of these products and purchase intentions. It is therefore important to use the right tools to provide information to the consumer. One of these is packaging, which, according to Moslehpour et al. (2021), is the most effective tool at the producer's disposal to influence consumers' purchasing decisions, and its role and importance is particularly important in the shop when the consumer is browsing the shelves (Kim, Seock, 2009; Singhal, Malik, 2021). The importance of the informativeness of packaging was pointed out by Cervellon et al. (2011), Cervellon, Carey (2011), Lin et al. (2018), Accenture et al. (2020) and Mobile Institute (2021), who found that the information on the packaging often enables consumers to see and identify natural cosmetics. In contrast, Jeong and Hwang (2011), Han et al. (2016) and Oh (2020) highlighted the impact of on-pack information on consumer satisfaction.

The frequency with which claims are indicated in terms of their usefulness, comprehensibility and reliability also reflects the results of the work of other Authors. As indicated by Naturativ (2018), Polski Związek Przemysłu Kosmetycznego (2019), Accenture et al. (2020), Sajinčič et al. (2021), Salve et al. (2021), consumers most often seek and use information on ingredients - including the presence or absence of specific ingredients, their origin, the content of natural or organic ingredients and the function of individual ingredients, as confirmed in this study.

Other frequently sought information among consumers of natural cosmetics is that on the performance and properties of the cosmetic, as evidenced by Żyngiel and Platta (2015), Naturativ (2018), Polski Związek Przemysłu Kosmetycznego (2019) and as also confirmed in this study.

In addition, environmental claims are also important for the majority of consumers of natural cosmetics, as evidenced by the results of studies conducted by Amberg and Fogarassy (2019), Azib (2019), Kantor and Hübner (2019), Kapoor et al. (2019), Sabahat and Emadul (2019) and Kang and Cho (2021), who indicated that factors such as environmental concern and ecological knowledge play an important role when purchasing natural cosmetics. In contrast, studies by Chin et al. (2018), Akter and Islam (2020), Abdulmoaz and Ayham (2021) and Zollo et al. (2021) found that the purchase attitudes of natural cosmetics consumers are mainly shaped by concern for the environment, interest in its state of degradation and natural resources, and that companies should emphasise the green attributes of products in their marketing efforts.

The somewhat lower understandability and credibility of claims was also pointed out by other researchers such as: Randiwela and Mihirani (2015), Ma et al. (2018), Lin et al. (2018), Kahraman and Kazançoğlu (2019) and Kozik (2021), emphasising that their level depends, among other things, on the consumer's knowledge of natural cosmetics. Thus, it can be assumed that regular purchasers of these products have a greater store of information about natural cosmetics. For non-buyers of natural cosmetics, low understandability and reliability of information was identified, which is one of the most important purchase barriers according to Dimitrova et al. (2009), Wiwatanaputit (2017), Lin et al. (2018), Kapoor et al. (2019), Firek and Dziadkowiec (2020), Bernard and Parker (2021), Mobile

Institute (2021), Sadiq et al. (2021), Sharma et al. (2021), Šniepienė and Jankauskienė (2021), Lavuri (2022).

7. CONCLUSIONS

A key element of packaging is the product claims on it, which aim to enable consumers to make informed decisions and choose products that meet their needs and expectations. As demonstrated by Naturativ (2018) and Chandon (2020), many consumers make purchasing decisions precisely based on the claims made on packaging.

This corresponds with the results of the present study, which proved that the information on the packaging of natural cosmetics is an important element that consumers of these products pay attention to, and that the product claims are useful to consumers, which indicates the significant role of the claims in their purchasing decisions and evaluation of the natural cosmetic in question, as well as being understandable and reliable. Considering the aforementioned criteria, the hierarchy of the labels followed a similar pattern, reflecting the needs of consumers who would like product claims to provide them with specific information mainly related to the composition, action and function of the cosmetic. Environmental issues are equally important to consumers of natural cosmetics, and this is also worth communicating on the packaging. They make slightly less use of claims that enable them to choose a product in line with their values, as well as those related to the sensory and functional attributes of the product and its attractiveness. They also find these claims slightly less understandable and credible. The least useful, understandable and credible claims are exaggerated claims that are hyperbolic and metaphorical and not literally understood by consumers.

In consideration of the above, it is worthwhile for manufacturers to include product claims on the packaging of natural cosmetics in addition to the mandatory information, as they are mostly useful, understandable and credible to consumers. At the same time, they should ensure that the number and architecture of the information and signs on the packaging is appropriate, focusing mainly on those that are most relevant to the consumer and dispensing with claims that are unnecessary for the consumer. The correct placement and prominence of information can effectively improve the finding of specific information messages, as well as their interpretation and, consequently, the effectiveness of the packaging's marketing communication. It is therefore important that, after the initial interest by means of shape or colour, the packaging maintains the consumer's curiosity through clear, legible and, above all, useful, understandable and credible information.

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LEGAL ACTS

- Commission Regulation (EU) No 655/2013 of 10 July 2013 laying down common criteria for the justification of claims used in relation to cosmetic products. OJ L 190/31.
- Regulation (EC) No 1223/2009 of The European Parliament and of The Council of 30 November 2009 on cosmetic products. OJ EU L 342/59.

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THE ADMINISTRATIVE-LEGAL POSITION OF THE COMMISSION FOR SECURITY AND ORDER

Public safety and order are special goods, being of interest to both national and local government administrations. In local government, a special role is played by the intermediate level of public affairs management; that is, the county (powiat). Tasks in the field of security and order at the county level are carried out mainly by the commission for security and order, which, under current legislation, appears as a multi-member specialized auxiliary body of the head of the county. The purpose of this article is to present the administrative-legal position of the commission for security and order, and to explore its competencies and tasks, as defined in both constitutional law and substantive laws. It also discusses the personnel structure of the commission, the procedure and rules for appointing its members, and the principles of financing its work.

Keywords: commission for security and order, local government, county, county governor, public administration integration.

1. INTRODUCTION

In the structure of public authority, the legislator assigned a special place to counties. They fulfill a complementary role to municipalities by carrying out supra-municipal tasks, while at the same time fulfilling important tasks of a state nature. The catalog of the latter includes, in particular, tasks in the field of security and public order. In view of the current system paradigm of the intermediate level of local government, the implementation of county tasks in the field of security and public order is generally carried out by the competent county governors (Kotulski, 2001). In administrative doctrine, there is a belief that the implementation of county tasks on the issue of security and order shows a high degree of complexity, requiring extensive substantive general and specialized knowledge (Jagoda, 2009). Therefore, the activity of the county governor in the implementation of tasks relating to broadly understood security and public order is supported by a number of entities, among which the chief position is occupied by the mandatory commission for security and order. Decoding the complexity and importance of the issue of security *sensu*

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largo for the functioning of local government, as well as the existence of an efficient state, became the direct inclination of administrative-legal cognition of the role of the commission for security and order, forming the content of this article.

2. ESSENCE AND NATURE OF THE COMMISSION FOR SECURITY AND PUBLIC ORDER

Consideration regarding the subject of this study should begin by defining the basic concept, which is the multi-faceted term security and public order. It consists of a conjunction of two words: security and order, each defined differently. Public security includes the protection of the interests of the state and the protection of the health and life of citizens, property from any behavior that harms legally protected goods. Public order, on the other hand, is the totality of legal norms and rules that guarantee the proper functioning of the state (Strzyczkowski, 2004). Certainly, security and public order are legal terms whose legal definitions are nowhere to be found in the current legislation. For the purpose of this study, it can be treated as one collective doctrinal term (Kasiński, 2017). This state of affairs is confirmed by the fact that the tasks of public authority in the field of security and public order on the one hand, are primary portions strongly rooted in the consciousness of societies, and on the other hand, exhibit a complex praxeological code. The lack of a clearly formulated legal definition of the term paradoxically may open the way for conducting even more effective activities on the subject of maintaining a high sense of security and public order (Mączyński, 1998).

However, it should be remembered that the overinterpretation of the term security and public order can also lead to the emergence of behavior unfavorable to democracy, extreme cases can contribute to the birth of police, totalitarian states, whose actions will be explained by the need to maintain a high level of security and public order. Therefore, in order to prevent the formation of pathologies, the definition of this multifaceted concept should be sought in the body of doctrine and administrative-legal jurisprudence. In light of the search made for a definition of the term "public order and security", the detailed presentation of which in this study, due to the limited editorial area of the publication, is impossible, I will only present a generalized version of it. In the most general terms, public security and order is a special, extremely broad area of interest for public administration, consisting in maintaining the proper internal state of an organized community, enabling it to function undisturbed, properly in accordance with the applicable laws (Sienkiewicz-Małyjurek, 2010).

Issues of security and public order are not, as they were in the past political system, only the domain of the state administration, they also concern a number of other entities including local government units. Among local government units, a special role in the subject of shaping security and public order is played by counties, at the level of which the catalog of tasks in this area is the broadest (Mączyński, 2007). The adopted concept of co-responsibility of public administration, both government and local government, for the maintenance of public safety and order is extremely correct, in line with the essence of decentralization of power (Sarnecki, 1999). For it is the case that security and public order cannot be attributed the qualities of statehood, since its realization is inextricably linked to the maintenance of a positive state of non-threat at the local and regional levels as well. In other words, there is no security and public order in the state without its realization at the lower levels (municipal, county, provincial), together forming the unitary structure of the state.

The second concept that requires a few words of commentary, especially in the dimension that is the subject of this article, is the concept of commission. The term "commission" is accompanied by a multitude of synonyms, their multiplicity results in the possibility of constructing a large number of definitions of the term, which in turn may suggest the vagueness of the term being defined. In fact, the occurrence of vagueness of the term is apparent, caused by the fact of emphasizing in the body of the definition the qualities of the defined commission. In the simplest terms, the term commission can be defined as a team of people appointed to carry out well-defined tasks, activities, research, analysis (Bartoszewicz, 1922). Thus, the commission on security and public order can be defined as a group, a set of competent and responsible persons appointed to carry out tasks in the field of security and public order. Such a qualification of the commission for security and order is most correct, although not complete. However, it should be emphasized at this point that the commission in question cannot be understood as a county body (Czarnow, 2003) or commission within the meaning of Article 17 of the Law of June 5, 1998 on county government (Act 2024, pos. 107). On the other hand, it is indisputable that it acts for the benefit of the local community, the county community, in order to increase the level of security and order in the county's jurisdiction, and in the case of the establishment of a joint security and order commission for the county and its neighboring city with county rights, the county and city community.

The above comments on the commission for security and order confirm that the existence of this structure shows an extremely complex constitutional essence. It is also confirmed by the queries carried out on the existing legal regulations, both those of the system and substantive law. The functioning of the commission for security and order was mainly regulated by the provisions of the already cited Law on County Government, its matter, however, has a slightly shorter legal existence than the Constitutional Law of County Government itself, as the administrative-legal existence of the commission for security and order dates back to October 19, 2001, when, by virtue of Article 4(2) of the Act of July 27, 2001 amending the Police Act, the Insurance Business Act, the Banking Law, the County Government Act and the Act – Provisions introducing laws reforming public administration, provisions (Articles 38a-38c of the Law on County Government) (Act No. 100, pos. 1048, 2001) comprehensively regulating the activities of the commission for security and order were introduced.

As mentioned above, the commission for security and order works for the county community, but it carries out this mission only implicitly, since the Local Government Law explicitly indicates in Article 38a paragraph 1 that the purpose of the commission for security and order is to carry out the tasks of the county governor in terms of his authority over county services, inspections and guards, as well as the tasks specified in laws in terms of public order and citizen security. Thus, the commission for security and order functions in the local government environment, it does not replace the county authorities, although in a certain sense it limits their powers, as in the case of the county board, to which the legislator assigns the task of preparing resolutions of the county council in Article 32 paragraph 2 item 1 of the county constitutional law, but this does not violate their competencies, but only supplements them, as does the support of the county governor's activities (Kisiel, 2014). It can be said that it constitutes a kind of multi-faceted auxiliary-opinionary internal body of the county, in fact, however, supporting the county governor functioning in the sphere of security and order, who is assigned statutorily defined tasks and powers referred to below.

3. TASKS AND POWERS OF THE COMMISSION FOR SECURITY AND ORDER

The tasks of the commission for security and public order are enumeratively defined in Article 38a paragraph 2, items 1–7 of the Law on County Government, the administrative-legal doctrine categorizes them into three basic groups. In the first group are tasks related to the assessment of threats to the security of citizens in the county area, in the second group is the task of preparing a draft of the county program for the prevention of crime and public order and security of citizens, and in the third group are consultative tasks, among which the county government law lists: giving opinions on the work of the police and other county services, inspections and guards, as well as organizational units performing tasks of public order and security of citizens on the territory of the county; giving opinions on drafts of other programs of cooperation between the police and other county services, inspections and guards, as well as organizational units performing tasks of public order and security of citizens on the territory of the county; giving opinions on the draft budget of the county - with regard to security and order on the territory of the county; giving opinions on drafts of local laws and other documents in matters related to the performance of tasks of public order and security of citizens; giving opinions, commissioned by the county governor, on other issues relating to public order and security of citizens (Martysz, 2020).

The assessment of security risks is made on the basis of documents and information on the work of district inspection and guard services. It includes all risks of certain security and order threats in the county's local jurisdiction (Szczypta-Kłak, 2021). The assessment of threats to security and order is a kind of threat map, it aims, for example, to improve security in the field of road traffic, telecommunication, etc. The assessment inspires further action to increase the level of security and order, optimal preparation of preventive measures. However, the information and data provided to the commission for security and order may not include personnel files of employees and officers of the services, inspections and guards, operational and reconnaissance or investigative materials, as well as files of individual administrative cases.

The assessment of threats to citizen security in the county area is the foundation for the development by the commission for security and order of the draft county program for crime prevention and public order and security of citizens (Żaroń, 2008). Its content is mainly preventive in nature, at the same time it is a document aimed at maintaining the cohesion of the inter-institutional security and public order environment (Mączyński, 2016). The development of a draft resolution on the relevant program in this case does not violate the competence of the county council to adopt a resolution on the county program of crime prevention and public order and citizen security. On the other hand, the preparation of the draft program by the commission for security and order may seem to be in conflict of authority with the county board, which, according to Article 32 paragraph 2 item 1 of the Law on County Government, has jurisdiction only over the county board. However, this view should be considered erroneous, since the commission for security and order, as stipulated by the Law on County Government, prepares a draft county program for the prevention of crime and public order and security of citizens, not the resolution itself on the matter. The draft of such a resolution is prepared by the county board, after the safety commission has prepared the content of the draft program. The applied solution seems correct due to the fact that the matter of the content of the program is a highly specialized and extremely complex matter, the preparation of which by the county board without the participation of specialized, experienced members of the security commission

could be burdened with defects and errors, having a direct negative effect on the level of security and order in the county area.

The opinion-giving tasks of the commission for security and order are generally defined in Article 38 paragraph 2 items 2 and 4 to 6 of the Law on County Government. These include: giving opinions on the work of the police and other county services, inspections and guards, as well as organizational units performing tasks on the territory of the county in the field of public order and safety of citizens; opinion on drafts of other programs of cooperation between the police and other county services, inspections and guards, as well as organizational units performing tasks in the county in the field of public order and safety of citizens; issuing opinions on the draft budget of the county – in the field of safety and order in the area of county jurisdiction; issuing opinions on drafts of local laws and other documents in matters relating to the performance of tasks in the field of public order and citizen security; giving opinions, commissioned by the county governor, on other issues relating to public order and citizen security. It should be noted that the opinion tasks in this view are not binding on both the county governor and the heads of the relevant county services, inspections and guards, and even other entities, lying outside the structure of public administration, acting in the field of security and order on the territory of the county on the principle of pluralization of tasks in this area (Mączyński, 2016).

The powers of the commission for security and order are specified in the provisions of the Law on county government in Article 38b paragraphs 1–3, and they are directly translated into the content of laws pertaining to the area of public security and order, which is the Law of April 6, 1990 on the police (act pos. 145, 20024), among others. Article 10 paragraph 5 of the cited law expresses the obligation of county (city) chiefs to make available to the commission for security and order, at the request of its chairman (county governor), documents and information relating to police work in the county, with the exception of personnel files of employees and officers, operational and exploratory, investigative materials and files on individual administrative matters. Similarly, the Law of August 24, 1991. on the State Fire Service (Act pos. 127, 2024), Article 14 paragraph 1 expresses the power of the county governor to request at any time information from the county chief of the State Fire Service on the state of safety in the field of fire protection. It should be noted that the commented provision prejudged that information on the state of fire safety and fire protection is considered at least once a year by the county council (Kwapisz-Krygel, 2014), completely ignoring the role of the commission and security and order in terms of the implementation of its tasks set forth in Article 38a paragraph 2 items 1–7 of the Law on County Government. A solution similar to the Act on the State Fire Service is introduced by the Act of March 14, 1985 on the State Sanitary Inspection (Act pos. 338, 2023), in Article 12a par. 3 and 3a stipulates that the state county inspector presents, at least once a year, to the county council information on the state of sanitary safety in the county, and in the event of comments, the county council is entitled to apply, by resolution, for action to be taken, by the competent state county sanitary inspector, to ensure an adequate state of sanitary safety in the county area. Also, in this case, the role of the commission for security and public order has been completely disregarded. The role of the county governor has also been depreciated, as he does not have, like the municipal executive bodies to issue, in the event of a sanitary emergency, a request for action by the state county sanitary inspector, aimed at ensuring the due level of sanitary safety (Kaczocha, 2023). This construction, however, seems entirely natural, since for some time now the county sanitary inspector has not been under the authority of the county, and only in the province remains under the authority of the competent voivode (Mazur, 2010).

However, the duplication of these solutions has not been explicitly expressed in other laws that have as their subject matter the area of security and order in the county. Among them are the Law of July 7, 1994 – Construction Law (Act pos. 682, 2023) and the Law of January 29, 2004 on Veterinary Inspection (Act pos. 12, 2024). This approach should not raise doubts with regard to the county veterinary inspection, since, as Article 5 item 3 of the Veterinary Inspection Law prejudices, the county veterinarian, as head of the county veterinary inspection, is part of the non-composite government administration, and is not subject to the composite under the county governor (Wincenciak, 2023). Doubts arise, however, in the case of the county building inspector, although in this case the county building inspector performs construction supervision tasks without being itself an authority of architectural and construction administration and construction supervision at the county level, as the competent county governor has been established as such an authority. It seems that building security, veterinary security are a slice of security, and if only for this reason should be taken into account in its maintenance at the county level in the work, if not of the commission for security and order, then certainly by the county council. This thesis is correct insofar as security and public order in the county is a slice of the security of the entire state (Pieprzny, 2020). However, it seems that, at least in theory, this should not pose a problem in realizing the commission's invoked powers, if only in view of the fact that these powers are expressed in statutory provisions, i.e. universally binding law that applies to all entities, both physical and legal, and especially to the administration, which should function on the constitutional principle of legalism and cooperation (Florczak-Wątor, 2023), as expressed in the Constitution of April 2, 1997 (Act No. 78, pos. 483, 1997).

The commission for security and order, for the purpose of carrying out its tasks, is authorized to cooperate with municipal governments in the county, associations, foundations, churches and religious associations and other organizations and institutions (Art. 38b paragraph 2 of the Law on County Government). This power seems to fulfill the plurality of public interest in the issue of security and order, as a category necessary for the proper functioning and development, both of each community and individual entities. Unfortunately, local government practice proves that this power of the commission is not widely used to maintain a high level of security and order in the county. Only about 5–10% of commissions for security and order in counties undertake cooperation with the social community (NGOs) in this regard (Okrasa, Szafrńska, 2014). Undeniably, the low cooperation activity of commissions for security and order in counties should be considered unfavorable, not correlating with the principle of cooperation. Such changes should be postulated that would increase public participation in this area. Certainly, this should not apply to all entities, as it is difficult to imagine that all social organizations should interact with commissions for security and order, but the participation of those organizations whose statutory area of activity is part of the subject of security and order seems extremely valuable.

The commission for security and order is mandated by Article 38b paragraph 3 of the Law on County Government to submit an annual report to the relevant county council of the commission's activities. The report shall be submitted no later than January 31 of the following calendar year of the annual report for the previous year. The indicated deadline is a statutory deadline of an instructional nature, and there are no specific sanctions or legal consequences for failure to comply with it. The prepared report is subject to publication in the provincial official gazette, without prejudice to the fact that it constitutes an act of local law. In view of the essence of security and order, the thesis expressed in the doctrine that it is advantageous to publish the contents of the report in a manner other than merely

through promulgation in the provincial official gazette. It should be further noted that the submission of the report to the county council results in the holding of a debate on the report, during which additions, changes may occur, not to the content of the report itself, but to the content of the county program for the prevention of crime and the protection of citizen security and public order. The county council, on the other hand, cannot accept or reject the report, it has no authority in this matter.

It is significant that the legislator, in defining the powers of the commission for security and order, constructed their scope by emphasizing the county governor's primary role. This is because the commission has practically no prerogatives to act independently, as the powers assigned to it depend on the activity of the county governor himself, who, as the Law on County Government indicates, is assisted by a collegial entity in the subject of the implementation of his tasks in the field of security and order. Such a formula is already well-known in the local government system, and a notable example of it is the village council, which supports the village head in his statutory duties.

4. ORGANIZATIONAL STRUCTURE OF THE COMMISSION FOR SECURITY AND ORDER

The commission for security and order is a collegial body. It is composed of persons from a wide spectrum of subjects: representatives of services, inspections and guards, representatives of the county council, county management, legal protection bodies, education, public administration, municipal governments, non-governmental organizations, institutions involved in combating social pathologies and preventing unemployment, as well as persons distinguished by their knowledge of the problems that are the subject of the commission's work and who enjoy personal authority and public trust among the local community. The composition of the commission was defined by the legislature in an open catalog. This is determined by the phrase used in the content of Article 38a, paragraph 5, item 3 of the Law on County Government, "in particular". This does not mean, however, that the size of the commission is unlimited; on the contrary, the legislator indicates quantitative limitations to the mandatory composition of the commission, leaving a certain freedom to the county governor to increase the size of the commission.

Under the provisions of the Law on County Government, the mandatory members of the commission for security and order are: the chairman, i.e. the county governor or the in the case of the appointment of a joint commission of a county and a city with county rights, the county governor and the city president; two councilors delegated by the county council as representatives of the decision-making and controlling body, three persons appointed by the county governor distinguished by their knowledge of the problems that are the subject of the commission's work and enjoying personal authority and public trust among the local community, in particular representatives of municipal governments, non-governmental organizations, education employees, as well as institutions involved in combating social pathology phenomena and preventing unemployment, two representatives delegated by the county (city) police chief, a public prosecutor indicated by the competent district prosecutor.

The composition of the commission thus constructed, which should certainly be considered a statutory composition with the authority to pass resolutions, consists of 9-10 people and is burdened with imperfections, especially in the selection of the delegated composition by the county governor, who is obliged to appoint three representatives to the commission from a broad spectrum of subject matter and expertise (Jagoda, 2009) and yet

distinguished by trust and authority. This disadvantage can be mitigated by the county governor through additional enlargement of the commission, made in the form of appointing additional commission members, but without the right to adopt resolutions, but only with an advisory vote (Martysz, 2020). This group, however, can be enlarged only by persons who are officers and employees of county services, inspections and guards other than the police, as well as employees of other public administration bodies performing tasks in the field of public order and security of citizens in the county. In the current legal order, these persons may be, in particular, representatives of the county building inspection as the only inspection operating under the authority of the county governor, sanitary inspection, veterinary inspection, representatives of local public administration, etc. (Jaworski, Pietrzekiewicz, 2020)

The term of office of the commission for security and order is set at three years, which is shorter than the term of office of the county government authorities, which is five years. This means that there are two terms of the commission for security and order for the duration of the term of the county's local government bodies, the council and the county board. and order, with the second term appearing to be incomplete. The concept of a three-year commission term adopted by the legislature should be justified by the fact that it is related to the theory of maintaining a certain continuity and permanence, in uniform and hierarchical structures, defined by continuity of command, in an administrative environment equated with continuity of management (Wyrok NSA 18.04.1995, SA/Łd 2686/94). In the practice of county self-government and the commission's activities, indeed, some of the commission's members are appointed from among those whose administrative existence in the commission depends on the outcome of local elections. At issue here are two members of the commission, county councilors delegated by the county council, whose term of office, as determined by the Law on County Government, expires upon the expiration of the councilors' seats. However, the same law stipulates that the county board, headed by the county governor, who, while serving as chairman of the county board, also has a primary role in the commission for security and order, continues to function until a new board is elected (Kasiński, 1996). Thus, there is no legal obstacle to the county governor's activity as chairman of the commission for security and order, in a truncated composition in connection with the expiration of the county council's term. It should be noted, however, that such a regulation seems, at the very least, difficult to decode quickly, and that the legislation enacted should be clear and transparent, and should not raise questions of interpretation. This generates many doubts, which are compounded by the relatively high politicization of district structures. This makes it possible to postulate that amendment work should be undertaken, especially since the county and local security and order issues have undergone dynamic changes since the establishment of an intermediate link in the management of public affairs (Łojek, 2002).

Every term of office, by its very nature, ends naturally, as a result of the expiration of a predetermined time by law. However, during the term of office, there are cases of termination for reasons other than the mere expiration of the predetermined time. The reasons for termination of the term of office of members of the commission for security and order are provided for in Article 28 of the Law on County Government as a result of: dismissal by the entity authorized to appoint or delegate a member to the commission; expiration of the term of office of the county council with respect to representatives of the county's governing body; death or resignation of a commission member before the end of the commission's term. The law does not explicitly determine when the term of office of its chairman, the county governor, is terminated.

Analyzing the regulations, it should be noted that the county governor completes his term of office on the commission for security and order only upon the election of a new county board. This analysis also shows that all members of the commission, despite their appointment or delegation, can always resign from membership. However, the county governor, whose term of office is terminated only as a result of the resignation, for various reasons, of the county board, cannot resign from this membership. It should be emphasized here that the termination of membership, of persons appointed or delegated by the competent authority, before the expiration of the term of office of the commission, may occur only for valid reasons justified in writing. Any vacancy in the composition of the commission, created before the expiration of the term, must be filled for the period until the end of the ongoing term. It seems that this obligation to fill vacancies in the composition of the commission applies only to members appearing in the deliberations of the commission with the right to adopt resolutions. However, it does not extend to those appointed to the work of the commission in an advisory capacity. Unfortunately, the law does not clearly regulate this issue, it represents another fuzzy area in the functioning of the commission for security and order, which consequently demonstrates the need to work on regulating it more clearly in the future.

5. ORGANIZATION AND FINANCING THE ACTIVITIES OF THE COMMISSION FOR SECURITY AND ORDER

The organization of the work of the commission for security and order, the service of the commission and its financing have been sparingly regulated in the provisions of the Law on County Government. The principle has been adopted that the administrative and office service of the commission is provided by the auxiliary apparatus of the county board, an office in the form of the county office (Leoński, 1985). This interpretation raises some doubts, since in practice the activities of the commission for security and order are organized exclusively by the commission's chairman, the county governor, who is also chairman of the board (Martysz, 2020). However, the county governor appears in other capacities and the county office handles administrative and office support for entities other than the county board with the county governor, including the county council with its chairman. For this purpose, special offices or work stations are set aside in the structure of the office (Kozina, Nalepka, 1996). Thus, the handling of the activities of the commission for security and order is performed by employees of the district office, organized into separate offices, departments or substantive positions, as defined by the provisions of the relevant organizational regulations of the county office.

The organizational regulations of the county office is a normative document of an internal nature, in the case of local government units it is a mandatory and extremely important document. It introduces the hierarchization and division of responsibilities, describes the model course of processes and the formal route of communication (Weber, 2012). In the case of the commission for security and order, it appears to be a matter of necessity arising from the complexity of the implemented processes of maintaining security and order, often requiring cooperation and collaboration between various entities of general and special administration, especially county services, inspections and guards, social entities and even individuals. However, the organizational regulations do not specify all elements related to the functioning of the commission. One of the essential elements is the question of financing the activities of the commission for security and order, which is

defined, not as in the case of the organizational bylaws in internal regulations, but only in generally applicable legislation.

Financing of the commission for security and order is set forth in Article 38c paragraph 1 of the Law on County Government, which stipulates that the costs of the commission's operation shall be covered by the county's own budget, which is the basic annual financial plan, including income and expenses, revenues and expenditures of each local government unit (Salachna, Tyniewicki, 2024). The legislator here indicates unequivocally that the commission for security and order is financed from the county budget, from part of its own funds. This means that the activity of the commission should be regarded as the realization of the county's own tasks. However, when juxtaposed with the essence of the commission's activity, as expressed in Article 38a paragraph 1 of the Law on County Government, the purpose of which is to carry out the county governor's tasks of supervising county services, inspections and guards, as well as statutorily defined tasks in the area of citizen security and order with the essence of the overriding good of security and order, its unity at every level (Pieprzny, 2003), local, regional, state, as evidenced by the wide composition of the commissions, their funding only from the county budget is no longer such an obvious matter. Thus, it should be admitted that the thesis that the categorization of tasks into own and commissioned (entrusted), especially with regard to the tasks of the county of a unitary nature, and such is security and order, is an outdated division (Olejniczak-Szałowska, 2000), artificial in its assumption, used for the purpose of determining the independence of local government units (Niewiadomski, 1998). This opens up a discussion as to whether the financing of the commission for security and order should be covered solely by the county budget, or whether it should not, in view of its unitarian value, at least in part be satisfied by external funds from the state budget or local government units that are part of the relevant counties. This thesis seems correct in view of the fact that the legislature provides for the co-financing of a joint commission for security and order for a city with county rights and a county bordering it.

The legislator also provided for the possibility of financing the reimbursement of commission members and other persons appointed to work on the commission for expenses related to them. Accordingly, the county council shall determine the rules for reimbursement of expenses actually incurred, in connection with the work of its members and other persons participating in the commission. Determination of the rules for reimbursement of actually incurred expenses of members and persons participating in the work of the commission shall be carried out by means of a relevant resolution, in compliance with the provisions of the Decree of the Minister of Internal Affairs and Administration of July 31, 2000 on the determination of dues for reimbursement of business travel expenses of county councilors (Act 2000, No. 66, pos. 799).

6. CONCLUSIONS, CLOSING REMARKS

Summing up the consideration of the administrative-legal position of the commission for security and order, it should be emphasized that the commission has a special status, it is assigned the role of *collegium boni ordinis*. The role of the commission cannot be underestimated in shaping security and order at the local level, however, its activities are broadly shaped by the dominant position of the county governor (Kasiński, 2017). Neither the commission for security and order nor the county governor is a county body, yet they shape to a large extent the paradigm of security and order in the county area. In addition, the commission, as a collegiate body, operates in the activity arena of general

administration, local government, and at the same time within the special administration, which is the domain of the state.

The administrative-legal position of the security commission does not seem to have been regulated exhaustively by the legislature, but contains many elements and solutions that are almost enigmatic or implicit. The commission is appointed for a three-year term, which is not fully understood and does not correlate with the five-year term of county authorities. In carrying out its tasks, in a sense, it limits the powers of the system authorities, the county board and council, and with regard to the administrative police, county services, inspections and guards and the county governor himself, the opinions developed are not binding.

In conclusion, the functioning of the commission for security and order is not uniform. On the one hand, the commission functions on the basis of statutory provisions that have the character of imperative norms, while at the same time allowing, in the case of a joint commission for security and order of a county and a bordering city with county rights, its functioning on the basis of dispositive provisions. All these remarks lead to the postulation of undertaking amendment work that would systematize the matter that is the subject of this article, especially since security and order itself has evolved significantly in recent times, the prism of threats to security and order, on a global, state and local level alike, has changed completely.

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FORMS OF PROTECTION AND PRESERVATION OF HISTORICAL CULTURAL HERITAGE (CASE STUDY)

A major problem associated with material cultural heritage is the ability to protect and preserve historic movable objects, such as sculptures, paintings, and various works of art. The traditional way has been to amass them in state or private collections, aiming to systematically record, catalog, describe, and photograph them. Due to various circumstances, including acts of theft and warfare, either paper inventories or the artworks themselves have often been lost. The lack of actual catalogs has made it impossible to reconstruct lists of museum objects, including those with significant historical and artistic value, making it difficult to search for and identify them in the future. With technological advances, a variety of media, including modern methods of digitization, have been used to enable universal access to cultural heritage. This article identifies stages in the evolution of the need for preserving and presenting cultural heritage, taking into account the advanced creation of three-dimensional reproduction.

Keywords: historic preservation, history, digitization, omnidirectional photography, museums.

1. INTRODUCTION

For technological reasons, the process of resource digitising was initiated by libraries. In the early 1990s, collections were processed on computers with electronic catalogues, inventories, and databases created primarily for library staff use. Scanning and sharing text was less complicated than digitising spatial objects (Piotrowicz, 2015). However, the digital revolution changed this situation. New tools and solutions allowed the digitisation process to encompass other museum collections. Digitisation and reconstruction techniques were also utilised in archaeology, architecture, and urban planning (Koryś, 2015). Digitisation meant managing, processing, searching, and delivering material

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electronically for museum entities, obtaining a digital version of an object, managing files, and sharing digital documentation (Kuśmirdowicz-Król, 2011).

An area currently requiring particular attention is three-dimensional digitisation. Digitisation of two-dimensional objects, such as paintings or photographs, is widely used in museums, unlike three-dimensional digitisation, which is not yet universally accepted as a standard in the field of museology. This is primarily because the issue itself can be approached in various ways. On the one hand, three-dimensional digitisation allows for representing objects as three-dimensional models, such as point clouds or composite structures. Alternatively, we can discuss the technique of omnidirectional photography, in which items are designated as photos overlaid on spheres to create the illusion of three-dimensionality. Both of these approaches have advantages and limitations, and the appropriate method should be based on the needs and goals of digitisation, taking into account aspects such as precision, efficiency, and fidelity to the original objects.

The article analyses the degree of digitisation of museum objects, taking into account EU directives and Polish programs related to digital culture, and indicates the potential and current technological possibilities in the field of spherical photography, setting directions for the development of digital technologies in this area, presenting the fundamental differences in various approaches to mapping.

2. THE DIGITISATION OF MUSEUM RESOURCES

The widespread digitisation of culture is an inevitable process, affecting not only the degree of its accessibility but also the protection of unique collections against destruction or loss. Modern technology allows for the creation of documentation related to the collections. It makes it possible to obtain and reproduce faithful copies of the item. It is crucial to convert an object into digital form to ensure its preservation in case of any damage or loss of the original. Additionally, digitisation allows for easy access to the entity from multiple locations simultaneously. Actions in this domain thus align with the fundamental tasks of museums, including collection, conservation, research, communication, education, and exhibition. The broader use of digital technologies results from the growing awareness of the role of museums as knowledge banks or data centres where you can find high-quality, authentic, professional information (Navarrete, 2021). It also reflects the increasing societal needs related to the widespread dissemination of culture. An example highlighting the significance of the digital cultural sector and the associated threats is UNESCO's Memory of the World program, initiated in 1992, which involves the creation of digital copies of world cultural monuments. The principles related to the protection and accessibility of collections are enshrined in the Republic of Poland Constitution, emphasising the transmission of heritage to future generations and ensuring equal access to culture (Konstytucja Rzeczypospolitej Polskiej..., 1997). However, the Act of November 21, 1996, on museums explicitly states that images of museum objects may be recorded and stored on digital data carriers (Ustawa z dnia 21 listopada 1996 r. o muzeach). Initially text-based in the DOS system, database systems were used at the National Museum in Warsaw and the National Museum in Poznań since 1989. Electronic systems were developed in over 80 museums from 1990 onwards, including the State Archaeological Museum in Warsaw. In 1992, the first electronic version of a database for cataloguing stolen and missing cultural property, listing losses from sacred objects, libraries, private collectors, and other institutions, was established (Barwik, Pasieczny,

2012). Poland's accession to the European Union brought new possibilities through, e. g., Regional Operational Programmes.

The traditional perception of museum collections has been complemented over time by the need for their digital dissemination. The European Commission's "i2010" initiative, introduced on June 1, 2005, focuses on digital libraries and obligates countries to support activities related to the digital sharing of libraries, archives, and museum resources (Zalecenie Komisji z dnia 24 sierpnia 2006 r. w sprawie digitalizacji...). In 2006, the EU Council published Conclusions on the Digitisation and Online Accessibility of Cultural Material, and Digital Preservation, designating digitisation and virtual accessibility of international cultural heritage as a strategic goal (Konkluzje Rady w sprawie digitalizacji...). The vision of a universal digital library was emphasised, encompassing various valuable elements of cultural heritage: texts, audiovisual materials, museum objects, archival records, and other resources of historical, artistic, or cultural value. The objectives for Member States for the coming years included the development and update of national plans and strategies for the digitisation of cultural heritage (2007), the establishment of a national system for long-term preservation and storage (2008), and the set of long-term quantitative and qualitative goals for storage, digitisation and virtual sharing cultural heritage (2008), and foster public-private cooperation in the field of digitisation (2007–2008) (Konkluzje Rady w sprawie digitalizacji...). A pioneering element was the recognition of the need for research on the socio-economic effects of long-term preservation of digital resources and on the socio-economic consequences for public goods (Konkluzje Rady w sprawie digitalizacji..., 2006). Several years later, the Commission Recommendations of October 27 2011, on the digitisation and online accessibility of cultural material and digital preservation were issued (Zalecenia Komisji z dnia 27 października 2011 r. w sprawie digitalizacji...). The act stressed the need to use modern information technologies to digitise and protect European cultural memory as a component of economic growth, job creation, and improved quality of life for Europeans.

During this time, Poland joined the Minerva+ program, and the Digitalization Team at the Ministry of Culture and National Heritage, established in 2006, formulated technical recommendations for digitising collections. In 2007, the "Cultural Heritage" digitisation program was launched, followed by the "Creation of digital resources of cultural heritage" in 2007–2009. At that time, 12 state archives had the infrastructure for digitising and storing digital data, and 119 museums began computerisation in the form of electronic inventories (Digitalizacja dóbr kultury w Polsce..., 2015).

In 2009, the digital resources of state archives were estimated at approx. Three million scans, and in libraries – at approx. three hundred thousand library units (approx. 15-17 million scans), museum objects at approx. three hundred thousand reproductions (Raport o digitalizacji, 2009). Meanwhile, cultural institutions housed immovable monuments listed in the register of monuments (63,368 objects), archival units of archival materials in state archives (260 km of current archival materials, equivalent to over 35 million archival units, ranging from 1 to over 1000 pages), museum collections (12 million), and library materials (6,227,756 units) (Digitalizacja dóbr kultury w Polsce..., 2015). Despite the issuance of further recommendations and EU directives, these were the last comprehensive data in this area. Implementing the Multiannual Government Program "Culture+" from 2011 to 2015 aimed to increase the acquisition of digital records.

In the "Social Capital Development Strategy 2020" from 2013, it was explicitly emphasised that "Digitization is currently a key process contributing to the country's development, as it offers a chance for the preservation of heritage resources, enhances the

efficiency of access to these resources, thereby fostering contemporary cultural creativity and the development of creative potential” (Uchwała nr 61 Rady Ministrów z dnia 26 marca 2013 w sprawie przyjęcia „Strategii Rozwoju Kapitału Społecznego 2020”). The strategy also noted that “Given the contemporary ways of participating in culture dominated by new technologies, a significant task of public policy is to support the process of digitising cultural heritage” (Uchwała nr 61 Rady Ministrów z dnia 26 marca 2013 w sprawie przyjęcia „Strategii Rozwoju Kapitału Społecznego 2020”). The wide availability of the collections was intended to eliminate barriers to access to cultural heritage, especially among people at risk of social exclusion (Kowalik, Komusińska, Strycharz, Maźnica, 2016).

As revealed by analyses conducted in 2015 among 32 museums under the auspices and co-supervision of the Ministry of Culture and National Heritage, only nine museums provided online catalogues. These museums collectively published 137,880 objects, of which 84,830 were digital reproductions (Cierniewska, Pliszka, 2016). At that time, the most extensive collection belonged to the National Museum in Krakow, with 103,000 records. Of the remaining 533 museums, only 19 provided collection catalogues, presenting 101,884 objects, including 83,148 digital reproductions (Cierniewska, Pliszka, 2016). Three goals for digitising cultural goods in Poland in 2009-2020 were identified: expanding Polish digital resources, protecting digital resources, and ensuring access to digital resources (Program digitalizacji dóbr kultury..., 2009). Priority in digitisation work was to be given to materials based on their usefulness (frequent use of the object), poor preservation status (as protection against its loss), value and uniqueness of the entity, the necessity of complementing the digital collection, limited accessibility of the object, particular significance of the resources for national or regional culture (Program digitalizacji dóbr kultury..., 2009). A crucial aspect of activities related to digitising museum collections was the publication of the National Institute for Museology and Monument Protection's Catalog of Best Practices (Katalog dobrych praktyk, 2021). This document contained detailed instructions regarding the reproduction of museum artefacts and their dissemination, providing valuable guidance for digitalisation.

Currently, the achievements in this area are highly insufficient on institutional, research, and social dimensions. Virtual sharing of collections played a crucial role during the COVID-19 pandemic. In 2020, 50.9% of museums in Poland limited their operations (Kultura w 2020 r., 2021), partially shifting their activities to the virtual realm. Through online channels and social media, 1367 virtual exhibitions were made available (Kultura w 2020 r., 2021). In 2021, 502 virtual exhibits were viewed by 1.2 million people, along with 7,200 outreach events that engaged 3.9 million participants (Kultura i dziedzictwo narodowe w 2021 r., 2022). Museums with tools and programs for managing digital objects use them in conservation and research work and in identifying artefacts or reconstructing, modelling, and restoring monuments (Program digitalizacji dóbr kultury..., 2009). Technological progress, particularly in precise representations of spatial objects through spherical photography, is a crucial element in this context.

3. INTRODUCTION TO SPATIAL PHOTOGRAPHY

In the case of spherical photography, we represent three-dimensional objects using photographs placed on a sphere in such a way as to create the illusion of three-dimensionality. This allows users to interact with the image in a full 360-degree horizontal

and 180-degree vertical range. This type of photography is also known as panoramic or spherical photography.

Creating spherical photography involves capturing diverse photographs from miscellaneous perspectives to represent the object from every side. Subsequently, these photos are stitched together into a panoramic image, or visualisation methods based on dynamically generated pictures are employed, depending on the camera's settings. Figure 1 illustrates the composition of 6 photos (Z1-Z6) in such a way as to enable the visualisation of object A. In this case, the photos were taken from the outside of the object. For object B, where the goal is to capture the representation of the object from its interior, which may be helpful, e.g., in the case of rooms or the interiors of storage objects such as crates, photos are taken from the object's geometric center whenever possible. These photos are then merged. There are several techniques for obtaining a spherical effect, with differences primarily arising from the type of lens used to take the photo. Wide-angle or standard lenses can be used, and these choices will affect distortions in the representation and the speed of image capture. Some distortions may be removed using appropriate software, but this typically comes at the expense of image quality.

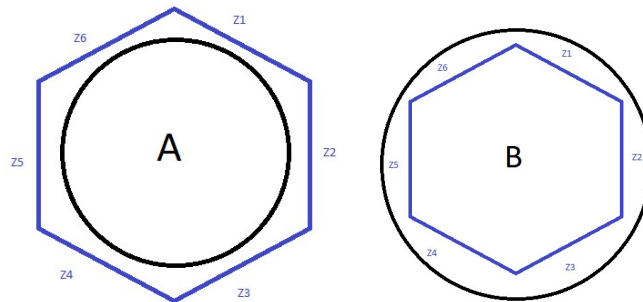


Figure 1. A schematic presentation of spherical photography as a composition of partial photographs

Source: own work.

In the case of representing a three-dimensional object, an additional dimension must be introduced, where the photos are taken at an angle “a” relative to the horizontal plane, as illustrated in Figure 2.

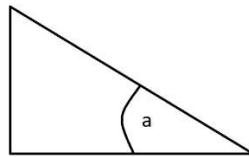


Figure 2. Visualization of the photo angle changes to the base plane

Source: own work.

Spherical photos placed on a spherical surface allow for complete immersion and interaction with the image. Users can explore the picture, rotate around horizontal and vertical axes, zoom in or out, and discover details from various perspectives. Spherical

photography is highly promising in museum collection digitisation, as it enables users to explore and view objects with varying levels of precision from any location and at any time. Furthermore, spherical photography can be utilised in scientific research, historical reconstructions, or the creation of virtual exhibitions.

However, it is crucial to distinguish between representation aiming to provide an opportunity to acquaint oneself with a specific exhibit and the availability of high-resolution photos enabling the examination of objects' morphological features.

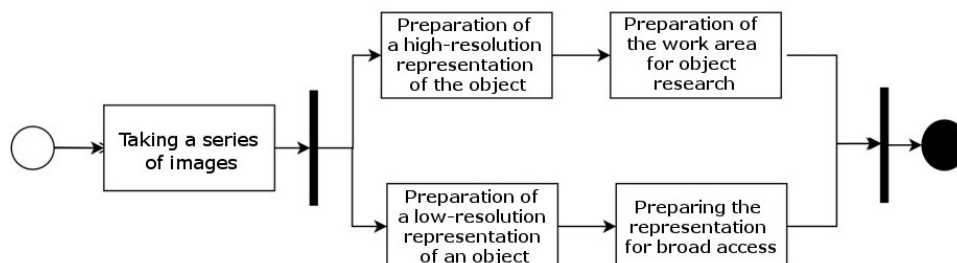


Figure 3. Preparation of different access to photographic representations of the object

Source: own work.

To determine the current technological capabilities in spherical photography, a study was conducted involving reproducing an object – a cup with a saucer – from a Silesian porcelain factory in Parowa (German: Tiefenfurt, Bolesławiec county). The thing bears the signature used between 1885 and 1896 (Schlesische Porzellanfabrik from the Lövinsohn and Donath period).

The equipment used comprised a set consisting of a table for three-dimensional photography (TopShow3D[®] MINITABLE TSM) and a full-frame camera (CANON) with a 26 Mpx sensor (6240 x 4160 px) and an adjustable focal length lens ranging from 24–105 mm. The table consists of a glass plate that can rotate in the horizontal plane and a trolley with a tripod that can move along a semicircular rail placed in the vertical plane.

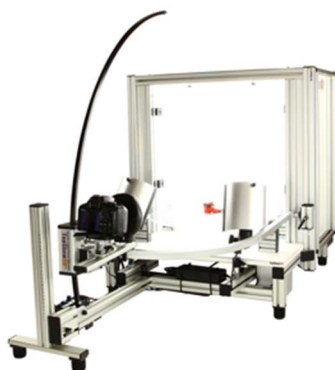


Figure 4. TopShow3D[®] MINITABLE TSM

Source: TopShow3d, <https://topshow3d.net/en/minitable>.

The table allows photographing the object rotated at any angle in the horizontal plane (with an accuracy of up to 1 degree), creating a 360-degree panoramic photo composed of a maximum of 360 pictures taken at different angles. Additionally, the camera's tilt angle adjustment is possible from 0 to 90 degrees with an accuracy of 1 degree, enabling the capture of a 3D photo of the object from the top and, by manually flipping the object upside down, a 3D photo of the entire thing. Considering the inversion of the object, 181 angles of the camera relative to the object (in the vertical plane) are available.

Combining rotations in different planes makes it possible to capture 65,160 distinct photos of the same object, which (at an average photo size of 1 MB) would take up approximately 64 GB of disk space.

The object's height or diameter for the used table cannot exceed 40 cm. The limitations mentioned above and photo margins (2.5 cm on each side) are considered in the table below, which presents the maximum object dimensions (for a single photo), the camera's field of view, practical resolution, and unit resolution for the horizontal plane depending on the lens focal length.

Table 1. Technical specifications of the lens used depending on the focal length

<i>lens focal length</i>	24	35	50	70	85	105
<i>maximum width [cm]</i>	40	40	40	30	25	20
<i>visibility angle [°]</i>	71,9	60,8	36,8	27,2	22,8	17,9
<i>practical resolution [px]</i>	2480	3510	5050	5320	5130	4900
<i>unit resolution [px/cm]</i>	62,0	87,8	126,3	177,3	205,2	245,0
<i>unit resolution [px/°]</i>	86,8	102,6	169,6	229,4	273,7	348,6

Source: own work.

The following formula expresses the horizontal total resolution of a 360-degree (panoramic) image as a function of a single rotation angle (α), that is, the number of component images and the diameter of the object in pixels (d).

$$resolution = \frac{360^\circ}{\alpha} * d * \sin \frac{\alpha}{2}$$

The table shows the values for an object with a diameter of 4000px and several selected angles, along with the ratio to the reference value (for an infinitely small rotation angle).

Table 2. 360-degree photo resolution depending on the angle of one rotation

<i>rotation angle [°]</i>	<i>resolution [px]</i>	<i>ratio to reference value [%]</i>
1	12566,21	99,999
2	12565,73	99,995
5	12562,38	99,968
10	12550,43	99,873
30	12423,31	98,862
45	12245,87	97,450
60	12000,00	95,493

Source: own work.

It should be noted that the resolution indicated in Table 2 applies only to the mapping used in the context of visualisation. For scientific research purposes, primary images will be used, which, in the case of rotation by 1 degree, will generate a mapping of the object's surface, which will be measured in gigapixels. Such a high resolution will not be needed for most applications, nor will it be useful.

A separate issue closely related to digitisation, whether two or three-dimensional, which should be addressed, is identifying the photo's object and removing unnecessary elements, such as the background. For two-dimensional mappings, this task can be done manually. However, manual background removal would be computationally demanding and time-consuming for spherical photos. Considering the number of photographs required to create a high-quality spherical representation, with 36 pictures per rotation and ten plane angle settings, one would face removing the background in 360 images. Hence, there is a need to automate this process, and image segmentation must be done very accurately to ensure the entire object is present in the scene after the procedure's completion. The general approach to this problem is illustrated in Figure 5.



Figure 5. The original photo of the object (on the left) and after segmentation (on the right)

Source: own work.

4. CONCLUSIONS

The digitisation of collections is a response to many contemporary challenges related to the destruction or loss of national heritage assets and the growing societal need for broad access to culture. Although attempts at universal digitisation began in Poland over two decades ago, the quantity of virtually accessible collections is still insufficient. Current issues include but are not limited to the lack of digital inventories, detailed data on progress in digitisation within museum objects, standardisation of digitisation, and a shared platform for virtual versions. Another essential problem is the lack of a uniform approach to storing and exchanging information about museum collections, which would enable flexible changes in the data structure in line with changing needs. Traditional databases and commonly used 2D scanning are currently insufficient and too inflexible for the diverse collections gathered in museums.

The development of digital technologies, particularly advancements in computer graphics and photogrammetry, has significantly influenced the approach to digitising museum collections. Three-dimensional imaging, a relatively new solution in digitisation, allows faithful representation of spatial objects. To further advance the digitisation of

museum collections, it is necessary to develop standards and guidelines that define best practices and general principles for three-dimensional digitisation. Additionally, it is essential to continue research into developing digital technologies, such as modern 3D scanning methods, visualisation and interaction techniques, and ways to present and make digitised museum collections attractive and accessible to a broad audience. Conclusions drawn from conducted research and the development of new technologies in digitising museum collections can significantly impact preserving, studying, and making cultural heritage accessible. However, to achieve the full potential of digitisation, ongoing research is necessary, along with improving inter-institutional collaboration to develop innovative solutions in museum information management and the application of digital technologies. A new challenge in creating and sharing museum collections is defining an ontology describing the museum collections domain or adapting more general solutions, such as the Semantic Knowledge Base. Using ontologies can enable a more comprehensive and flexible representation of data, contributing to better managing museum resources and facilitating information exchange between different institutions.

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CONFLICTS AND VIOLENCE: THE CHALLENGES OF PROTECTING REFUGEES IN SUB-SAHARAN AFRICA

This paper examines the challenges of protecting refugees in Sub-Saharan Africa. Reviewing available and relevant literature on refugees and their displacement, it argues that people are compelled to flee their homes and seek refuge across international borders due to poverty, instability, conflict, and climate-related emergencies. They are then placed in overcrowded camps, frequently for extended periods. In theory, African refugees can access one of the most progressive protection schemes in the world. In practice, they confront insurmountable obstacles to their human rights, including coerced return, prejudice, arbitrary detention and arrest, limitations on their freedoms of speech and movement, and violations of their social and economic rights. Refugee law, which was created in the language of human rights and applies to people who are already highly vulnerable, disappears from view amid the poor human rights records of many African countries. From an in-depth argument and reflection on the literature, considering the differing voices and arguments, this paper communicates how, given the rise in extremism and political instability in Sub-Saharan Africa, regional security is at risk if the inadequate protection given to refugee camps is not addressed.

Keywords: conflicts, violence, insecurity, refugees, Sub-Saharan Africa.

1. INTRODUCTION

Conflict, political unrest, food insecurity, and climate change are combining in many parts of Africa to uproot more Africans than ever before. Complicating already complex situations include high rates of inflation, growing energy costs, COVID-19 repercussions, and the Russia-Ukraine war (Mbiyozo, 2023). In May 2022, there were more than 100 million people who had been forcibly displaced worldwide, including refugees, internally displaced persons (IDPs), and asylum seekers. While the Ukrainian crisis dominated geospatial headlines, African refugees now have fewer options and less support than before.

Africa had about 7.3 million refugees and asylum seekers at the end of 2017 (Mbiyozo, 2023). When the Convention Governing the Specific Aspects of Refugee Problems in Africa was adopted by the Organization of African Unity (OAU) in 1969, there were ten times as many refugees as there are now (Institute for Security Studies, 2019). The 1951

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Geneva Convention's narrow description of refugees as “persons fleeing a well-founded fear of persecution” was inadequate in light of the various issues faced by African refugees (Okello, 2014). As a result, the OAU Convention included a second paragraph in Article One that broadens the definition of “refugee” to include circumstances such as external aggression, occupation, foreign dominance, or events that significantly disrupt public order. The number of displaced people in Sub-Saharan Africa has increased to 44 million from 38.3 million at the end of 2021, according to planning figures released by the United Nations Refugee Agency (UNHCR) for 2023. IDPs make up the majority (60%) of them. Three-quarters of all recent internal displacements occur in Africa. The protracted duration of specific conflicts in Africa is a primary obstacle to breaking the “refugee cycle”. When hostilities persist for an extended period, the future of refugees becomes highly uncertain.

They might be compelled to spend up to a generation in their new nation (Masuku, 2019). Refugees frequently lose their ability to become self-sufficient in these circumstances. Numerous populations are now forced to rely on aid and frequently live in hazardous and impoverished conditions as refugees as a result of the continuation of old conflicts and the emergence of new ones (Masuku, 2019). However, Wacker, Becker, and Crepaz (2019) contend that although many of the region's nations welcome refugees, they encounter numerous difficulties that make it challenging to guarantee their safety and protection sufficiently. Due to this, host nations cannot accommodate all of the refugees, which has caused a refugee crisis in the SSA. Africa hosts a sizable population of internally displaced persons, many of whom are considered refugees under the 1951 UN Refugee Convention and its 1967 Protocol or the 1969 Organization for African Unity Convention on Refugees, even though some African nations serve as transit countries. However, even though many African nations have accepted these international standards, their protection is insufficient (European Parliament, 2017). The rights granted to refugees by the Geneva Convention are severely curtailed in many African countries, many of which lack any legal framework for granting asylum (European Parliament, 2017).

This implementation gap is probably one of the primary causes of irregular migration to Europe and contributes to prolonged refugee suffering. In Africa, refugees are kept in isolated camps for extended periods, with little to no access to formal employment opportunities and severe restrictions on their freedom of movement. For their survival, they depend on foreign humanitarian aid, and if that aid decreases, they risk being returned home, where they might face serious hazards. Thus, the difficulties in protecting refugees in Sub-Saharan Africa (SSA) are examined in this paper. The paper systematically reviews the literature to understand the difficulties in protecting refugees in SSA. Current literature contends that inadequate governance and conflicts are at the core of this crisis, highlighting the lack of focus on addressing the issues that give rise to these conflicts and inadequate governance. While there have been concerns about the political will of African leaders to address the crisis, this paper also notes that most countries in SSA lack the means and ability to adequately guarantee the safety of refugees, which results in violations of their fundamental rights in camps, starvation, insufficient protection, inadequate nutrition, and prolonged suffering.

2. METHODOLOGY

A systematic literature review was deemed a suitable research methodological approach for this paper. Necessary steps were taken to ensure the review was accurate, precise and reliable. Considering the research question for this paper, a semi-systematic review was

adopted to understand the challenges of protecting refugees in Sub-Saharan Africa. A semi-systematic review, also known as the narrative review approach, partially follows the guidelines of a systematic review in literature survey and selection. The approach, furthermore, includes steps of framing a written discourse about literature that can be used as part of the research process (Zunder, 2021). This type of review is designed for topics conceptualized differently and studied by various groups of researchers within diverse disciplines (Snyder, 2019). While the paper would have preferred to use primary data, secondary data as a methodological approach was driven by an array of factors that the author felt would contribute to the paper's arguments. Moreover, secondary sources are crucial in examining, interpreting, and depicting historical or scientific occurrences encompassing extensive geographical regions. Secondary research can help discover new knowledge, challenge assumptions, and uncover hidden connections. By engaging in secondary research, researchers can gain insights from the experiences and expertise of others, as well as consider previous arguments and debates about a specific subject matter. This process facilitates the exploration of novel research directions. This paper comprehensively analysed the literature to identify deficiencies in protecting refugees in Sub-Saharan Africa. Afterwards, the data supporting the paper's argument was organised into themes and examined to identify existing literature gaps. The paper's arguments and conclusions have been derived from the identified gaps in the existing literature. Therefore, the author acknowledged the significance of conducting a systematic literature review using secondary data to arrive at a meaningful conclusion for this paper.

2.1. Information sources and data collection process

A search strategy for identifying relevant literature was developed and conducted between March 2022 and April 2023 under five electronic databases: Google Scholar, Sabinet, SAGE journals, Social Science Citation Index (Web of Science), and EBSCOhost. Table 1 below presents the total results for each database during the preliminary literature search. The selected search terms included were “Conflicts, Violence, Insecurity, Refugee, Migration and Sub-Saharan Africa.

Table 1. Results of the preliminary literature search using databases

Databases	Total number of results	Peer-reviewed papers	Included for review
Google Scholar	200	112	28
Sabinet	160	89	30
SAGE journals	30	12	3
Social Science Citation Index (Web of Science)	22	10	5
EBSCOhost	19	5	2

Source: Authors own compilation.

2.2. Article selection

As shown in Table 1, the search yielded 431 articles, after which duplicates and studies irrelevant to the challenges of protecting refugees in the Sub-Saharan Africa era were removed, leaving 228 articles. After a further rigorous review process and considering all the inclusion criteria, only 68 articles were selected for analysis. Data extraction was in the

form of reading abstracts first and making selections, followed by reading full-text articles later before making the final selection. Once this step was completed and the initial articles had been collected, the texts were screened in full to ensure they met the inclusion criteria. As an additional strategy, references in the selected articles were scanned to identify other potentially relevant articles. Findings were synthesised through thematic analysis, a method commonly used to identify, analyse, and report patterns in text themes (Snyder, 2019).

2.3. Inclusion and exclusion criteria

Regarding research quality, deciding on inclusion and exclusion criteria is one of the most critical steps when conducting a review (Snyder, 2019). The inclusion criteria were the year of publication (between 1997 and 2023), language (strictly English), conceptual and empirical papers, and media sources and reports from institutional organizations. Studies considered were qualitative, quantitative, and mixed methods. The sources that did not discuss the challenges of protecting refugees in Sub-Saharan Africa were excluded.

3. THE PROBLEM STATEMENT

Developing nations, primarily in Africa, are hosting a disproportionate number of refugees, accounting for 80% of all refugees worldwide, according to the UN. The water and healthcare systems in host countries are severely strained by the presence of refugees in developing nations (Momodu, 2016–2017). According to the United Nations Economic Commission for Africa, Africa has the second-highest displaced people worldwide (UNECA). As states balance the needs of host communities against the financial cost of protecting refugees, burden and responsibility sharing have also emerged as a political issue (Owino, 2023). Three factors make managing refugees in Africa more difficult. Firstly, most African nations do not have the financial or technological capacity to accommodate a high influx of refugees. Many governments struggle to offer social services, including health care and education, to refugee communities. The standard of living for refugees is further decreased by more extensive restrictions on housing, sanitary conditions, and transportation infrastructure (Parshotam, 2019).

Furthermore, social tensions have the potential to provoke violence against refugees and to impede or prevent their integration. This occurred, for instance, in South Africa when local politicians used migrants and refugees as scapegoats for inadequate job opportunities and poor service delivery. More generally, many African states do not take a human-rights approach toward refugee management within their borders and often maintain an encampment system for refugees (Parshotam, 2019). Lack of funding and personnel in many African nations can cause protracted delays in the processing of asylum claims. As a result, they may become stateless for an indefinite period and raise their children in camps for refugees, like the Dadaab camp in Kenya. Furthermore, these communities are kept in a protracted state of uncertainty without rights or protection since few African nations have made provisions for the naturalization of long-term refugees (Parshotam, 2019).

4. CONCEPTUAL APPROACH

This paper applies the concept of state fragility to comprehend the current state of governance in many refugee-sending countries. State fragility is premised on the notion that without institutions anchored on good governance and the rule of law, a country is

bound to witness conflict and violence (Bertocchi, Guerzoni, 2011). The lack of such institutions means leaders can act with impunity and never be held accountable, giving rise to power abuse by politicians. Together, these issues impede development and give rise to instability. For Osaghae (2007), fragile states are extremely impoverished countries with weak institutions. They have an insufficient capacity to fulfil the essential functions of a state, are poorly governed, and often experience political instability, including armed conflict. The concept has been applied to explain conflict patterns in Somalia, Sudan, Mozambique, Nigeria, Mali, DR Congo and the Central African Republic. Armed civil conflict is both a cause and consequence of state fragility.

A considerable number of examples of failed states (even though the classification of countries as failed states is debatable) can be found in Africa. In many refugee-sending countries, governance and political processes are fragmented, broken and politically compromised (Bolt et al., 2022). Hence, this fragmentation breeds ground for conflict and violence, resulting in population displacement and refugee flows. The World Bank Group and UNHCR (2015) contend that the key to addressing the African refugee crises is to address the governance and political fragmentation. The entrenchment of ethical, accountable and transparent leadership will likely result in stability, thus consolidating peace and cohesion. Many African countries are still underdeveloped today, decades after gaining political independence. Countries are struggling with issues such as poverty, disease, inadequate communication, illiteracy, tribal hostility, economic hardships, and injustices that have an impact on all facets of African life (Kagema, 2018).

Despite abundant resources, Africa lacks responsible leaders, especially in politics. There are many leaders in Africa, but very few care about the well-being of the people they oversee. Most leaders are eager to keep their positions of authority and amass wealth at the expense of the people they are supposed to represent. People in Africa are struggling to access mismanaged resources, which has resulted in a terrible situation (Kagema, 2018). No sustainable development can be achieved when leaders are not accountable to the people they lead. The sustainable development of emerging African economies can only be successfully guided by appointing capable, compassionate, fair, and visionary leaders. Due to poverty, bad governance, ongoing internal instability, mismanaged economies, and conflicts, there have been a lot of “economic migrants” and refugees, which has seriously hampered recent progress in development (Adepoju, 2023).

Despite its impressive economic growth over the past ten years, African employment has not increased significantly. Africa's unemployment rate is rising, which suggests that more unemployed Africans are being driven into risky, irregular migration routes to wealthy nations, with all the negative consequences that go along with it (Adepoju, 2023). Indeed, one of the biggest obstacles to African governments' and societies' current development is access to gainful employment. Worryingly, however, there has been a reduction in funding for refugees. For instance, there is now less money available in Uganda for refugees, which prevents many of them from receiving necessities like healthcare and education (Kyeyune, 2023). Only 13% of the necessary amount has been received, according to Matthew Crentsil, the UN refugee agency UNHCR representative for Uganda, who was speaking in Kampala, the capital, at the Intergovernmental Authority on Development (IGAD) and the East African Community (EAC) conference on durable solutions for refugees. Only \$113 million had been received by the end of the first quarter (Q1) of 2023, leaving \$732 million short of the \$846 million needed (Kyeyune, 2023). The United Nations High Commissioner for Refugees (UNHCR) claims that many refugees

lack access to necessities such as proper healthcare, education, and welfare due to the funding gap.

5. LITERATURE REVIEW

5.1. Conflict, Refugees and Forced Migration in Sub-Saharan Africa

Refugees have been and continue to be a by-product of conflict driven by a breakdown in governance. Addaney (2017) argues that when looking at the plight of refugees in Sub-Saharan Africa, one can immediately understand that macro factors are more dominant than Meso ones. Salehyan (2008) states that an in-depth understanding and analysis of refuge patterns throughout the region point to one primary cause: conflict. Similarly, Boswell (2003) reveals that with the increase in conflict within a particular country, there is likely to be an increase in population displacement and the flow of refugees. This is the case with Sub-Saharan Africa. Even though the displacement of people has regional ramifications, Boswell (2003) argued that it is problematic for international actors to intervene and try to address these proximate causes of conflict and displacement while conflict is ongoing. One needs to acknowledge that causes of conflict cannot be confined to one specific area. They have the potential to spread beyond borders, resulting in millions of displacements and refugee flows. Some causes beyond states' control will inevitably cause population displacement and refugee flows for decades, especially in developing countries. For example, changes in the climate have increased droughts, floods, famine and food shortages, and with the climate becoming more unpredictable, Africa can expect increasing climatic change-driven refugee flows. Apart from this, many states in SSA are financially challenged and are already finding it difficult to ensure effective and efficient service delivery, meaning limited services can be afforded to refugees.

For example, 2.9 million new displacements were observed in Ethiopia in 2018 due to ethnic and tribal violence. Frequent clashes between pro-government forces and al-Shabaab have forcefully evicted thousands and given way to the highest number of displacements in over a decade in Somalia (Internal Displacement Monitoring Centre, 2019). In Nigeria, the confrontation between farmers and cattle herders has resulted in the deaths of more than 1300 people. An estimated 300,000 have been forced to flee their homes (Mewanu, 2018). Likewise, in northern Nigeria, the Boko haram insurgency has displaced more than 2.7 million people, including some 210,000 Nigerians, while an estimated 30,000 have died (Kindzeka, 2021). Violence and conflict in Cameroon's Anglophone region have seen more than 3000 people perish while 800,000 civilians have been displaced, and 600,000 children do not have full access to education (Reuters, 2023). Abbebe (2019) states that fifty years ago, as African liberation movements were involved in the struggle to free Africa from the shackles of colonialism, conflicts gave way to intracontinental refugee flows. This mass displacement led to the development and adoption of the Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa. The protocol aimed to ensure that refugees and their rights are protected. Boulby & Christie (2018) expounded that apart from conflict, undocumented migration and the refugee crisis in Sub-Saharan Africa is compounded by factors such as the abuse of their rights, little protection in host states due to lack of resources, repressive government regimes and unfavourable economic conditions.

5.2. Challenges of Protecting Refugees in SSA

Soon after the United Nations was formed, conventions and policies were introduced to ensure the protection and well-being of refugees (The UNHCR, 2010; Addaney, 2017). The quest and need to protect refugees can be traced to the Universal Declaration of Human Rights (Universal Declaration), studied by many scholars and policymakers (Addaney, 2017). D'Orsi (2012) notes that the 1951 Convention, the 1967 Protocol and the 1969 OAU Convention remain the key international human rights instruments for protecting refugee rights in Sub-Saharan Africa. Lomo (2000), as cited by Addaney (2017), argued that these conventions tend to argue for refugees to be given the same rights as ordinary people, that they are protected concerning the right to housing, education and employment, and access to live decent lives. Lui (2001) argues that the above shows that the quest to ensure the protection of refugees has been historically debated and consolidated within the domains of international politics and humanitarian spheres. In such a context, states need to protect the rights of refugees as they apply to all situations. This protection is part of an essential process geared towards ensuring that the needs of refugees are met and consolidating full respect for the rights of refugees under international human rights law. Therefore, it becomes clear that the protection of refugees and their fundamental rights becomes the full responsibility of the host states.

However, Okoth-Obbo (2001) argued that there are two elements that nation-states need to adopt. First, states need to ensure the development and implementation of legislation that complies with international standards to provide a basis for protecting refugees. Secondly, they must incorporate the fundamental elements of international human rights laws into domestic legislation, specifically in critical areas where the 1951 Refugee Convention and the 1969 OAU Refugee Convention are silent. Spiro (1997), however, argued that central to ensuring that refugees are protected and catered for in host countries, states must thus comply with international human rights standards and norms. Matlin et al. (2018) argue that as per UN principles, states are urged not to turn back or deny refugees safety, especially in cases where they are fleeing conflict and persecution, despite their pressure on state resources. In 2019, The United Nations High Commissioner for Refugees revealed that there were more than 1 million asylum seekers and refugees being hosted by Uganda, mostly whom (800 000) were from South Sudan, and this has exerted tremendous strain on government finances as the country has to cope with increased population. One may argue that despite the presence of protocols and laws such as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), The Convention Relating to the Status of Refugees, also known as the 1951 Refugee Convention and Declaration on Refugee Protection within Southern Africa amongst others, Murillo (2009) notes that the challenge with protecting refugees is that individual states have their interests and their interests may not coincide with that plight of refugees. Although, in most cases, host nations are supported by international NGOs in sheltering refugees, to a great extent, their security and living conditions are provided by the host nations, which requires a significant chunk of resources. A study undertaken by the United Nations Development Programme (UNDP) 2017 revealed that providing refugees with services such as education, health, and security costs Uganda's national budget a staggering \$9 million. Additionally, the Government of Uganda used a figure of \$325 million with local communities to ensure the management, protection, and provision of essential services for refugees.

From a global perspective, funding to protect refugees has also been a shortcoming. The UNHCR lamented the decline in funding for the agency. In 2020, the agency had a budget of \$9.131 billion as of August 2020. However, from this figure, funds available to it were \$4.458 billion. This included \$3.804 billion in voluntary contributions, of which 72% was tightly earmarked. Overall, there was a funding gap of 51 percent for the agency. The UNHCR will struggle to carry out its mandate effectively, likely increasing the misery of displaced people (United Nations High Commissioner for Refugees, 2018). The agency reported that for 2018, \$8.2 billion was needed to cater for refugees in conflict-ridden countries such as Afghanistan, Syria, Somalia, the DRC and Burundi. However, the agency predicted it would only garner 55 percent of this figure. Enrile (2017) argued that the failure to protect refugees adequately had given rise to incidences of human trafficking taking place in refugee camps, which lack security. However, even though the UNHCR supports international law that pleads for countries not to return refugees, Wong (2018) reflects that the large inflows of refugees to countries lacking the required capacity to cater for them create more problems than solutions. The author states that for refugees to be fully protected, there is a need for compressive policies characterised by implementation and support. However, in Africa, often such is not available. As a result, they often become isolated and desperate, thus becoming vulnerable to organised crime and trafficking.

For example, Europol (2016) noted that most Sub-Saharan African states have no apparent response to the challenges of forced migration and displacement due to conflict and violence. Instead, the frustration of citizens and governments related to the prolonged nature of the refugee presence increases. This then leads to societal tensions where refugees become convenient scapegoats for all forms of national problems, thus fueling xenophobia and other acts of hostility (Addaney, 2017). The current international refugee protection system cannot address the prevailing protection challenges (Kelley, Durieux, 2004). Kumin (2001), as cited by Addaney (2017), opined that the UNHCR has admitted that the universal refugee protection system will increasingly become fragmented and weak. It has been further argued that many governments also use national security and public interest to justify their repressive refugee laws.

Nonetheless, humanitarian organisations and Western governments have made considerable efforts to provide durable protection and assistance to displaced persons, including refugees in Africa and elsewhere. However, these efforts have yet to yield significant solutions. A survey undertaken by Asylum Access (2011), as cited by Addaney (2017), exposed that many refugees in no-camped settings in Africa lack legal status due to the fear of being apprehended and sent to the camps. The survey also revealed that the lack of a legal status resulted in other security and protection challenges, such as an increased likelihood of being exploited or abused by law enforcement and difficulty accessing support services. Even though some laws in some SSA states do provide refugees with the option of self-settlement, most countries prefer to house refugees in refugee camps. Regrettably, these camps, at times, are riddled with diseases, limited freedom and privacy and have become a recruitment ground for militia groups, especially since some of them lack an adequate security apparatus (Makhema, 2009). Addaney (2017) argues that the problem is that the 1948 Universal Declaration of Human Rights, the bedrock of contemporary international human rights law, fails to provide detailed guidance on the scope of the right or the type of protection that asylum seekers and refugees qualify for. Thus, host countries often tend to use their discretion regarding how refugees ought to be catered for.

Another issue in protecting refugees is the economic aspect, more notably the question of who has to foot the bill for their upkeep. Cannon and Fujibayashi (2018) state that this was evident in 2016 when the Kenyan government shut down many refugee camps in the country. When asked what the reasoning behind such action was, considering that these camps held close to 60000 people, Interior Ministry official Karanja Kibicho stated that “the government is shutting down the camps because of »cumbersome« economic, security and environmental burdens”. The official went further and opined that having considered Kenya's national security interests, refugee camps were seen as threatening the country's security. One may argue that this should not be the case because SSA countries (Including Kenya) are signatories to these conventions that ought to protect the rights of refugees. For example, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic Social and Cultural Rights (ICESCR), which are signed by almost all SSA states, guarantee the rights of refugees to just and favourable conditions of work and adequate standards of living (Edwards, 2005). However, in most cases, many states in SSA do not abide by these conventions, putting issues of national interest ahead of refugee protection. At a global level, the 1951 Refugee Convention has remained the core human rights instrument that protects refugees under international law. The convention enables refugees to have a range of civil and socioeconomic rights in the host country, and the host country is obliged to ensure the provision of such rights (Nanima, 2017). This obliges states to adopt measures to ensure that refugees are provided with conditions in the host country without marginalisation. Therefore, one may argue that these conventions/laws acknowledge the socioeconomic risks and the possible exploitation, marginalisation and exploitation of refugees in the host state and thus try to mitigate such from taking place (Hathaway, 2005). At a regional level, the African Charter on Human and Peoples' Rights (the African Charter) argues that when unfairly persecuted, individuals have the right to seek protection in countries through international law/conventions (Goodwin-Gill, 2001).

5.3. The Challenges of Protecting Refugee Camps

Maunganidze (2018) argues that despite ensuring the fundamental rights of refugees are protected and upheld in host states, the challenge is that numerous refugee camps in Sub-Saharan Africa are not sufficiently protected and lack the security apparatus needed to ensure their safety. The personal security of refugees is an essential element of international protection. Phuong (2005) noted that even though the quest to protect refugees cannot be pushed to the side, today, it has grown complex to integrate the different security interests and strategies that are involved in the international refugee protection regime as there are many actors in the process. At times, host state bureaucracy and the intertwining of duties hinder the need to ensure the safety of refugees. Simeon (2017) also attributed this to the difficulty in operating in war zones and the inability to ensure the protection of refugees in protracted situations. Additionally, racist sentiments associated with refugees and the fear of asylum seekers in many countries have made refugees seen as perpetrators of insecurity rather than victims.

The UNHRC noted that the most severe security concern we are facing now is a fear that militarization could occur in refugee camps characterized by poor security (Achvarina, Reich, 2006). Olson (2012) stated that poor security in refugee camps has resulted in children being sold to militia groups. In Chad, between 7000 and 10000 child soldiers were recruited forcefully in 2007 and during that time, more than 250,000 refugees from Darfur were in camps (Gresh, 2011). Conflict has increased people's displacement vulnerability

and refuge flows in the region, increasing the likelihood of them falling into the arms of militias. Dudenhoefer (2016) stated that Africa is home to about 40% – of the global number of child soldiers and that many African states experienced some form of conflict, and armed groups have acknowledged the lack of adequate security in refugee camps allows them to recruit without limitations.

Deng (2016) states that international law assumes that since people are internally displaced, their national governments will care for them and provide for their security needs. However, IDPs flee because their government cannot or will not protect them. In many cases, IDP or refugee camps remain almost unprotected, thus becoming major recruitment grounds infiltrated by fighting forces. In acknowledging the complexity of protecting refugee camps, the UCHNR stated:

Governments normally guarantee the basic human rights and physical security of their citizens. But when people become refugees this safety net disappears. Refugees fleeing war or persecution can be very vulnerable. They have no protection from their own state and it is often their own government that is persecuting them. If other countries do not let them in or protect them, they may be condemned to an intolerable situation where their basic rights, security and even their lives are in danger (United Nations High Commissioner for Refugees, n.d).

Therefore, one may conclude that the protection of refugees ultimately rests on the host states. In cases where host states tend to put their national interests first, refugees are exposed to tremendous amounts of injustice, such as being forcefully recruited by militias and the issue of hunger and malnutrition.

6. DISCUSSION

The UNHRC notes that despite numerous conventions and international laws that ought to ensure the protection of refugees and provide them with adequate security, one must also note that the political landscape in SSA is not conducive, as many states are involved in some form of conflict, be it, intra-state, sectarian violence or political disagreements.

6.1. Weak governance and new conflict patterns fueling increase refugees

Dudenhoefer (2016) argues that one critical finding of the study is that many states in SSA are going through some form of political turmoil, which has given rise to new conflicts which have engulfed many countries. Du Plessis (2015) states that central to this rise of new conflict patterns is Intra-state conflict-related deaths on the continent have risen since 2010. They are caused chiefly by armed non-state actors who are well-financed and exploit local grievances to undermine democracy and peace. Today's most important driver of violence and conflict in Africa is weak and unconsolidated governance. This increases the internal displacement of people and subsequently increases the number of refugees, as poor governance undermines socio-economic development and drives violence (Du Plessis, 2015).

6.2. Host nations under resourced to deal with huge inflow of refugees

Despite aid organizations providing financial support for host nations in order to help in the protection of refugees, The World Bank (2018) states that the reality is that many states in the region are economically struggling and do not have the resources to ensure the

wellbeing of refugees adequately. Edwards (2005), for example, argues that instead of allocating resources to ensure the protection and wellbeing of refugees, host nations tend to put issues of national interests first rather than ensuring the welfare of refugees. The reluctance of host nations to undertake such means it is left to international NGOs. Dependence on international NGOs can be cumbersome, primarily if international funds for refugee wellbeing are reduced.

6.3. Conventions are present but states use their discretion in protecting refugees

Many conventions are in place to ensure the safety and protection of refugees. However, to a great extent, their implementation is undermined by states that see refugees as a threat to their national security. Wood (2014) also comments that there is limited enforcement of these conventions, and those who do not enforce them are not penalized. Hence, they are free not fully to implement these conventions, placing the safety and protection of refugees at the mercy of the host countries. Furthermore, Addaney (2017) laments that ongoing conflicts in some SSA states have limited the extent to which international actors can intervene to mitigate the negative implications of the conflict on refugees.

7. RECOMMENDATIONS

According to the United Nations, developing countries, mainly in Africa, are taking in a disproportionate number of refugees – currently 80% of the world's refugee population. Refugees hosted in developing countries put enormous pressure on water and healthcare systems in host communities (Edmond, 2017). It is with the above discussions that the paper suggests:

7.1. Comprehensive work needed to ensure stable governance regionally

Weak governance leads to conflicts. Conflict leads to the displacement of people, which increases the intra-regional flow of refugees. Therefore, there is a great need to ensure the eradication of conflict; this can be done by strengthening democratic principles and consolidating the rule of law and good governance. In this sense, capacity-building is essential, and the international community needs to help African nations develop their capacity for governance. When it comes to addressing crises and advancing development and reconstruction, governments play a crucial role. Furthermore, increasing capacity in vital sectors like infrastructure, agriculture, health, and education is essential for stability. This will contribute to reducing conflict and increase socio-economic development, ensuring inclusive growth. Di John (2007) notes that conflict in the region is fuelled by the battle to control scarce resources and political patronage; hence, strong government institutions are likely to contribute towards stability.

7.2. Pressure countries to abide by UN and regional convention on protection of refugees

Adopting international, continental and regional conventions is one thing. Abiding by them is another aspect altogether. However, it is observable that using cases of national security as a pretext; many regional states refrain from fully complying with the directives of such conventions; hence, their full applicability becomes problematic. However, apart from this, no international pressure can change the widespread conflicts in Africa. The United Nations Population Fund (2019), citing António Guterres, Secretary-General of the United Nations, argued that the best way to protect refugees and internally displaced people

is to stop them from leaving their homes. That means tackling root causes – poverty, conflict, discrimination, and exclusion. The 2030 Agenda for Sustainable Development and the African Union's Agenda 2063 are essential roadmaps. Both agendas are aligned around a people-centred and planet-sensitive transformation. Eradicating poverty is their overriding priority.

7.3. Increase security protection in camps

Even though the refugee protection system is one of the most well-known aspects of international law, it frequently results in the mass placement of refugees in camps in developing nations, where they constantly face threats to their physical security from violent crime, disorder, and military attacks (Cuéllar, 2005). However, the United Nations High Commissioner for Refugees (UNHCR), advanced industrialised nations, and host states – all significant players in refugee protection – have neglected to prioritise refugee security (Cuéllar, 2005). Militia groups have identified refugee camps as recruitment avenues because they lack sufficient security and protection. Hence, recruitment becomes a viable option as it presents them with easy targets. Irobi (2005) states that increased security is a must in refugee camps, and this should be done in collaboration with international and regional countries; where possible, the African Union must also contribute towards the safety and security of refugee camps. The failure to protect camps means more and more refugees will be recruited, thus prolonging the conflict, which means an increase in the intra-regional flow of refugees.

8. CONCLUSION

The protection of refugees has become an imperative element in today's world, especially in the face of increasing global conflicts. From an SSA perspective, the increasing number of refugees exerts tremendous stress and pressure on state resources. Hence, governments do not adequately provide refugees with protection, security and welfare. National interests have also superseded the need to afford refugees essential services as some states view refugees as a threat to their national security, thus imploring the need for inclusive action in the region's quest to ensure the safety of refugees. In the context of the political domain in SSA, The interconnection between refugee protection and state stability is such that the weakening of one factor hurts the other. Policies aimed at safeguarding refugees, encompassing both physical and legal measures, mitigate potential risks arising from the crisis and enhance the state's security. Typically, the likelihood of conflict is elevated when refugees reside in oppressive environments, face a lack of legal means to generate income, and are deprived of educational opportunities for their young ones. The perils associated with the worldwide refugee crisis intersect with various other hazards arising from civil conflicts and fragile states, including unstable governance, insurgent and terrorist organization operations, and religious or ethnic divisions. Refugee policies must guarantee equitable access to protection, assistance, and resolutions for all refugees. This encompasses providing civil, political, economic, cultural, and social rights and guaranteeing individuals' access to fundamental social services and social protection. Additionally, it entails establishing a pathway for individuals to attain effective citizenship in a global context within a moderate timeframe. Furthermore, they must maintain global, national, and local political backing. Sustainable policies must possess the ability to prevent significant political opposition from majoritarian factions. The nature of politics is not static; narratives can be altered through persuasion and

argumentation. However, politics still serves as a limitation. Furthermore, they must be able to operate on a large scale and persist for an extended period. This holds particular significance in light of the ongoing profound structural transformation and the increasing factors contributing to displacement, which are expected to increase the number of refugees gradually.

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IMBALANCE IN EU TRADE WITH SELECTED ASIAN ECONOMIES – A COMPARATIVE ANALYSIS BASED ON GROSS EXPORTS AND DOMESTIC VALUE-ADDED

The European Union has a chronic trade deficit with Asia, the majority of which is with certain countries in East and South-East Asia. This conclusion is based on traditional international trade statistics. However, the international fragmentation of production processes and the new method of measuring trade by value-added are now making trade analysis closer to reality, allowing for more accurate conclusions to be drawn.

This article's main aim is to analyze and evaluate the EU's trade imbalance with Asia and selected Asian economies, which is found in both traditional (gross) and new (value-added) international trade statistics. The analysis shows that the degree of trade imbalances concerning partners and groups of goods differs depending on the method of analysis. In the case of EU-Asian trade relations, imbalances do exist, but they generally show smaller deficits or surpluses when measured in value-added terms.

The availability of statistical data determined the time and geographical scope of the study. The analysis covers the EU28's trade with 15 Asian countries from 1995 to 2018, with a particular focus on China, Japan, and South Korea. The study applies a critical literature review, the descriptive-analytical method, and the method of inference based on statistical data obtained from international databases (Eurostat, OECD-WTO, and UNCTAD).

Keywords: trade imbalance, gross exports, value-added trade, European Union, Asia, Japan.

1. INTRODUCTION

An inherent feature of the European Union's trade with Asia is the persistently high and growing trade deficit. The trade balance between the partners is a result of the influence of numerous factors. The most significant are those related to the high cost advantage that characterizes Asian economies, their high development dynamics, offshoring processes, international corporations' activities, the deepening international fragmentation of production, and the development of trade in value-added.

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Among economists dealing with the problem of fragmentation of production and trade in value-added, there is a relatively high consensus that the factors influencing the increase in the scale of the phenomenon of the geographical division of production processes are identical to those influencing the development and structural changes of international trade (Amador, Cabral, 2016; Hillberry, 2011). First of all, two factors should be underlined: 1) technological progress and a decrease in transport and communication costs; 2) liberalization of trade and capital movements. However, other factors related to developing countries' political and economic transformations, international corporations' activities, and regional economic integration processes cannot be overlooked.

The development of the fragmentation of production and value-added trade had a significant impact on the structural changes in international trade, consisting mainly in the increase in the flows of parts and components, the development of intra-industry and intra-corporate trade, and the increase in services trade (Feenstra, 2010; Grossman, Rossi-Hansberg, 2008; Jones, Kierzkowski, 1990). Trade in value-added has also had a significant impact on the shaping of trade balances. Brum et al. (2019) proved that stronger participation in global value chains leads to a more balanced current account.

In order to fully estimate the real scale of trade imbalances, it is necessary to use the world input-output tables. Based on them, we can obtain more precise information about actual trade balances. The existing literature confirms high differences in the balances calculated in value-added terms in relation to classically calculated indicators. The traditional method involves a simple analysis of the difference in the value of exports and imports. In a method based on value-added terms, we need to calculate the difference between domestic value added contained in foreign final demand and foreign value added contained in domestic final demand by industry of origin of value-added.

Most of the work, however, relates to the U.S. trade with Asian countries, especially China. For example, Gao et al. (2018) indicate that the US deficit against China decreases by 50% after applying the value-added method. On the other hand, Sposi and Koech (2013) showed that the real U.S. deficit with China based on value-added was lower by 33% in 2009 and 25% on average after 2000. Johnson and Noguera (2012) and Zhang, Tang, and Zhan (2012) came to similar conclusions. Johnson and Noguera concluded that in 2004 the US-China imbalance was 30-40% smaller when measured in value-added. Xing and Detert (2010) presented calculations showing that the US trade deficit with China in only one product (iPhone) dropped from 1.9 USD billion to only 73.5 USD million in 2009 when measured in value-added terms. These calculations were repeated for iPhone X by Xing (2020). The author also showed that in 2015 the total US trade deficit with China measured in value-added was 56% of that calculated in traditional (gross) terms (Xing, 2020). Even more significant difference was noticed in the case of computers, electronics, and optical products, which are the most important category in Chinese exports to the US. Here, the US trade deficit in value added was 41% of that in gross value. Kuboniwa (2014) estimated that China's trade surplus with the US in 2010 was 18.8% lower in value-added terms than in gross terms, and in the case of the EU by as much as 46.2%.

As already mentioned, most of the literature on trade imbalances concerns US trade, mainly with China. Works covering the case of the European Union are far more scarce. One of them is that of Cingolani, Felice, and Tajoli (2015). The authors show a significant impact of fragmentation on the EU trade balance. The results confirmed that a country's involvement in international fragmentation of production affects its trade balances.

Another work concerning the EU's country (Poland) is that of Ambroziak (2017). The author showed that Poland revealed significant trade surpluses in gross terms with some individual countries (e.g., Germany, Denmark, or Hungary) while the trade balances were significantly lower in value-added terms. For those countries with which Poland had trade deficits in gross terms, in value-added terms, these deficits were lower (China, Russia, South Korea).

This article complements the relatively modest literature analyzing the European Union's trade imbalances with Asian partners. The main goal of the study is to analyze the trade imbalances of the European Union with selected Asian countries, carried out according to the traditional method of measuring trade (gross exports and imports) and the method based on value-added. Using these two alternative methods of analyzing trade flows will make the final effect of EU trade cooperation with selected Asian partners closer to reality. Trade imbalances measured using the conventional and unconventional methods can differ significantly, and this will have consequences, including for the commercial policy of partners. This will require further research on the topic.

The detailed analysis of the study covers:

- 1) shaping of the European Union's trade balances in geographical terms and defining the role of Asia in trade imbalances creation;
- 2) European Union's trade balances with selected Asian countries in classical and value-added terms;
- 3) trade balances of the European Union with China, Japan, and South Korea in commodity groups in the classical and value-added terms.

The availability of statistical data determined the time and geographical scope of the study. The analysis covers the EU28 trade with 15 Asian countries (Brunei Darussalam, Cambodia, China, Hong Kong, Indonesia, Japan, Laos, Malaysia, Myanmar, the Philippines, Singapore, South Korea, Taiwan, Thailand, and Vietnam) in 1995–2018.

In order to achieve the aim of the study, the method of critical literature review, the descriptive-analytical method, and the method of inference based on statistical data obtained from international databases (Eurostat, OECD-WTO, and UNCTAD) were applied.

2. METHOD OF THE ANALYSIS

Koopman, Wang, and Wei (2014) developed the complete method of measuring the scale of production fragmentation and the related trade in value-added. They decomposed gross exports into domestic (DVA) and foreign value added (FVA) (Figure 1). The domestic value added was broken down into that consumed entirely abroad (including final goods and intermediate goods or re-exported to third countries by the first importer) and domestic value added, first exported but returned to the country. The foreign value added can be divided into that contained in the export of final and intermediate goods. The last category is double-counted exports, i.e., the same products (domestic and foreign) exported twice or more.

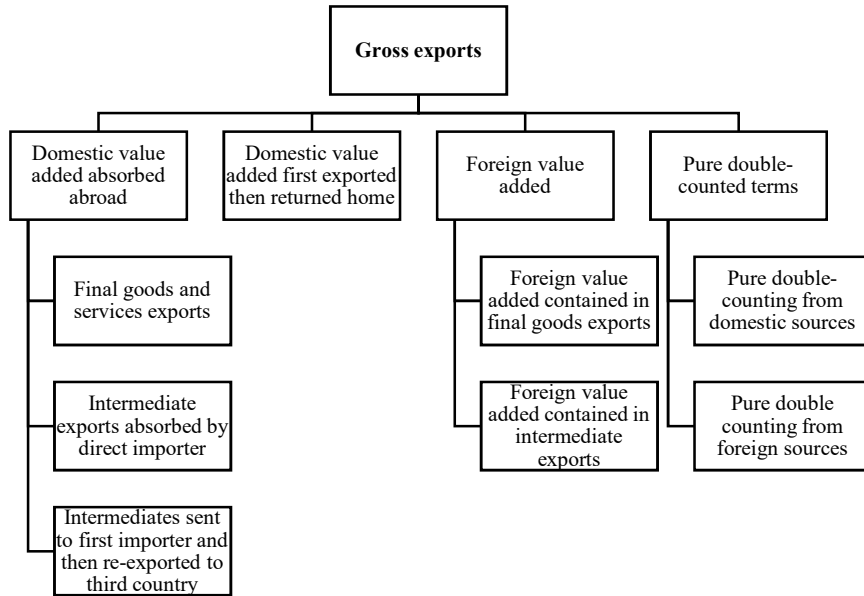


Figure 1. Gross export measurement method

Source: Adapted from (Inomata, 2017).

Country *A*'s net value added (*NVA*), and therefore the trade balance, is the difference between gross exports and imports and takes the form of equation (1).

$$NVA = (DVA + FVA) - (BVA + RVA + MVA) \quad (1)$$

Gross export is the sum of the direct and indirect domestic value added (*DVA*) that country *A* exports to other countries, and the foreign value added (*FVA*) consisting of previously imported foreign components, subassemblies, and raw materials used in the production process.

The value of net imports consists of three components: 1) bilateral value added (*BVA*), 2) re-imported value added (*RVA*), and 3) multilateral value added (*MVA*). Bilateral value-added is the import of country *A* products whose 100% added-value was created in country *B*. The re-imported value-added is imported by country *A* products whose final value consists of both country *B*'s added value and components from country *A*. Multilateral value-added means importing country *A* of products from country *B* to which components from country *C* were used.

In order to estimate the trade balance based on value-added terms (BALVAFD), we need to calculate the difference between domestic value added (*DVA*) contained in foreign final demand (FFD) and foreign value added (*FVA*) contained in domestic final demand by industry of origin of value-added (2).

$$BALVAFD = FFD_DVA - DFD_FVA \quad (2)$$

3. TRADE IMBALANCES OF THE EUROPEAN UNION

The external trade of the European Union in 2002–2019 showed a relatively high dynamics of growth. The group's exports increased from 885.3 EUR billion in 2002 to 2 EUR trillion in 2019. In the same period, imports increased from 936.9 EUR billion to 2.06 EUR trillion. As a result, from the perspective of the external trade balance, the EU28 showed an initial deficit of 51.6 EUR billion, only to record a negative trade balance of 20.6 EUR billion in 2019. As shown in Figure 2, the situation was not stable over time as conditions were changing substantially in the analyzed period. After the dot.com crisis, which took place at the beginning of the 21st century, the global economic situation has improved. It was also reflected in EU trade.

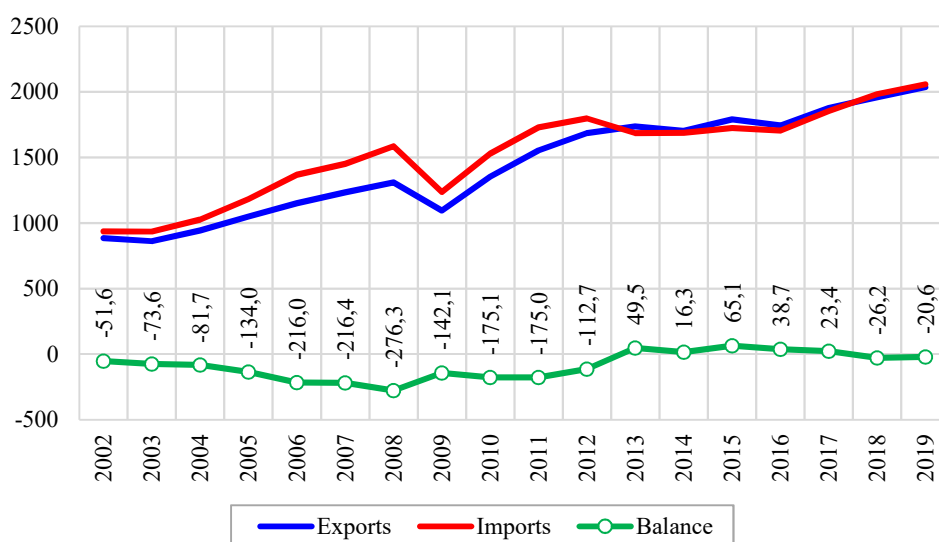


Figure 2. Extra-EU28 trade, 2002–2019, EUR billion

Source: Own preparation based on (Eurostat, 2021).

Until 2008, the value of exports increased by almost 48% (to 1.3 EUR trillion), but imports increased even more (by 69.2% to 1.6 EUR trillion). This meant a widening in the external trade deficit of the EU28 from 51.6 to 276.3 EUR billion. The collapse of international trade in 2009 also affected the European Union. This year, exports fell by over 16%, and imports by 22%. From 2010, the situation began to improve. After the initial dynamic increase in the value of trade turnover, the situation has stabilized since 2013. Until 2016, the values of exports and imports did not change rapidly. At the same time, the situation in the trade balance improved. In 2013, the EU28 even achieved a trade surplus of 49.5 EUR billion for the first time. On the one hand, the following years saw a relatively stable situation in the trade balance (ranging from -20.6 to +65.1 EUR billion), and on the other hand, a marked increase in turnover from 2016 to 2019.

Analyzing the data on the total trade balance of the EU28 in 2002–2019 (see Fig. 2), it would seem that the situation was relatively stable. Nevertheless, this overall result of EU

trade cooperation resulted from closer cooperation with only selected regions and countries. Figure 3 shows the value of EU28 trade with geographical regions.

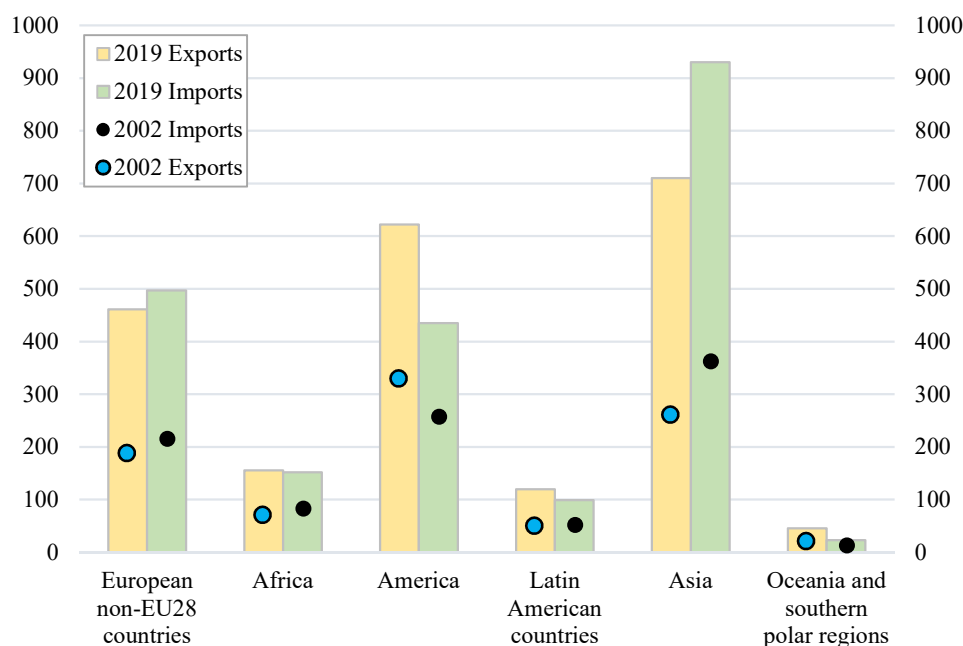


Figure 3. Extra-EU28 trade by geographical region, 2002 and 2019, EUR billion

Source: Own preparation based on (Eurostat, 2021).

The highest values, and thus shares in the EU's external exports and imports, belonged to Asia, America, and European non-EU28 countries. The remaining regions had much lower shares. The data in table 1 confirm these observations.

At the same time, it is worth pointing to the changes in the geographical structure of the EU28 trade in goods. In 2002, America was the most crucial export partner (35.8%), followed by Asia (28.3%) and non-EU member European countries (20.4%). In terms of import, these areas were also the most important, but the largest supply market was Asia (36.9%), followed by America (26.2%) and non-EU countries of Europe (21.9%). By 2019, the situation had changed so that Asia grew in importance and America lost out. However, other geographic areas were of importance similar to those in 2002. In 2019, Asia was already responsible for 43.5% of external EU28 imports and 33.6% of exports. The respective shares for America were 20.4 and 29.4%. Based on the above analysis, a clear conclusion can be drawn that the Asian region is becoming more and more significant in the European Union's trade, with a weakening position of America and stable for other areas.

Table 1. Share of extra-EU28 trade by geographical region, 2002 and 2019 (%)

	2002		2019	
	Exports	Imports	Exports	Imports
European non-EU28 countries	20.4%	21.9%	21.8%	23.3%
Africa	7.7%	8.4%	7.4%	7.1%
America	35.8%	26.2%	29.4%	20.4%
Latin American countries	5.5%	5.3%	5.7%	4.6%
Asia	28.3%	36.9%	33.6%	43.5%
Oceania and southern polar regions	2.3%	1.3%	2.1%	1.1%

Source: Own calculations based on (Eurostat, 2021).

Interesting conclusions from the point of view of the title of this study are brought by the analysis of the trade imbalance of the European Union with selected geographical regions. Figure 4 shows the value of the EU28 trade balance with partners in 2002–2019.

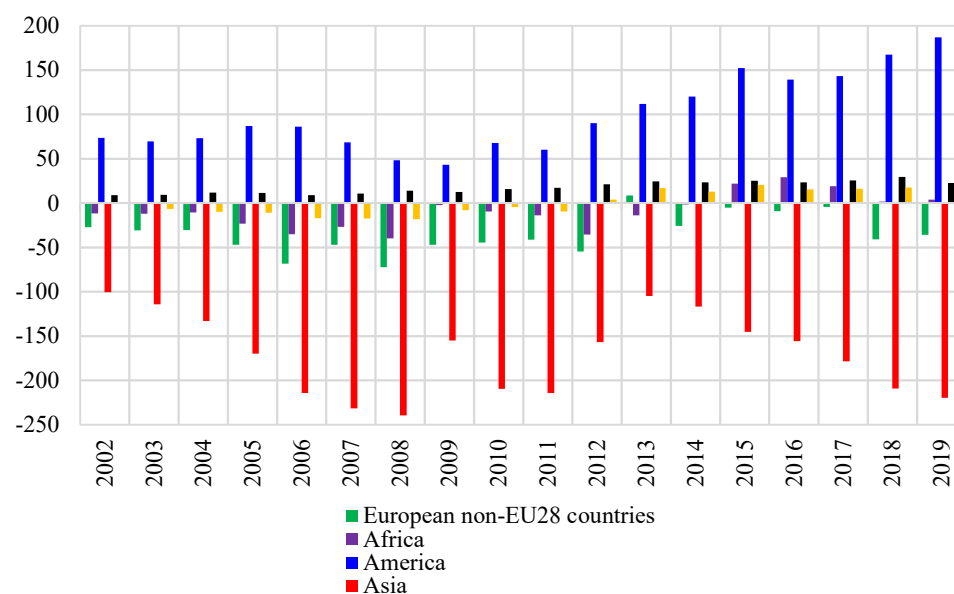


Figure 4. Extra-EU28 trade balance by geographical region, 2002-2019, EUR million

Source: Own preparation based on (Eurostat, 2021).

It turns out that the overall relative trade stability of the EU28 paradoxically resulted from high instability with specific partners, namely Asia and America. In 2002, the EU28 showed a deficit with Asia of 100.6 EUR billion and a surplus with America of 73.8 EUR billion. At the end of the analyzed period (2019), the deficit with Asia amounted to 219.8 EUR billion, and the surplus with America was 186.8 EUR billion. Surpluses and deficits with other countries were much lower in value, although in certain cases quite significant (e.g., deficits with European non-EU member states in 2005–2012). Due to Asia's large and growing importance in the European Union's trade and the most significant and

growing trade imbalance that the EU shows with this region, examining the EU28's external trade relations with Asia and selected Asian economies is necessary.

4. EU TRADE WITH ASIA

In the years 2000-2019, the European Union's trade turnover with Asia³ grew dynamically. According to UNCTAD (2021), exports increased from 256.8 USD billion to 871.1 USD billion, while imports increased from 405.7 USD billion to 1.2 USD billion. At the same time, this meant an increase in the deficit from 148.9 USD billion to 362.8 USD billion. Of the five Asian sub-regions, only with West Asia, the EU showed a surplus (23.9 USD billion in 2000 and 33.2 USD billion in 2019). However, trade flows with the remaining four sub-regions generated a deficit for the European Union, and the share of these sub-regions was significantly diversified.

Table 2. Share of Asian subregions in EU28 trade deficit with Asia, 2000, 2010 and 2019 (%)

	2000	2010	2019
Central Asia	1.6%	3.1%	4.1%
Eastern Asia	73.9%	81.5%	69.0%
South-Eastern Asia	20.7%	11.1%	18.3%
Southern Asia	3.8%	4.3%	8.5%

The only sub-region with which the EU28 had a trade surplus was Western Asia. Therefore, the region is excluded from the table of deficit regions.

Source: Own calculations based on (UNCTAD, 2021).

According to Table 2, East Asia and, to a lesser extent, Southeast Asia had the highest share in the deficit generated in the EU28 trade with Asia. Together, these two areas accounted for between 86.5% and 97.3% of the deficit. Therefore, it is justified to focus attention on countries from these particular Asian sub-regions. It turns out that only selected Asian countries are responsible for such a large deficit. Figure 5 shows the trade balance of the EU28 with selected countries of East and South-East Asia. In 2019, China was the country that generated the most significant EU trade deficit with Asia –258.6 USD billion. In the following places, but with significantly lower deficit values, were Vietnam (38.1 billion), Japan (23.4 billion), Malaysia (14.8 billion), and Thailand (11.5 billion). On the other hand, the EU28 generated a surplus with Hong Kong (USD 21.3 billion) and Singapore (11.6 billion). However, these surpluses and the number of countries with which the EU had a positive trade balance were much lower than in the case of deficit countries.

³ UNCTAD categorizes Asia broadly. In this approach, Asia comprises 50 countries classified into five sub-regions: Central Asia, Eastern Asia, South-Eastern Asia, Southern Asia, and Western Asia. For this reason, data for Asia according to the UNCTAD and Eurostat classification may differ.

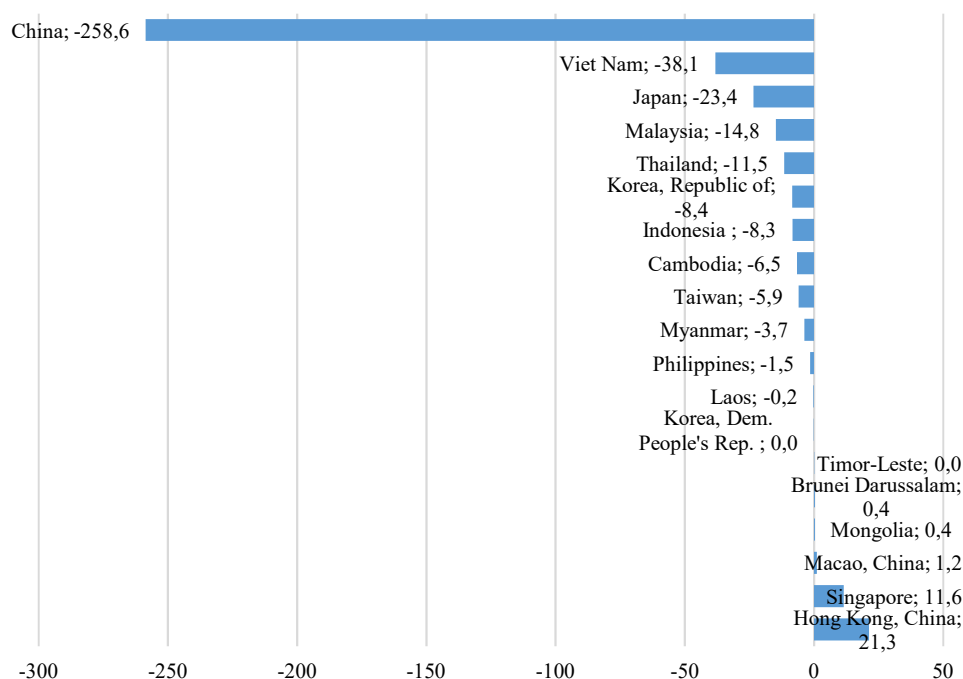


Figure 5. Extra-EU28 trade balance with East Asian and Southeast Asian countries, 2019, USD billion

Source: Own calculations based on (UNCTAD, 2021).

It is also worth emphasizing that the described situation resulted from the evolution of the EU's trade ties with Asian countries. In 2000, the situation was quite different because the five countries that generated the largest deficit for the EU were in the following order: Japan (56.8 USD billion deficit), China (49.8), Taiwan (15.1), South Korea (11.6), and Malaysia (9.7). Therefore, it is worth remembering that international trade is dynamic, and therefore its analysis should include changes over time.

To sum up, the European Union is seemingly showing a relatively stable situation in its overall external trade balance. Nevertheless, this situation is caused by the imbalances generated by individual partners at the regional and national levels. Therefore, in the following part of the study, we will focus on assessing the EU's trade ties with selected Asian countries in traditional (gross value) and new (value-added) terms.

5. THE EU-ASIA TRADE ANALYSIS BASED ON GROSS EXPORTS AND DOMESTIC VALUE ADDED

Trade balances

An alternative method of measuring trade based on the estimation of domestic and foreign value-added in gross exports allows determining the accurate trade balances of the European Union with selected Asian countries. The results of the calculations are included in Table 3. Based on the statistical data, we can formulate several conclusions.

Table 3. EU's trade balance with selected Asian countries in gross (GTB) and value-added (VATB) terms, USD million

		1995	2000	2005	2010	2015	2018
Japan	VATB	-6458.4	-20750.4	-16674.4	-16848.1	12166.7	23245.5
	GTB	-1885.5	-15978.9	-10483.8	-7157.3	14187.8	26509.9
South Korea	VATB	-1675	-5558.7	-12945.9	-18808.5	3407.5	7009.5
	GTB	-2866.9	-6259.1	-16375.8	-28753.9	15914.7	21382.9
Brunei Darussalam	VATB	698.2	311.8	122.3	240.6	604.9	460.4
	GTB	780.1	442.2	350.2	563.1	845.0	752.5
Cambodia	VATB	153.5	46.4	114.8	-288.1	-859.8	-1373.9
	GTB	166.0	-58.4	-113.2	-605.6	-1637.8	-2321.5
China	VATB	-824.1	-8769	-32594.4	-81862.6	-19094.3	-4742.3
	GTB	-2729.9	-11745.4	-49362.1	-109298	-32361.1	-22153.2
Indonesia	VATB	1164.4	-4471.8	-1755.6	-3639.6	2188.3	1729.3
	GTB	1104.5	-4928.5	-1668.8	-3478.7	1514.1	435.5
Hong Kong, China	VATB	2571.6	-673.5	-1269.5	420.5	5211.4	358.8
	GTB	1501	-1259.6	-962	-2291.7	1874.3	-6959.6
Laos	VATB	70.3	47.7	67.2	31.7	-21.9	6.3
	GTB	70.4	51.9	101.7	-15.2	-153.8	-66.7
Malaysia	VATB	685.9	-2660	-2823.6	-2395.1	3026.7	3126.3
	GTB	-723.6	-2861.3	-172.7	-383.9	4727.5	5046.3
Myanmar	VATB	722.7	368.7	-50.4	-236.1	97.1	-600.1
	GTB	704.3	433.4	79.2	-231.8	-484.9	-1149.6
Philippines	VATB	5705.6	160.2	-38.4	-1557.4	1758.8	3365.6
	GTB	6548.2	-176.4	-621.7	-2548.2	769.6	848.3
Singapore	VATB	-1526	-1786.6	-4924.3	-7445.4	-6258.3	-6562.7
	GTB	-1571.9	-840	-2465.3	-3470.7	268.8	1420.1
Taiwan	VATB	-271.4	-4987.6	-2666.6	-5470	-2500.2	-51.2
	GTB	-1419.3	-7418.9	-1253.6	-6237.6	3541.3	6063.8
Thailand	VATB	3238.3	-3687.1	-1718.8	-4334.3	-1883.2	-4108.1
	GTB	2416.2	-5580.1	-3819.1	-6803.5	-1853.1	-4877.5
Vietnam	VATB	1282.5	-815	-1211.1	-651.5	-2348.4	-3293
	GTB	1401.8	-1939.9	-3290.1	-3919.9	-8730.7	-10575.7

Source: Own preparation based on (OECD-WTO, 2021).

First of all, in all analyzed countries, the trade balances calculated according to the classical method based on gross exports and imports differed from the balances estimated with the value-added method. At the same time, the difference in the scale of trade imbalances, depending on the research method used, varied between countries. The most negligible differences were noticed in the case of Japan, Thailand, and Brunei Darussalam. At the same time, there were apparent differences in trade balances with China, Vietnam, Malaysia, South Korea, Cambodia, Hong Kong, Singapore, and Taiwan. An interesting case in the analyzed group of countries is South Korea. Until 2011, the differences in the trade balance calculated based on gross value and value-added were relatively small. However, since 2012, we can observe increasing differences in the values of trade balances depending on the adopted research method. It can be assumed that the increase was significantly influenced by flows of parts and components, which resulted from the preferential trade agreement between the EU and Korea, in operation since mid-2011. In

the case of Indonesia, in 2013 trade deficit calculated in value added terms changed into a surplus, and what is more since then it exceeds a trade balance in gross terms.

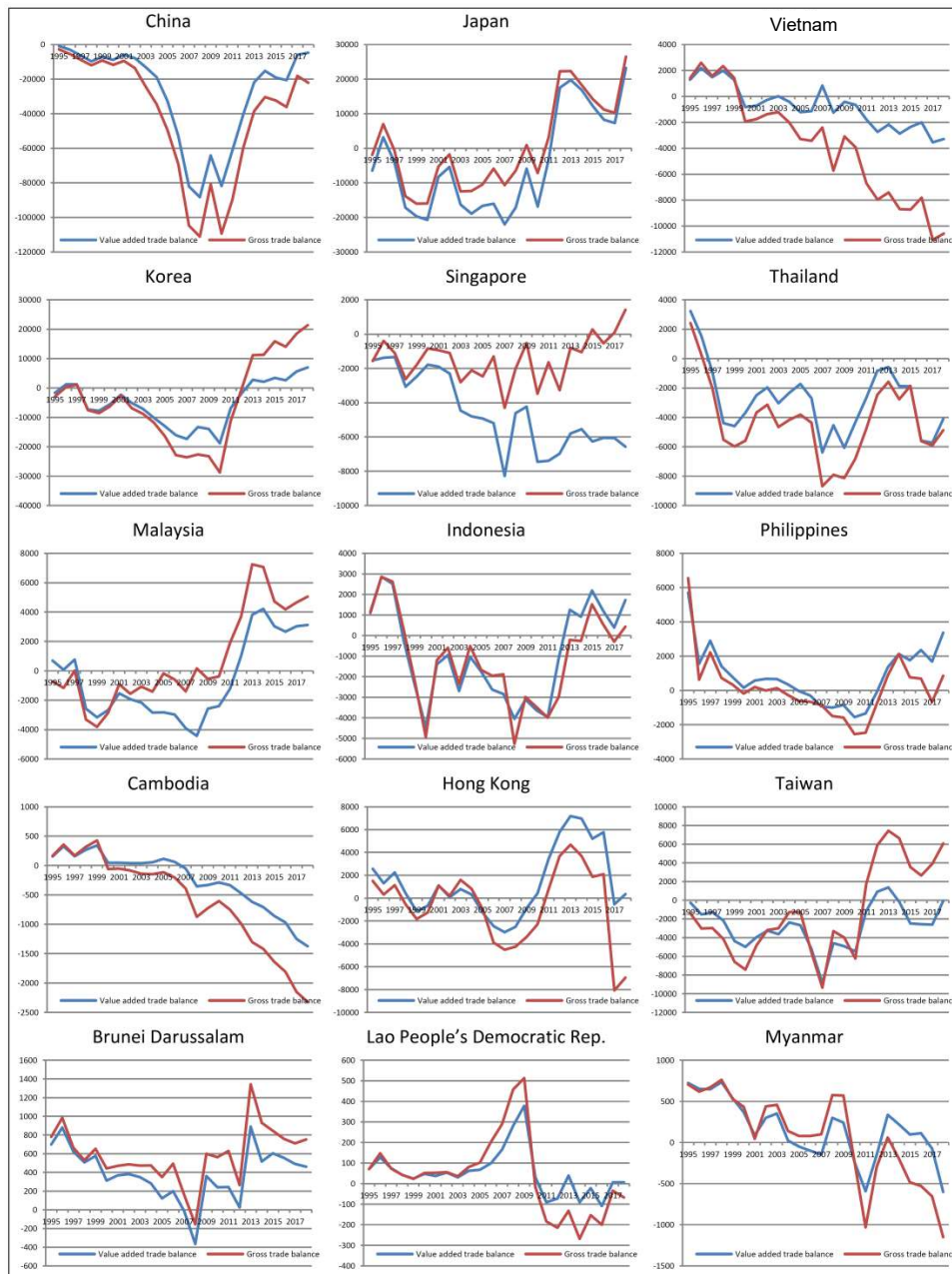


Figure 6. European Union's trade balance with selected Asian countries in gross (GTB) and value-added (VATB) terms, USD million

Source: see table 3.

Secondly, we can identify two groups of economies. The first one consists of countries where trade balances calculated on a value-added base show a lower scale of imbalance than those calculated traditionally. It includes countries where the EU shows a lower deficit (China, Vietnam, Cambodia, Thailand, and Myanmar, among others) and those with a lower trade surplus (Japan, South Korea, Malaysia, Brunei Darussalam). In the case of the Philippines, trade, as measured by value-added, between 2005 and 2011 was more balanced than trade based on gross value, but in general the trade balance fluctuated. The second group includes countries for which applying the value-added method causes an increase in trade imbalance. It includes mainly Singapore and Indonesia, and the Philippines after 2014.

Thirdly, the largest trade imbalance estimated on a value-added basis was characteristic for the European Union's trade with Japan (surplus of 26.5 USD billion in 2018), China (deficit of 22.2 USD billion), Vietnam (deficit 10.6 USD billion), South Korea (surplus of 7 USD billion), and Singapore (deficit of 6.6 USD billion). In trade with other countries in 2018, the trade imbalances did not exceed 5 USD billion.

Trade imbalance in product groups

The largest scale of the European Union's trade imbalance with Asia occurs in trade with China, Japan, and South Korea. Therefore, it is justified to indicate the main groups of products characterized by the highest deficits or surpluses according to gross and value-added methods (see table 4). The data analysis clearly shows that the main part of the trade deficit arises in the manufacturing sector. At the same time, in the exchange of agricultural products and raw materials, we can talk about a much smaller scale of the phenomenon.

Within the manufacturing, two groups of products with the most significant trade imbalance can be identified: 1) Computers, electronic and electrical equipment and 2) Transport equipment. In the first case, the European Union's trade with China, South Korea, and Japan is characterized by a high deficit calculated in gross value and value-added terms. However, it is worth noting that the deficits calculated based on value-added in the case of Japan are about 30% lower than in traditional terms, while in China, the deficit is almost four times lower (in 2018, the deficit of the EU with China in terms of value-added was at the level of 22 USD billion, and in gross terms 85.5 USD billion).

In the case of South Korea, the gross deficit until 2010 was, similarly to China and Japan, clearly higher than in terms of value-added. However, after 2011 there was a change in the trend – the deficit measured in gross terms decreased, and the deficit calculated in value-add terms increased. Currently, the deficit calculated according to value added method is higher than that calculated according to a traditional method (-9.5 USD billion vs. -6.8 USD billion in 2018).

The lower imbalance in value-added terms in relation to China and Japan is caused mainly because a significant part of the real deficit in this category occurs in relation to third countries such as Taiwan, Malaysia, Vietnam, but also the United States.

In the case of transport equipment, relationships are more complex. In trade with Japan and South Korea, the European Union shows a high deficit. It is higher when the basis for the calculations is data on the gross values of exports and imports. Applying the value-added method causes a significant decrease in the deficit, especially in trade with Korea. In 2018, the deficit of the EU in trade within transport equipment with Korea based on the traditional calculation method was 6.8 USD billion, and after the application of the value-added method, only 1.2 USD billion. The main reason for such high differences is the strong production ties between companies from the automotive industry. A significant part

of the value-added used in the production of Korean cars comes from the European Union countries, especially Germany, France, Italy, and the countries of Central Europe: Poland, the Czech Republic, Hungary, and Slovakia. Thus, the actual EU trade deficit against Japan and Korea is much lower.

The European Union has a high trade surplus with China in transport equipment, regardless of the calculation method. Nevertheless, when the calculation is based on data in value-added, the EU surplus is already more than twice as low. This results from high imports of parts and components from China, which go to European car manufacturers, then exported back to China.

Table 4. European Union trade balance with Japan, China, and Korea in gross (GTB) and value-added (VATB), USD million

		Japan			China			Korea		
		1995	2005	2018	1995	2005	2018	1995	2005	2018
Agriculture, forestry, and fishing	GTB	915.5	510.7	590.4	-94.5	-224.4	292.3	107.0	140.0	188.9
	VATB	1486	1003.8	1451.7	-1481.5	-5571	-14723.1	-29.7	92.9	253.1
Mining and quarrying	GTB	156.7	123.5	3 964.6	-198.3	-81.6	-991.9	62.9	204.2	2 399.9
	VATB	723.1	802.6	2756.4	-814.6	-6227.9	-6907.4	194.7	278.1	947.7
Manufacturing	GTB	-17 682.5	-18 332.3	13 769.6	-717.7	-49 782.5	-88 240.7	-5 647.1	-22 927.9	1 386.6
	VATB	-18079.5	-24839.3	-3616.8	675.4	-23443.5	-40131.8	-3094.9	-14893	-8864.4
Food products, beverages, and tobacco	GTB	4 496.8	5 820.8	6 588.2	-238.5	-1 667.3	6 370.1	399.6	905.5	2 086.9
	VATB	1556.4	2018.7	2221.9	-172.4	-1585.7	-677.9	128.3	344.2	634.8
Textiles, wearing apparel, leather, and related products	GTB	3 630.6	4 248.0	2 148.4	-4 088.0	-21 327.1	-45 918.4	-1 089.9	-321.5	1 699.4
	VATB	1543.5	1581	898.7	-1470.2	-8678.4	-16504.9	-633.9	-391.1	378.8
Wood and paper products; printing	GTB	745.7	1 446.1	1 711.9	79.7	-38.8	2 014.1	121.9	312.9	940.9
	VATB	238.7	182.1	529.2	111.2	-680.9	-1960.5	50.2	13.3	295
Chemicals and non-metallic mineral products	GTB	1 627.7	2 837.4	8 414.5	-1 187.8	-3 061.4	5 346.0	1 445.7	1 944.1	2 553.7
	VATB	179.6	122	3725.1	-666.9	-6106.4	-10374.2	-353.2	-2492.9	-1537.1
Primary metals and fabricated metal products	GTB	350.4	1 565.9	1 870.2	334.4	-1 877.0	-2 184.4	1 047.8	1 563.5	272.0
	VATB	-1400.6	-2243.6	-2370.4	857.2	-1335.4	-9852.8	217.3	-1256.6	-993.8
Computers, electronic and electrical equipment	GTB	-16 992.0	-17 243.5	-6 252.9	-539.0	-32 490.0	-85 517.9	-5 013.3	-14 086.9	-6 833.1
	VATB	-10956	-12244.5	-4366.2	-198.7	-8938.4	-21962.5	-2066.1	-7381.8	-9486.8
Machinery and equipment, net	GTB	-6 279.0	-6 339.7	-1 968.8	4 513.7	10 883.4	11 492.9	1 717.3	2 590.2	4 891.4
	VATB	-4186.4	-4420.8	-2923	1940.5	4328.6	8550.5	756.8	744.6	1973.8
Transport equipment	GTB	-7 974.8	-12 620.3	-4 697.1	1 415.0	4 037.2	42 456.5	-4 344.3	-16 204.0	-6 767.8
	VATB	-5361.2	-9549.8	-4308.5	294.9	87.8	16799.9	-1336.3	-4700.3	-1167.4
Other manufacturing; repair, and installation of machinery and equipment	GTB	2 712.0	1 953.1	5 955.3	-1 007.0	-4 241.5	-22 299.8	68.1	368.3	2 543.3
	VATB	306.4	-284.4	2976.3	-20.2	-534.7	-4149.6	142	227.7	1038.2

Source: Own preparations based on (OECD-WTO, 2021).

The trade imbalance of the European Union in relation to the analyzed economies in other commodity groups in the manufacturing sector is generally slight in scale. Still, we

can identify some specific cases of highly unbalanced trade. First of all, with China it occurs in trade in four product groups: 1) textiles, wearing apparel, leather, and related products; 2) other manufacturing; repair and installation of machinery and equipment; 3) machinery and equipment, n.e.c.; and 4) chemicals and non-metallic mineral products. The European Union has a high deficit measured in the traditional method in the first two groups of goods. However, balances based on value-added show a much smaller deficit. In the first case, it is almost three times, and in the second, it is more than five times lower. In the machinery and equipment, n.e.c., the European Union has a high surplus irrespective of the calculation method adopted. However, it is lower in calculations based on added value. Finally, the situation in the group of chemicals and non-metallic mineral products is worth noticing. The European Union showed a trade deficit with China for most of the analyzed period, which has turned into a slight surplus in recent years. However, the statistics based on the value-added clearly show that the surplus has not been reached, the trade balance is negative, and in 2018 it was -10.4 USD billion. A similar situation occurs in this commodity group also in trade with South Korea.

6. CONCLUSIONS

The European Union is an economy heavily involved in the development of international trade. The value of the trade turnover of this grouping is continuously growing, and the effect of trade cooperation is revealed in the external trade balance. In the years 2002–2019, the EU trade balance initially showed a growing deficit with the rest of the world (2002–2008), then a decreasing deficit (2009–2012), and since 2013 the balance has been relatively stable with alternating surpluses and deficits. This equilibrium, however, is apparent, as the final result of EU trade cooperation is the consequence of the compensation of trade balances with particular groups of partners. The European Union shows a high surplus with the Americas and a high deficit with Asia and with European non-EU member states. The EU's trade relations with Asia are particularly imbalanced. Between 2002 and 2019, the deficit on the EU side increased from 100.6 USD billion to 219.8 USD billion.

The conducted analysis showed that East Asia and South-East Asia were responsible for generating a surplus with the European Union within the broadly understood region of Asia. Moreover, only selected countries were responsible for the EU's trade imbalance with Asia within these sub-regions. On the one hand, China, followed by Vietnam, Japan, Malaysia, Thailand, South Korea, and Indonesia, created the growing trade deficit for the EU. On the other hand, the EU showed a relatively high surplus with Hong Kong and Singapore.

Nevertheless, presenting the European Union's trade imbalance with Asia solely through the prism of the traditional measurement method of international trade is not entirely legitimate. This method has several shortcomings, which do not allow for formulating unequivocal conclusions. First of all, it does not take into account foreign value added, which increases the value of exports and significantly affects the trade balance. It also does not allow for the proper identification of countries with which there are actual trade surpluses and deficits. An alternative method of measuring international trade (based on value-added) reflects the reality better. Therefore, the analysis and comparison of trade imbalances using both presented methods give a different view on the final effect of EU trade cooperation with Asia.

The use of the research method based on world input-output tables allows to estimate the actual trade balances of the European Union with selected Asian countries and to compare the obtained results with classically calculated values. The most significant differences in the scale of the trade imbalance occurred in trade with China, Vietnam, Malaysia, South Korea, Cambodia, Hong Kong, Singapore, and Taiwan. The value-added balances revealed a significantly lower deficit for China, Vietnam, and Cambodia, while Malaysia showed a lower surplus. Interesting cases are Hong Kong and Singapore. In 2018 the trade with Hong Kong revealed surplus in value added terms while deficit in gross terms. An opposite situation took place for the EU's trade balance with Singapore. A relatively small influence of the applied research method on trade imbalance occurred in trade with Japan, and Thailand.

The analysis of trade balances in the European Union's trade with China, Japan, and South Korea – the countries with the greatest trade imbalance – allows identifying industries where real deficits and surpluses arise. Two industries are responsible for the major part of the trade imbalance and the difference in the value of surpluses or deficits: 1) Computers, electronic and electrical equipment and 2) Transport equipment. There are trade deficits in the first group of products, but they are around 30% lower in value-added terms. In the second case, the European Union shows a deficit in relation to Japan and Korea, but it is also much lower in value-added terms, especially in the trade with Korea. In its exchange with China, the EU has a surplus, which decreases by 60% after using an alternative method of trade calculation.

The conclusions presented above put the trade relations of the European Union with Asian countries in a new light. Although trade imbalances do exist, they generally show smaller deficits or surpluses in most cases when measured in value-added. Therefore, if this method illustrates real trade balances better, assessing the overall deficit that the EU shows in its trade with Asia should be adjusted *in plus*.

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THE VOIVODE'S RECOMMENDATION AS A SPECIFIC TOOL FOR SECURITY PROTECTION IN A DUALISTIC MODEL OF LOCAL GOVERNMENT IN POLAND

This paper aims to analyze the problems resulting from the voivode's use of a recommendation tool issued for local government administration bodies, as well as recommendations issued for local government bodies. It investigates the characteristics of the dualistic system of local administration, along with a discussion of its structure and the importance of the connections resulting from centralization or decentralization. It explores problems related to determining the final nature of orders issued by the voivode for government administrative bodies and local government bodies. The study also encompasses the premises enabling the voivode to issue a recommendation and the positions of representatives of the doctrine on how to understand the concepts of protection of public security and order.

Keywords: voivode, voivode's recommendations, dualism in public administration, decentralization, security protection, protection of public order, local government.

1. INTRODUCTION

The adoption of an appropriate model and specific solutions for the functioning of local authorities and defining the mutual relations between government and local government administration bodies in this context is not just a "technical" choice of one of the potential, equivalent solutions. It is also not a choice dictated solely by organizational considerations, for instance those resulting from the desire to ensure the rationality, efficiency and cost-effectiveness of the activities of the administering bodies. The choice of a specific model of local administration is primarily a political choice, related to, among others, with the adopted concept of the role and degree of independence of local government bodies and determining the degree of centralization of the administrative apparatus. The decision regarding the legal position and the specific arrangement of division of competences between the administrative bodies operating in the area is also important for this choice.

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2. THE ESSENCE OF DUALISM OF LOCAL ADMINISTRATION

The concept of dualism of local administration or the dualistic model of local administration may depend on the system and the period when it was formed – understood differently. In Europe, the formation of this dualism is explained by historical reasons. In addition to the centralized administration model established in the absolute state, a second vertical of public administration has emerged in Europe, decentralized administration, i.e. local government administration (Leoński, 2004; Leoński, Janku, Szewczyk, Waligórski, 2005). J. Starościak, distinguishing the types of local administration, distinguished "a) the type of dualistic administration and b) the type of unitary administration. Dualistic administration is characterized by the fact that there is a separate section of centralized (government) administration and, next to them, a section of local government bodies" (Starościak, 1977). J. Lipowicz writes that

the systemic consequence of the distrust towards far-reaching regionalization was the dualism of the voivodeship system, i.e. a situation in which in each voivodeship there is both a directly democratically elected representation of the voivodeship's community [...] and at the same time a voivode representing the interest of the state as a whole (Lipowicz, 2002)

and the concept of dualism of local administration refers to a part of the local structure, i.e. the voivodeship (Polinceusz, 2010).

In Poland, the collapse of the socialist system in 1989 meant the need to take actions to enable the state to move towards a democratic system, and to introduce normative changes enabling the administration structures to find their way in the new reality. One of the manifestations of these reforms was the introduction - initially only at the commune level - of local government administration. This was the first step towards implementation of a dualistic model of administration in Poland. By implementing the principle of decentralization of public administration, over the next ten years the monistic model of the state administrative apparatus was finally abandoned, and the concept of public administration, which includes both central and local government administration, was returned (Chochowski, 2019). The effect of this administration reform was the establishment of a voivodeship government administration, and the integration of as many units as possible in the territory of the voivodeship and subjecting them to the authority of the voivode. However, the consolidation of local government administration did not cover all of its bodies, and the legislator enabled the continued functioning of "united government administration" bodies in the voivodeship, subordinated to the appropriate central or supreme government administration bodies (Rychlik, 2005; Wymyk, 2001; Kulesza, 2002). In addition to local government administration bodies, another distinguishable subsystem of local public administration began to be created by local government units operating on the principle of decentralization within the framework of the legally protected independence granted to them. The basic division of local government bodies was based on the criterion of function (division into decision-making and executive bodies) and on the criterion of body creation (division into bodies elected by general elections and bodies selected by decision-making bodies).

The actions taken at that time aimed at creating a dualistic, government-local local administration apparatus, had an almost revolutionary significance for the Polish administration. The reconstruction of local government was one of the necessary conditions to restore the democratic system in Poland. Moreover, at that time it also became

possible to build a civil society, which would not have been possible without the existence of independent self-government, which meant transferring real competences of public authorities to the local level. Local government functioning in this way can be understood as a “microdemocracy” equipped with legal personality which the state has delegated part of its administrative function to (Jakubek-Lalik, 2019). Decentralization, which was the main assumption of the reform of the 1990s, also meant the need to equip local government units with the right to carry out tasks independently, which also resulted in the need to define responsibility for public affairs at the local level. These reforms also required a new division of competences between the central authorities and those operating in the area, which in turn meant the transfer to local governments of some competences previously reserved exclusively for government administration.

3. STRUCTURE OF DUALISTIC LOCAL ADMINISTRATION

Pursuant to Art. 2 of the Act of January 23, 2009 on the Voivode and Government Administration in the Voivodeship, government administration in the voivodeship is performed by:

- voivode,
- combined government administration bodies in the voivodeship, including heads of combined services, inspections and guards,
- bodies of independent government administration,
- local government units and their associations, if the performance of government administration tasks results from the act or from a concluded agreement,
- governor, if their performance of government administration tasks results from separate acts,
- other entities, if they perform government administration tasks on the basis of separate acts.

Therefore, government administration in the voivodeship is performed by government administration bodies and local government bodies which, in addition to their own tasks, also carry out tasks related to government administration, if this results from acts or agreements concluded by them. The services, inspections and guards in the voivodeship are united under the authority of the voivode and (unless the Act provides otherwise) in one office. The voivode, as the head of the combined government administration, manages it, ensures the conditions for effective operation and is responsible for the results of its operation (Polinceusz, 2010).

Therefore, public administration in the voivodeship is performed by combined and non-integrated administration bodies and local government bodies. It should be added that government administration in the area is also performed by managers of poviat services, inspections and guards, acting under the authority of the starosta; however, they constitute a consolidated poviat administration.

In turn, non-united (special) administration in the voivodeship consists of government administration bodies subordinated to the right minister, as well as heads of state legal entities, and heads of other state organizational units performing tasks in the field of government administration in the voivodeship. The lack of unification means that the voivode has no authority over the above-mentioned bodies, and his influence on the activities of these bodies is limited. However, the duties of non-united administration bodies include, among others: agreeing with the voivode on draft local law acts adopted by

these bodies, ensuring compliance of activities with the voivode's instructions and submitting annual information to the voivode on activities in the voivodeship (Polinceusz, 2010).

In turn, the administration performed by local government bodies is representative in nature, and is part of a two-track, dualistic state administration apparatus. Residents of each local government unit, being the most important entity of local government, make decisions in general elections (through elections and referendums), through their elected bodies of a given local government unit, or express their opinion on matters important for a given local community (social consultations). The authorities of the local government unit (commune, powiat, voivodeship) include:

- self-governing community (created by operation of law by its inhabitants),
- its bodies, i.e. decision-making and control bodies (commune council, county council and voivodeship assembly) and executive bodies (in the commune, a single-person body elected in general elections, the commune/mayor/president of the city and the collegial boards of the powiat and voivodeship with the chairmen of the boards: the starosta and the voivodeship marshal, respectively).

4. FUNCTIONS OF THE VOIVODE

It should be emphasized that among the above-mentioned public administration bodies, the voivode holds a special position. Of fundamental importance to state its legal status are its functions determined by the provisions of Art. 3 of the Act on the Voivode and Government Administration in the Voivodeship, according to which the voivode is:

- representative of the Council of Ministers in the voivodeship,
- the superior and at the same time the body of the combined government administration in the voivodeship,
- supervisory authority over local government units,
- a government administration body in the voivodeship, whose jurisdiction includes all matters related to government administration that are not reserved for other entities,
- a higher-level body within the meaning of the provisions on administrative proceedings, if specific laws provide so,
- a representative of the State Treasury to the extent and under the terms specified,
- in separate acts and the one who is obliged to ensure the management of State Treasury real estate in the voivodeship in a manner consistent with the principles of sound economy.

The functions of the voivode outlined in this way are generally developed and clarified in the subsequent provisions of the Act, which indicate the numerous tasks of this body, especially in the area of protection of generally understood public safety and order. Article 22 on the Voivode and Government Administration in the Voivodeship stipulates that the voivode, as a representative of the Council of Ministers responsible for implementing the government's policy in the voivodeship, in particular adapts the detailed objectives of the government's policy to local conditions and, within the scope and on the terms provided for in the acts, coordinates and controls the implementation of the resulting tasks, ensures the cooperation of all government administration bodies and local government operating in the voivodeship and manages their activities in the field of preventing threats to life, health or property and threats to the environment, state security and maintaining public order, protection of civil rights, as well as preventing natural disasters and other

extraordinary threats and combating and removing their effects, on principles specified in separate acts, assesses the state of flood protection in the voivodeship, develops an operational plan for flood protection and announces and cancels emergency services and flood alarms, performs and coordinates tasks in the field of national defense and security and crisis management, submits to the Council of Ministers, through the competent minister for public administration, draft government documents in matters relating to the voivodeship and performs other tasks specified in separate acts and determined by the Council of Ministers and the Prime Minister (Polinceusz, 2015).

5. LEGAL NATURE OF THE VOIVODE'S ORDERS

Another measure of action provided for by the Act, which is the responsibility of the voivode acting as a representative of the Council of Ministers, is the competence to issue orders binding on all government administration bodies (Article 25 of the Act), and in emergency situations also binding on local government bodies. The voivode immediately informs the right minister about the issued orders. However, the legislator emphasizes that these orders cannot concern decisions as to the substance of a case dealt with by way of an administrative decision, and cannot concern operational, reconnaissance, investigation or investigation activities as well as activities related to the prosecution of offenses (Article 25(2) of the Act).

Determining the legal nature of the voivode's orders in question causes many problems now – as before, before the entry into force of the current act, when the voivode was also equipped with this type of power. In the previously applicable Act of June 5, 1998 on government administration in the voivodeship, the provisions of Art. 16 in connection with Art. 9 point 4, the legislator defined the term “voivode's order”. According to this provision, “the voivode's order” should be understood as “a call to perform a specific action, but addressed to the bodies and employees of which he is the superior”. In this case, the legislator referred to the order issued by the voivode as an “official order”. However, the “voivode's order” addressed to other bodies and units performing government administration in the voivodeship in accordance with Art. 9 point 4 of the repealed Act in fine constituted a “supervision measure”.

In the light of the presented regulation, it should have been assumed that the voivode could issue an official order, i.e. a binding order for specific conduct, to those government administration bodies in the voivodeship over which he was the superior, and to non-united administration bodies which operated within the local jurisdiction of a given voivode, with that they had to be treated as a means of supervision. However, it should be noted that – as considered by W. Kisiel and P. Chmielnicki – an order is a measure that does not fit into the classic structure of supervision and that the commented provision in fact introduced an exception to the principle of decentralization, creating the basis for the voivode to use a measure of functional management called a “supervision measure” ((Kisiel, Chmielnicki 2006).

The possibility for the voivode to issue orders has been maintained by the legislator in the currently applicable Act of January 23, 2009 on the voivode and government administration in the voivodeship, although the legislator has not included a definition of the voivode's order in its provisions, which only intensifies the previously existing interpretation doubts.

Orders can be classified as acts similar in nature to official orders, which are individual acts of superiors addressed to subordinates and, as such, are characterized by the highest

degree of imperativeness. By means of a command, the superior can unilaterally specify both the goal, the expected result of the ordered behavior, as well as the start and end date and the detailed procedure for the subordinate's action. This will usually be the nature of orders addressed by voivodes to their subordinate bodies that create the structures of integrated administration in the voivodeship. However, it should be clearly noted that the voivode's orders issued pursuant to Art. 25 of the Act. are addressed not to individual employees, but to administrative bodies. Some of these bodies, the recipients of the voivode's order, are not organizationally subordinate to the voivode, e.g. bodies of non-united government administration. In this case, we will be dealing with orders that can be classified as coordinating activities that are intended to ensure cooperation between all government administration bodies or to adapt the policy of the Council of Ministers to local conditions.

As M. Kasiński notes, orders may also be addressed to administrative bodies of a specific type, e.g. to all powiat police commanders, to all heads of tax offices, to all mayors, and concern their - abstractly defined - legal situation, e.g. an order issued in order to implementation of uniform rules of conduct in specific types of cases. In practice, voivodes issue this type of orders, sometimes using acts with different names: instructions, circulars, circular letters, resolutions, etc. On the other hand, acts named in this way do not always contain content with the hallmarks of normative novelty, sometimes they have only informational purposes and serve to standardize the interpretation of regulations (Kasiński, 2012).

It also happens that the addressees of the voivode's orders specified in Art. 25 of the Act may be bodies that are not even part of the same political structure as the voivode, and such a situation occurs in the case of issuing orders to local government bodies. In such cases, orders may be classified either as acts of supervision, which are the only tools of interference in the independence and freedom of action of the local government permitted by law, or as acts that are not acts of supervision, constituting the implementation of competences related to the implementation by the voivode of the policy of the Council of Ministers in the voivodeship. As M. Karpiuk rightly notes, issuing orders when it comes to government administration does not raise much controversy since this administration was shaped based on the principle of hierarchical subordination, where orders are a commonly used means of influence (Karpiuk, 2018). However, the situation is different in the relationship between the voivode and the local government, which is based on supervision in the event of the possibility of using interference instruments. The only criterion for this supervision is the legality of the activities of the supervised body, and only in this respect can the activities of local government be assessed. Due to the constitutionally guaranteed principle of independence of local government, even in the event of emergency situations, orders are not among the instruments through which the voivode can exercise authority over local government.

It should be noted that although Art. 25 of the Act does not make any distinction between orders issued to government administration bodies and orders issued to local government bodies, the difference in the nature of the voivode's order issued to government and local government administration bodies results from their different position in the legal system. Unlike government administration bodies operating in the voivodeship, local government is a decentralized administration, excluding hierarchical subordination to the voivode. Local governments are, in principle, public administration entities independent of government administration. Authoritative interference in the independent implementation of tasks by a local government unit is possible only as part of supervision. It should,

therefore, be assumed that the voivode's order issued in relation to government administration bodies operating in the voivodeship, even though it is the same activity, defined by the same legal provision, assumes the nature of a managerial activity in relation to a hierarchically subordinated entity. However, if it is directed towards a local government body that is hierarchically independent of the voivode, it constitutes an act of supervision.

Despite this interpretation, the solution adopted by the legislator in Art. 25 section 1 of the Act should be assessed negatively as it raises numerous interpretation doubts and is in contradiction with the legal model of supervision over the activities of local government units and the dictionary of concepts in public administration established in the doctrine and case law.

6. SECURITY THREATS AS A REASON FOR ISSUING A COMMAND

Unless specified in Art. 25 of the Act the voivode's orders addressed to local government administration bodies fall within the scope of measures that can be applied in the sphere of bodies creating centralized structures of the administration apparatus, these orders addressed to local government bodies undoubtedly constitute a kind of interference by the voivode in the normatively protected independence and freedom of action of decentralized units local government. It is true that the possibility of formulating this type of orders was limited by the legislator to emergency situations, but the phrases used by the legislator to enable their identification also do not provide a clear answer to the question of when the voivode will actually be able to issue such an order to local government bodies.

Pursuant to the content of Art. 25 in connection with Art. 22 section 2. the voivode may issue orders binding local government bodies in the field of “preventing threats to life, health or property and threats to the environment, state security and maintaining public order, protecting civil rights, as well as preventing natural disasters and other extraordinary threats and combating and removing their effects”. Moreover, in accordance with the provisions of Art. 25 section 1a the voivode may issue such orders in crisis situations within the meaning of the Act of 26 April 2007 on crisis management.

While the concepts of threat to life, health, property, environmental protection, prevention and removal of the effects of natural disasters and crisis situations used by the legislator have legal definitions or do not pose major problems in determining their meaning, the concepts of “state security” and maintaining “public order”, have long been the subject of numerous considerations in the doctrine due to the diversity and extensiveness of the material constituting the content of the analyzed issue.

S. Bolesta, considering the concepts of “public order and security”, considers “public order” as

a system of public legal devices and social relations arising and developing in public places, whose purpose and task is, in particular, the protection of life, health, property of citizens and property social, ensuring the normal operation of institutions, plants, enterprises and eliminating various types of nuisances, dangerous or inconvenient for society and individuals (Bolesta, 1997).

In turn, the author considers “public security” to be

a system of devices and social relations, regulated by law and moral norms and rules of social coexistence, ensuring the protection of society, individuals and

their property against looming dangers caused by violent actions of people and nature (Bolesta, 1997).

W. Kawka, noting that due to the diversity and extensiveness of the material constituting the content of the analyzed issue, it is not possible to formulate a full definition of “public security”. The author explains that the term “security, peace and public order” should be understood as

certain positive states prevailing in a social organization, whose behavior guarantees the avoidance of specific damage, both by the entire organization and by its individual members. Public security is a state in which the general public and its interests, as well as the state with its goals, are to ensure protection against harm threatening them from any source (Kawka, 1935).

S. Pieprzny claims that

human security and public safety is a state existing in a country in which no danger exists for people or the general public. Safety boundaries are defined by law and everything that disturbs these boundaries constitutes a danger (Pieprzny, 2007).

A quite universal definition was presented by Ed. Ura, according to whom public security is a state in which all citizens living in the state and society, not individually designated, are not threatened by any danger, regardless of its sources. The concept of public order refers to those tasks of entities performing public administration tasks that are directly related to maintaining order enabling the normal development of life in the state (Ura, 1988). In turn, E. Ura understands the protection of public security and order as

the entirety of legal, organizational and technical devices at the disposal of the state, which serve to ensure the security of the state, its durability and development conditions, the protection of constitutional principles with particular emphasis on the principle of respect for the law, including relations regulated by moral and customary norms (Ura, 2003).

In turn, Z. Nowakowski, M. Pomykała and J. Rajchel emphasize that the concept of “public security” is a competence norm and at the same time a general clause authorizing the relevant authorities to counteract and prevent danger. Moreover, a public threat – according to the authors – should not be understood literally, because a public danger will also include a danger that negatively affects the conditions of collective life, even if it only threatens an individual (Nowakowski, Pomykała, Rajchel, 2009).

The analysis of the considerations presented above allows us to assume that the terms “state security”, “public order”, “protection of public security and order” and “maintenance of public security and order” used in many normative acts usually have the nature of general clauses, specific concepts that are not clearly defined, in for which it is almost impossible to determine a uniform way of understanding. The understanding of these concepts is largely influenced by current socio-political conditions, on the basis of which their each interpretation is made. It is also possible to adapt the way of understanding these concepts to changing needs and social conditions. Taking into account all these factors undoubtedly affects the final assessment of the validity of the actions taken in the field of

establishing given legal norms in situations objectively justified by the protection of life, health, safety, order and public peace.

7. CONCLUSIONS

To be effective, the system of public administration bodies responsible for ensuring generally understood security in the state should first of all meet several conditions: it should be simple, it should have precisely defined competences of the entities included in this system and it should be based on legal provisions whose interpretation does not raise any contradictions and interpretation doubts.

However, the protection of public order and security is a highly complex area of activity of public authorities. Due to the multitude of causes and circumstances affecting the scope and level of this protection, the analysis of problems related to the issue does not fit into one conventionally separated field of science or branch of law. Moreover, the very way of understanding the process of security protection will undergo constant evolution in the future, progressing in parallel with the process of globalization, socio-economic changes and successively implemented new solutions based on modern technologies, which will have a direct relationship with the understanding of the concepts of security and public order, as well as how to protect them.

Moreover, the fulfillment of all the above-formulated conditions for the effectiveness of the security protection system is undoubtedly difficult due to the dualistic way of organizing the Polish public administration, which consists of groups of bodies operating on the principle of hierarchical subordination typical of centralization and a group of local government bodies, which creates a decentralized system of entities that are, in principle, independent from the influence of government administration, both central and local. Such a solution must, by its nature, lead to conflict situations, because this type of construction of the administrative apparatus, by its nature, may give rise to a desire for expansion of its individual entities.

Undoubtedly, by creating the normative framework for the system of protecting public safety and order, the legislator assigned the voivode a special function in ensuring security and maintaining public order in the voivodeship. While carrying out tasks in this area, the voivode was, among others, obliged to ensure cooperation and manage the activities of all organizational units of government and local government administration in the voivodeship. The implementation of tasks in this area, combined with the function of the head of the combined government administration in the voivodeship, imposes special responsibility on the voivode for the state of public safety and order in the administered area.

It should be emphasized, however, that the protection of public safety and order and such valuable goods as life, health or the environment cannot be an excuse for disturbing the constitutionally protected principle of decentralization of public authorities. Giving the voivode the right to issue orders to local government bodies, including orders whose nature is difficult to determine definitively because they do not fit into the typical canon of measures used within the framework of legal supervision, undoubtedly means a threat to the independence of local government activities and a weakening of the guarantees of its decentralization. Of course, the legislator restricted the use of this type of orders only in emergency situations and in order to avert threats to particularly valued values, but the voivode should not be able to interfere with the constitutionally guaranteed freedom of local government, even in matters of this importance. It should be remembered that the

legislator's decision was to equip the voivode with supervisory instruments, whose activation is determined solely by the criterion of compliance with the law. The subsequent introduction of regulations that enable the voivode's intervention in other, not fully specified cases constitutes both a threat to the independence of local government activities and additionally introduces interpretation chaos, which certainly does not increase the effectiveness of activities in the area of security and order protection.

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THE CIRCULAR ECONOMY AND SUSTAINABLE DEVELOPMENT: IMPLICATIONS FOR THE SOCIAL SCIENCES

Recent years have seen an increase in interest in the circular economy (CE) in science and practice. In both cases, the benchmark for an activity is the degree of environmental degradation. CE is a concept based on sustainable development, taking into account the balance of three areas: environmental, economic, and social. While the first two are relatively well described and measurable by quantitative indicators, the third is still not satisfactorily represented in science and practice. To embed CE in scientific discourse, it seems appropriate to use the umbrella concept, which implies the integration of different fields and disciplines into new research areas. This article focuses on the social aspect, emphasizing the role of management sciences, which, with the selection of appropriate methods, can be the key to studying and describing this area. The purpose of this article is to try to select a research paradigm for the social aspect of CE, so that the concept fits more fully into the assumptions of sustainable development.

Keywords: circular economy, CE, paradigm, management sciences, umbrella concept.

1. INTRODUCTION

Although the concept of a circular economy has been present in scientific research since the 1960s, it was only in the early 21st century that the issue rose to the ranks of key issues in both the scientific circuit and political and economic practice. For the past two decades there has been a marked increase in publications, but also in ideas for solving related problems. Reflection in this area has taken on a very elaborate form in the EU, not least because of the applied nature of the concept in the Community.

The EU's CE policy is a response to the environmental degradation that has been observed for decades. The discussion on this topic was triggered after the publication of the Club of Rome report entitled *Limits to Growth* (Meadows, Meadows, Randers, 1972). The authors, scientists from the Massachusetts Institute of Technology, prepared the report, which can be read as a warning to humanity that there are limits to economic growth. The European Council in 1972 pointed out the need to develop an environmental policy linked to economic development.

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Today, it can be said that there is a consensus on the general understanding of the principles of CE, which is defined as maximizing the added value of resources, materials and products while minimizing the amount of waste produced. At the same time, there are a great many definitions, emphasizing different aspects of the concept. A universal view of CE is presented by the Ellen MacArthur Foundation, according to which it is the consideration of repair and remanufacturing in design and maintaining the highest utility and value of products, components and materials at all times, separating technical and biological cycles (*Towards A Circular Economy...*, 2015).

The main problem that accompanies the discussion of the modern economic model concerns the replicating pattern in which resources are turned into products and the latter into waste. At the same time, products are too quickly “stopped”, not put back into circulation (Hobson, Lynch, 2016). A key demand of CE is to separate economic growth from environmental degradation (Kama 2015; Webster, 2013). Some approaches treat the problem more broadly, linking it to local employment opportunities (Stahel, 2006). However, this framing is relatively rare, the most important aspects addressed by researchers being the economy and the environment. This is reflected in the actions taken in the EU, which can be characterized as a response to an overly expansive economic system (Korhonen, Honkasalo, Seppälä, 2018). The direction taken by the EU, but also by a growing number of countries, is based on the assumption that increased resource efficiency through closed material loops will reduce material extraction, waste disposal, and thus pressure on the environment (Ghisellini, Cialani, Ulgiati, 2016).

The reason why the article demonstrates the example of the EU is the degree of implementation of CE principals, expressed both in strategic documents and actions aimed at meeting pro-environmental demands. The second reason is the “inspiring” role of the Union, primarily for researchers of the subject, as many scientific publications refer to the decisions of Community bodies in the field of CE. This special approach of the EU to environmental issues is a direct result of the adopted principles of sustainable development. It is worth noting that the EU has pledged to adopt the United Nations Agenda 2030 related to, among other things, ecological transformation. Central to this is precisely the concept of sustainable development, which is achieved by combining economic development with environmental protection, as well as social justice (Laurent, 2016). Only the presentation of CE in the context of sustainable development gives a full picture of the concept.

The breadth of issues addressed in the discussion of CE makes this area difficult to identify on a map of scientific fields and disciplines. Most of the problems that scientists deal with are related to the environment and the economy. At the same time, researchers of the former are primarily representatives of the natural sciences. The second area is of interest to representatives of economic sciences. In addition to environmental and economic issues, there remains a social issue, very important in the context of sustainable development. The key to describing this sphere may be the management sciences, which have the task of proposing solutions for the management of enterprises to help managers make decisions, but also describe the operation of the public sphere. According to economics, the environment is a public good, while the benefits of generating economic growth and associated pollution are overwhelmingly private. At the same time, the social costs associated with environmental degradation are shared by all.

The description of the social aspect requires appropriate research methods, which are already being proposed by researchers in the management science discipline. Very often, however, scientists conduct their research assuming the constancy of the analyzed area, and use quantitative methods. Meanwhile, management science, like all social sciences, is

subject to evolution, and one of the directions of development is the critical approach. The purpose of this article is to try to select a research paradigm for the social aspect of CE, so that the concept more fully fits into the assumptions of sustainable development.

2. CE AND OF THE UMBRELLA CONCEPT

In the context of recent CE research, it can be described as an umbrella concept (Blomsma, Brennan, 2017). The researchers refer to a term coined by Paul Hirsch and Daniel Levin, who define an umbrella concept as “a broad concept or idea used loosely to encompass and explain a set of diverse phenomena” (Hirsch, Levin, 1999). According to the authors, umbrella concepts create relationships between pre-existing theories and fields that were previously unrelated by focusing on their common quality or property. Hirsch and Levin propose the concept of adaptive capacity as an example of an umbrella concept; Klein uses the term to describe the adaptive capacity to manage the environment and respond to the consequences associated with environmental degradation (Klein, Nicholls, Thomalla, 2003).

Hirsch and Levin take the position that umbrella concepts usually arise when specific fields or disciplines share common paradigms, but researchers have trouble theoretically linking them. According to the authors, there are a number of concepts that, although not related to each other, when combined, form a construct that helps organize certain areas that are just beginning to be studied. This applies mainly to the social sciences (including management and economic sciences). Without these connections, a cognitive gap arises, difficult to describe without treating the issues of interest as a whole. In this context, umbrella concepts can act as a catalyst in filling this knowledge gap by creating a new research space. The creation of this space can be seen as a simplifying and unifying act that establishes a discursive “handle” for relating to a particular phenomenon of interest, thereby defining it more clearly.

The authors of the concept observed an iterative trajectory that accompanies the creation of these spaces. The first phase is the articulation of the umbrella concept by grouping together pre-existing theories. This phase is characterized by enthusiasm, as the concept seemingly solves the problem of too many unrelated fields and disciplines by providing a new framework that brings them together (the excitement phase). After this phase, the umbrella concept is usually called into question when attempts to operationalize the concept bring to the surface unresolved issues regarding its definition and evaluation (verification phase). This is followed by a multiplicity of definitions, a search for tools and various indicators, which raises questions about the nature of the umbrella concept's binding capacity (the typology phase). This leads to further work in the form of additional theoretical development, which ultimately causes the concept to either unify, as theoretical challenges are resolved, or collapse (final phase). Blomsma and Brennan take the position that the current phase of CE research, in light of the umbrella concept presented by, can be described as a period of questioning and challenging key theses (verification phase).

The beginning of the increased interest in the issues that today are referred to as CE is associated with the emergence of the environmental movement. At that time, waste generation issues began to be equated with national responsibility (Melosi, 2005). Sticking to the concept formulated by Hirsch and Levin, the first three decades since then can be seen as a period of creation of basic concepts and problem areas. In the 1980s, proposals began to be formulated to make industry more responsible in terms of waste generated (Murray, Skene, Haynes, 2017). Since the mid-1980s, issues related to CE have entered

the scientific circuit and have been made more specific and explicit. Since then, strategies for dealing with resources, including through recycling, have also begun to be formed (Blomsma, Brennan, 2017). After the United Nations Conference in Rio de Janeiro in 1992, the view assuming a synergy of three factors: economic, environmental and social generated under the condition of adequate investment, assuming not only economic growth but also environmental sustainability, gained popularity (UNCED, 1992). Since then, the CE debate has become increasingly complex, with recurring themes related to fundamental challenges that have not been resolved: resource efficiency, zero waste, extended producer responsibility, sustainable production and consumption, and the green economy. These areas have become the focus of research units from all over the world, but also the source of legislation from many countries, especially the EU, which has taken up the challenge of implementing the principles of sustainable development set by the UN and called Agenda 2030 (*Transforming our world...*, 2015).

The lively discussion on CE has been accompanied by the development of many scientific disciplines, such as biology, physics, management science, economics, and at the same time several disciplines have emerged as a result of the interaction of these areas, such as eco-design and environmental economics. It can be said that the interplay of these fields and disciplines falls under the umbrella concept. Even this brief overview of the disciplines clearly shows a certain disproportion when it comes to the components of sustainable development. Areas from the environmental and economic fields dominate, with a small share of social issues.

3. PROBLEMS IN SELECTING INDICATORS

A similar disparity also exists in the EU, where there has been extensive debate over the shape and direction of CE for decades. Since the adoption of the Single European Act in 1986, which introduced the title “Environment” as the legal basis for common environmental policy, this area has become central to the setting of Community goals (Anderson 1995). The culmination of this trend is the European Green Deal, as a strategy of action for the entire EU, as a result of which member states are obliged to adopt laws within the designated framework. These laws focus not only on recycling, but also on an earlier stage, i.e. waste prevention (European Commission, 2019).

Both areas, i.e. regulations related to recycling and minimization of waste generation, deal with economic and environmental aspects. It is worth citing the main goals of the so-called European Climate Law of 2021, i.e. reducing EU net greenhouse gas emissions by at least 55% by 2030 (compared to 1990 levels) and achieving climate neutrality in the EU by 2050 (European Parliament and Council of the European Union 2021). Actions related to social aspects are addressed, but not at the level of the most important goals.

Giving social aspects less importance in the context of CE is not an EU-only “affliction”. This problem is pointed out by some researchers of the issue. Julian Kirchherr, Denise Reike and Marko Hekkert, who analyzed more than 100 definitions of CE, confounded the low share of terms referring to broad social issues (Kirchherr, Reike, Hekkert, 2017). The result of the above analysis in defining the circular economy and the way the EU's circular economy targets are set is worth supplementing with the issue of indicators, which are taken as a measure of progress in the CE. This is an issue that, like the concept of CE itself, is not uniformly grasped. The World Bank, the OECD, the Ellen McArthur Foundation, among others, have developed their sets of indicators. A common feature of the indicator sets used by the aforementioned organizations is that they are

related to the volume of consumption of raw materials, raw materials, as well as related to the volume of GDP.

This perspective is attractive to researchers, but also to politicians, including EU bodies, because of the relatively clear way of measuring economic growth. Relating growth to selected aspects related to the circular economy, such as raw material consumption, makes it possible to show the scale of selected phenomena, compare them year-on-year, or demonstrate progress. However, overemphasizing economic growth in the context of the CE can distort the essence of the entire concept, moving it away from the assumptions of sustainable development (Slaper, Hall, 2011). It is worth recalling the distinction between the concept of economic growth and socioeconomic development, proposed, among others, by Jerzy Hausner. According to the paradigm of economic science, economic growth falls into quantitative categories, referring to the aggregate value of goods and services measured over time. Socio-economic development refers to a broader category, it was introduced to describe changes not only in the economy, but also in society. In addition to the quantitative category, qualitative changes, which are more difficult to track, are also important. (Hausner, 2013). Due to the difficulty of studying socioeconomic development, indicators are most often formulated through the ratio of GDP to selected areas. While there are indicators in the scientific circuit to measure human development, the most popular of which is the HDI (Human Development Index), it relates to non-GDP areas. The HDI measures life expectancy, the average number of years of education in a specific age group, the expected number of education and national income in relation to purchasing power (Roser, 2014).

In view of the problems presented, establishing appropriate indicators that would broaden the perspective of CE research seems to be an important scientific as well as practical challenge. While in the case of the environmental factor the use of appropriate metrics does not pose difficulties, in the case of the economic and especially the social one some revision seems advisable. Adopting the convention of embedding CE in an umbrella concept, the discipline worth looking at is management science. The first reason is its "capacity", which manifests itself in the very broad spectrum of issues that fall within the scope of researchers' interests. The second reason is methodological, which is related to the pluralism of researchers in terms of the use of methods, often reaching into quite distant disciplines. Finally, the third reason is the potential of management science, the lively discussion going on in the international circuit, which opens the discipline to new paradigms. Some of the reasons cited make the very name ambiguous, but for the purposes of the argument the term management sciences will be used.

These sciences involve applying a scientific approach to solving management problems to help managers make decisions (Taylor, 2013). It is a discipline that continues to develop rapidly, with this development being multidirectional. The vast majority of research in the discipline is concerned with the operation of businesses, but nevertheless a significant portion also focuses on the operation of public institutions (Perlie, Lynn Jr., Politt, 2005).

4. PARADIGMS IN MANAGEMENT SCIENCE

Management science is part of those social sciences that focus on solving specific problems of organizations, less often on theoretical aspects. In addition, like all social sciences, they are not subject to such rigorous requirements for theory as the natural sciences (Goldman, 2016). Knowledge in this discipline is created on the basis of

observations, and then certain generalizations are made that allow the formulation of management methods and models.

In terms of research methods, the quantitative approach dominates in the case of management science. The most common practice is to make hypotheses and subject them to verification through research processes (Sulkowski, Gansiniec-Lenart 2021). The difficulty of capturing socioeconomic development may be the reason why more emphasis is placed on issues that cause fewer difficulties. It is worth noting a certain convergence. This problem was recognized in Poland as early as two decades ago (Sulkowski, 2004; Ćwiklicki, 2010), although it is worth noting that in recent years it is possible to observe a certain turn towards qualitative methods in both the field of management and quality sciences and economics (Glinka, Czakon, 2021). The tendency to use quantitative methods can be explained by the still popular belief among many researchers that they are superior to qualitative methods, which Wojciech Czakon called myths. Among these are that qualitative methods unsystematically analyze data, cannot test theories, or lead to random data collection (Czakon, 2009). Another reason may also be that these methods provide data that is “more certain” and easier to process. Meanwhile, if the social aspect is to be studied and analyzed through management science, it is worth going beyond quantitative methods.

In this context, it is worth asking the question of the location of management science among the social sciences. To this end, it will be helpful to refer to the concept of a paradigm, understood as a set of concepts and theories widely accepted by the scientific community, which makes it possible to isolate a set of claims and beliefs on which there is general agreement, which in turn makes it possible to explore new areas without returning to theses already settled (Kuhn, 1962). In the case of management science, researchers tend to believe that it is a multi-paradigm discipline. According to Georg Ritzer, who defines paradigm as “the basic image of the subject of scientific research”, this characteristic, i.e. the use of more than one paradigm, can be attributed to the social sciences in general (Ritzer, 1975). According to Ritzer, it takes a combination of at least several paradigms to effectively study social phenomena. The same author introduced three approaches in the field of social science that are now referred to as social science paradigms, namely the paradigm of social facts, the paradigm of social definitions and the paradigm of social behavior. The notion of paradigm, authored by Kuhn and popularized by Ritzer, has left a strong mark on the perception of social science, especially by researchers themselves, including sociologists. It can be said that one of the reasons why the term has gained such popularity is the ease of its adaptation to research areas and its application to organizing theories. About two decades after Kuhn introduced the term, there were some doubts about its application in sociology, due to the fact that the paradigm referred to projections rather than to the reality under study, it can be said that it had a “simplifying” task. Ritzer, who contributed to the popularity of the term, over time came to use the term metatheory, a concept that allows more freedom than the paradigm. In recent years, under the influence of so-called critical theory, there has been a blurring of the distinction between theory used to explain certain phenomena and the impact on practice (Bachmann-Medick, 2012).

While in the case of sociology the concept of paradigm has given way to the aforementioned metatheory, it functions successfully in the management sciences. Researchers most often cite Burrell and Morgan's 1979 work (Burrell, Morgan, 1979). The authors defined four basic paradigms, the criteria for distinguishing them were social orientation (regulation/change axis) and assumptions about cognition

(objectivity/subjectivity axis). From the intersection, four paradigms were identified: radical humanism, radical structuralism, interpretive sociology and functionalist sociology.

Radical humanism (change-subjectivism) assumes that the goal of research is to free the individual from the constraints of socially created reality. Radical structuralism (change-objectivism) analyzes social structures within objectively existing social reality. It refers to conflicts between elements of the social collective. Interpretive sociology (regulation-subjectivism) assumes that social reality is a social creation created as a result of interactions between individuals, and that understanding of this reality is only possible as a result of participation and interaction between with its creators. Functionalist sociology (regulation-objectivism) is based on the assumption that social reality has the character of a system of mutual regulation, and the purpose of research is simply to identify the elements of this system.

As for the first part of the axis (radical structuralism and radical humanism), according to some researchers, it is difficult to treat them as separate paradigms, due to the fact that both assume radical change, so they are often included together. Sometimes they are not even seen as full paradigms because they get away with being too exaggerated or “involved” (Kostera, 1996). On the basis of both paradigms, the critical approach (derived from radical humanism) and postmodern narrative deconstruction (corresponding to radical structuralism) have emerged. Both involve the entanglement of the researcher in the structure of the reality being described, which often prevents objective description. The critical approach and postmodernism are regarded as alternative currents in management science. The dominant currents are functionalism, neopositivism and systems theory (Sulkowski, Gansiniec-Lenart, 2021). Neopositivism can be considered related to functionalism from Burrell and Morgan's typology, with more emphasis on organizational functions (planning, monitoring, etc.). Functionalism seeks to describe the general rules and regularities of organizational objects. Today, the functional approach is often referred to as modernism, which seeks to describe the regularities that prevail in the world of stable social objects. Systems theory assumes that an organization is a system striving for equilibrium, which can be controlled.

The concept invented by Burrell and Morgan is only one proposal in terms of the structure and interrelationship of paradigms, but due to its readability it can be considered very useful in management science. Several decades have passed since the emergence of this division, and quite a few new paradigms have emerged, but they mostly fit into the scheme of objectivity/subjectivity and regulation/change set by the two researchers. The number of sub-disciplines that fall within the broad family of management sciences makes the whole discipline “overlap” with other areas, so in order to organize, paradigmaticism can be helpful. Individual researchers make a paradigm choice, so they have a reference point, move on “proven” research ground, while taking an interdisciplinary approach.

5. SOCIAL PARADIGM IN THE CE

The popularity of the term paradigm is accompanied by a significant departure from its original meaning. According to Thomas Kuhn, science does not develop as a result of adding new elements to an already existing theory, but as a result of changing methodological conditions, i.e. replacing one paradigm with another. The author calls this scientific revolutions. According to Kuhn, “with a change of paradigm there are usually at the same time significant transformations of the criteria determining legitimate problems and solutions” (Kuhn, 1962). Kuhn initially doubted whether any of the social sciences had

reached a paradigm at all. However, the author already made some "concessions" to the social sciences in the second edition of his book. In the case of the natural sciences, when there is a change in methodological conditions in a given community of researchers, one can speak of the birth of a new paradigm. In the case of the social sciences, it is difficult to point to a unified paradigm, especially given the "external criteria", i.e., not derived from institutional science, one of which is the pluralism of value systems (Kuhn, 1970).

The aforementioned tendency to base research on quantitative methods in the management sciences may be evidence that much of the scientific community seeks to give its work the rigor of testability and reproducibility. As a result, management is still dominated by a neo-positivist approach that has not caught on as much in other social sciences. It is mainly concerned with the assumption that the researcher is dealing with a stable reality, and that he himself maintains his independence. According to the neopositivist approach, the researcher has the task of discovering the regularities governing this reality, and then formulating a general theory to explain it. It should be noted that these requirements are very difficult to meet in the case of non-natural sciences. Much of the scientific community bases its research on formulating hypotheses and then empirically testing them (Duberley, Johnson, 2003). This attitude assumes that the object of research must be "protected" from the subjectivity of the researcher (Johnson, Buehring, Cassell, Symon, 2006). Researchers based on the positivist approach use quantitative methods, and part of their effort is to select an appropriate research sample, analyze the collected empirical data, and finally – to conclude the acceptance or rejection of a hypothesis. According to Lukasz Sułkowski and Regina Gansiniec-Lenart, the use of the neopositivist canon limits the development of management knowledge, because this approach limits inquiry and raising additional questions, limiting itself to proving hypotheses (Sułkowski, Gansiniec-Lenart, 2021).

As for the choice of methods, a more complete analysis of social phenomena is possible through qualitative research, which, as mentioned, in the field of management sciences is also gaining some popularity in Poland. Qualitative methods are used in many research paradigms and currents, allowing in-depth reflection on complex social phenomena. Examples of such approaches include critical theory. This approach should be viewed as a response to the assumptions of positivism, primarily its basic thesis, such as the fixity and immutability of the objects under study, as well as the objectivity of the researcher. Critical theory assumes that truth is not the main goal to be pursued for management science. (Duberley, Johnson, 2003). Since objective truth does not exist, reality is socially constructed. The approach refers to social constructivism, formulated by Peter Berger and Thomas Luckmann. The approach seeks to capture the social world in its variability, resulting from the processes of actors' creation of meanings in the social world (Berger, Luckmann, 1966).

The best-known representative of the critical school is Jürgen Habermas, who argues that positivist assumptions about the objectivity of the researcher result in overlooking many aspects of the reality under study, including ethical issues (Habermas, 1999). According to the German philosopher, in order to obtain knowledge, uninhibited debate is needed, as well as the researcher entering into social relations. In the field of management science, the critical current assumes the impossibility of separating values from facts. What is particularly distinctive about the critical current in management is that it seeks to bring about change in management practice. Excessive objectivity makes it impossible to debate ethical management issues. The results of research conducted in the critical theory current

are not so much to lead to the discovery of universal truths, but to lead to change by showing alternatives.

The critical approach became the focus of many management scholars, which contributed to the emergence of a trend called critical management studies (CMS) (Alvesson, Willmott, 1992). Representatives of this current not only questioned the possibility of objectively presenting the phenomena that are the subject of management, but also focused on revising the approach to the role of enterprises and business in social life. One of the key challenges of management in the light of the representatives of CMS is such a revision of the organizational structure that will allow for more humane forms of management that allow employees to maintain their autonomy. CMS takes into account the perspective of various stakeholders, as well as issues of ethics and responsibility (Unerman, Bennett, 2004). Although CMS dates back to its roots in the early 1990s, it is still based on a very scattered intellectual output, and no coherent concept has been developed in this area. What CMS researchers and theorists have in common is that they emphasize unjust practices related to organizational order, managerial power or profit maximization. The CMS current raises numerous questions in the research world, and is often treated as an ideology rather than a separate paradigm. Indeed, researchers of this current are based on a philosophy that assumes the oppressiveness of certain groups or organizations over other, dominated, individuals or communities. It seems that the critical management approach, and the CMS current in particular, is a developing concept. A particularly interesting direction is the turn of some researchers toward the work of Pierre Bourdieu, in connection with such phenomena as globalization, ecology or the development of new technologies, as manifested in a monograph devoted to the reception of the French philosopher in management science (Robinson, Ernst, Larsen, Thomassen, 2021). Admittedly, according to the analysis conducted by Jost Sieweke, the vast majority of references concern the habitus, the field of research and capital, which can lead to a decontextualized analysis, far removed from Bourdieu's peculiar logic, a growing number of management scientists are adapting the French philosopher's concepts more widely, leading to a better understanding and a more complete adaptation of his concepts (Sieweke, 2014). A particularly important element of Bourdieu's concept is the embedding of science in social contexts. According to the author of the concept of habitus, scholars operating in a given research area adopt the prevailing "rules of the game" and take for granted certain assumptions, so that they tend to refer to the *doxa* that applies to their research field (Bourdieu, 2000). In the case of the management sciences, this peculiar reluctance to challenge certain canons associated with their discipline (such as adaptability to organizational application, researcher objectivity) can have the effect of narrowing the view of the object under study and even slowing the progress of the discipline as a whole (Butler, Sverre, 2012; Meyer, Boxenbaum, 2010). The inclination to go beyond the canons of a discipline depends on many factors, related not only to research interests, but also may have to do with the country or even continent from which the author hails, organizational culture, etc. The ideas of the French philosopher are an inspiration for management researchers and are by no means limited to the concept of "symbolic violence". It is worth noting that researchers from the CMS stream, who focus on showing inequalities in the organization, the oppressiveness of management systems, attempt to go beyond the *doxa* of their discipline, hence the doubts of some scholars in placing them in a particular paradigm.

6. THE CHALLENGES OF SUSTAINABILITY RESEARCH

The social factor, the least identified link in the context of sustainable development, needs to be clarified, but also properly identified. Following the assumptions of the umbrella concept, we can consider that the environmental and economic aspects operate in a stable research environment. Assuming that the economic aspects can be studied with the tools belonging to the economic sciences, which use quantitative methods, for a more complete understanding of social issues it is worth using qualitative methods. As for the choice of paradigm, the issue is not clear. Could CMS be such a key? This social engagement may be one of the keys to describing issues relevant to pro-environmental activities. CMS is oriented towards causality, i.e. the possibility of involvement in the problems described, as well as their solutions. If one treats the critical approach not as a negation of certain truths accepted in management, and places the emphasis on involvement or concern, it will be an approach tailored to environmental challenges. In light of recent publications on this approach, CMS should be applied in the context of alternative forms of organization, or modifications to existing structures (Parker, S., Parker, M., 2017).

It is worth referring once again to Habermas, who emphasizes the role of civil society and social movements, the media and political discourses outside traditional political institutions (Habermas, 1999). Placing emphasis on this informal aspect can bring one closer to understanding and more fully describing the role of non-state actors in generating and enforcing pro-environmental rules in the global economy. One of the keys to a more complete study of the CE concept is the identification of factors related to the proper relationship between formal actors and informal stakeholders. This coincides with CMS's postulation that for a critical analysis of corporations operating in a global environment, the role of corporations and their relationship with society is important (Scherer, Palazzo, 2007).

In this context, it is worth referring again to the example of the EU. The rules implemented in the community in the field of CE serve the whole society, not just companies. However, the laws (mainly EU directives) are primarily aimed at businesses, as well as state bodies. Ultimately, their effects are and will be felt by all citizens of the community. However, the content of the EU's CE law, as well as policy documents, is mainly based on environmental and economic research. While the social factor is not completely ignored, it is largely marginal. Meanwhile, in Habermas's discourse theory, communicative action is key, consisting of processes of reaching agreement by defining situations together (Habermas, 1990). This, on the other hand, requires an "ethics of discourse", which entails the need to take a critical approach to past communication and revise what has been taken for granted. As a result, a prerequisite for the success of this process is the inclusion in the discourse of judgments and opinions that have been agreed upon by its participants. All actors should have the opportunity to participate in the discourse and to challenge all claims (Habermas, 2015). Referring to the implementation of CE principles in the EU, it can be noted that the opinion of environmental and economic experts is crucial. The public voice is generally taken into account to a small extent. Of course, it would be very difficult to structure the law-making process in such a way that would take into account the public's demands, especially since a significant part of the voices comes directly from the findings of science, which are indisputable.

However, legal rules in Habermas' conception are of a different nature. Unlike moral principles, which must be universally accepted, legal rules should simply work, so they

may not always be morally perfect. Law is a set of rules by which human beings relate to each other as citizens of a state. Law should reflect the current values and concerns of citizens and be the best that can be achieved at a given time and in a given society. Therefore, important rules must meet the principle of discourse, but not necessarily the principle of universalization. Universalization means that participants accept in a “non-coercive” way the consequences of the norm introduced, and discourse means that norms would be accepted by those concerned if they could participate in practical discourse (Habermas, 2015).

7. CONCLUSIONS

According to Habermas, in order for a norm to be universally valid, not necessarily as a law, it is required to arrive at it through discourse. This brings community participants closer to universalizing certain rules. Such a set of principles and norms can become CE, if the concept of sustainability is taken into account. One way of describing social reality may be to go beyond a view narrowed to a purely scientific perspective, or a seemingly scientific one based on quantitative data. In the context of selecting an appropriate paradigm, some caveats must be made about the proposed CMS trend. With regard to some of the pressing problems of the modern world, it is an appropriate paradigm, by seeking change. However, CMS itself does not seem to have reached the “maturity” by which this current could be treated as a ready-made paradigm. Some of the assumptions can be treated as utopian. It seems that it will be valuable to apply elements of the critical approach, but taking into account other paradigms.

As for the whole concept of CE, based on three elements, while emphasizing the need to “value” social issues, one should not forget that much of the research on the subject must focus on technical issues, including those related to recycling, but also material flows in production and consumption. The challenge, therefore, is not to focus less on the environment and the economy, but to take more account of social issues. Today, it is becoming increasingly common for me to believe that CE research should be transdisciplinary, as this allows researchers to use knowledge more fully, despite the disagreements that still exist (Sauve, Bernard, Sloan, 2016). Umbrella theory captures the dynamics of this research well.

To overcome these misunderstandings and “commonality” of research areas, the opportunity for CE is to treat it holistically, albeit with interdisciplinarity. For this, a stronger “embedding” of the concept in the social sciences, with reference to the management sciences, is needed. This can happen by going beyond neo-positivist methods and heading in a critical direction, which also involves modifying the research itself and shifting the emphasis from quantitative to qualitative. If one were to treat the EU as a “testing ground” where CE principals are implemented, it was valuable to use a critical approach so that members of the community, i.e., citizens of member states, would participate in the discourse. This could prevent environmental laws from being seen as imposed from above. In addition, expanding the discussion and research area to include a critical approach could contribute to modifying the methods of measuring CE indicators.

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RESPONSIBLE CONSUMPTION IN THE PURCHASING DECISIONS OF YOUNG CONSUMERS

This article aims to identify the importance of responsible consumption in the purchasing decisions of young consumers. For this purpose, an online survey and individual in-depth interviews were conducted among Polish students; a combination of quantitative and qualitative research methods provided insights into consumers' views and buying habits. The results show that the most important factor in purchasing decisions is economic rationality. Students demonstrate responsible behaviors that are also economically rational: purchasing fewer and longer-lasting products, only buying what they need, using products for as long as they remain functional, repairing them, and purchasing second-hand goods. On the other hand, the results of the qualitative research provide an understanding of consumers' doubts about responsible consumption. Such findings will enrich the portrait of the Polish consumer already known from previous research.

Keywords: consumption, consumer behavior, responsible consumption, sustainability, young consumers.

1. INTRODUCTION

Responsible consumption has been drawing rising attention of policymakers and researchers in recent years. That is because production and consumption of goods bring harmful effects on the natural environment and societies: excessive use of natural resources, pollution, and poor working conditions in producing countries. Thus, there is pressure to reduce negative impacts. Responsible purchasing behavior is an efficient way to do it. Consumers are becoming more aware of environmental and social issues and more concerned about them. They are becoming more conscious of the necessity of more rational and ecological consumption and are developing more positive opinions towards sustainable products (Su, Watchravesringkan, Zhou, Gil, 2019). However, consumers' knowledge does not always translate into actual behavior due to many factors (Davari, Strutton, 2014; Dursun, 2019). To better understand consumer decisions it is important to identify how and why consumers engage in particular behavior and which factors influence them.

The question of responsible consumption has become the subject of an increasing number of academic studies. Some of them focused on young consumers as they represent a relevant consumer group considering their important spending collective power and they

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constitute a category that will shape the future of consumption. Young consumers pay particular attention to global issues and have a more favorable orientation toward sustainable behavior than older consumers (Rossi, Rivetti, 2020). The article focuses on responsible consumption in the purchasing decisions of Polish young consumers. The objective is to determine how important responsible consumption is for them and what are their opinions and behaviors in this regard. This issue is particularly interesting because of the timing of the research – after the end of the COVID-19 pandemic, after Russia's attack on Ukraine, and during high inflation in Poland. How do Polish consumers, who previously paid much attention to consumerism (Dąbrowska, 2015) and presented low ecological awareness (Patrzałek, 2017), behave in these new conditions?

2. LITERATURE REVIEW

The understanding of responsible consumption is ambiguous in academic sources. Concepts such as conscious consumption, rational consumption, sustainable consumption, and anti-consumption can be found in publications in this field (Weng, 2017). Sustainable consumption is often defined as consumption that meets the basic needs of the present generation, without limiting the capabilities of future generations, doesn't cause irreversible damage to the environment, uses resources efficiently, improves the quality of life, and avoids consumerism and overconsumption (Weng, 2017). Similarly, Epstein identifies sustainable consumer behavior as a behavior based on awareness of the long-term effects on the natural and social environment (Epstein, 2008). Conscious consumption is often understood as attention to the problem of effects that consumer decisions have on society and the environment (Pappalardo, Cerroni, Nayga, Yang, 2020). Researchers often use the terms conscious, responsible, and sustainable consumption as synonyms, there is no clear distinction between them.

Responsible consumption represents consumers' implementation of a wide range of behavioral practices during the acquisition, usage, and disposal of products to reduce the negative impact of consumption on the environment and society (Gupta, Agrawal, 2018). Gupta and Agrawal's 'conscious consumption' scale includes behaviors such as avoiding wastage, moderately using things, generating less waste, and buying amounts of products that will be used (Gupta, Agrawal, 2018). Sustainable consumption also means preferring green products that have an eco-label. Conscious consumption can also manifest itself in refraining from buying products that use a large amount of energy, lead to unnecessary wastage, and are associated with cruelty to animals (Elkington, 1994).

Attitudes towards sustainable consumption are determined by several factors. Positive attitudes towards the environment correspond with responsible consumer decisions (Young, Hwang, McDonald, Oates, 2010). Consumer behavior is related to consumer values, which determine personal norms (Jan, Ji, Yeo, 2019). Also, environmental beliefs positively impact environmentally responsible behavior (Patwary, 2022). Consumers who believe that the consequences of their current behavior influence future generations are more likely to engage in responsible consumption behaviors (Urien, Kilbourne, 2022). Moreover, certain types of sustainable behavior may be correlated with each other. A consumer engaged in one type of that behavior is more likely to engage in another type (Whitmarsh, 2009).

One of the factors aimed to motivate consumers to buy in a more responsible way is green communication (Shao, 2019). Many companies are developing strategies like green marketing, green advertising, and eco-labeling. They are considered an influential means

of communication in shaping attitudes, perceptions, behavioral intentions, and consumption (Alamsyah, Othman, Mohammed, 2020; Green, Peloza, 2014; Pagiaslis, Krontalis, 2014). However, consumers differ in their level of receptivity to green advertising. Some of them, who have responsible consumption values, are more ready to receive and accept that kind of communication (Bailey, Mishra, Tiarniyu, 2018).

The main barrier to responsible purchasing decisions is the high price of sustainable products (Gleim, Lawson, 2014). The greatest reluctance towards more expensive, responsible products is shown by consumers with limited financial resources. Also, price sensitivity plays a role in the decision-making process when buying these products (Joshi, Rahman, 2015). In the Polish context, other barriers to sustainable consumer behavior are the inconsistency of information, the insufficient level of knowledge of green products and their labeling, conflicts of beliefs, or inadequate marketing activities (Witek, 2019). As far as Polish consumers are concerned, the insufficient level of knowledge of sustainable consumption was stated also by Kieźel (2018) and Patrzalek (2017).

3. METHODS

The main objective of the research conducted was to answer the question: what is the importance of responsible consumption in the purchasing decisions of young consumers? Specific questions were also posed:

RQ1: How do students define responsible consumption?

RQ2: What behaviors related to responsible consumption do students exhibit?

RQ3: What doubts do students have about the trend of responsible consumption?

The study involved young consumers – full-time students of the Faculty of Law and Economics at Kazimierz Wielki University in Bydgoszcz. It was considered that a high level of awareness of consumption trends is characteristic of this social category. Two complementary research approaches were used: quantitative and qualitative. The quantitative part is based on a diagnostic survey method using a CAWI (Computer-Assisted Web Interview) online survey. 302 completed questionnaires were collected in this way, and the resulting data were subjected to statistical analysis using Statistica. Factor analysis and correlation analyses were carried out between questionnaire items.

The qualitative part consisted of IDI (Individual in Depth Interview) interviews. Such interviews resemble a natural conversation and are much less structured compared to questionnaire interviews. Twelve interviews were conducted, lasting between 37 and 82 minutes. Transcriptions were made and a coding process was carried out based on themes and codes. Analyses were conducted in QDA Miner Lite software. Thematic analysis was used to extract and interpret the main themes that recur in the respondents' statements. For both research techniques, data were collected in May–June 2023, the voluntary response sampling were used

A total of 302 students, mostly women, took part in the survey, reflecting the actual gender structure in the fields of study: administration, economics, criminology, law, and law in business. The largest group of respondents is from cities of 150,000 to 500,000 residents, presumably mainly from Bydgoszcz. A slightly smaller group of students comes from the countryside, the rest mostly from smaller and medium-sized towns. The sample structure for the quantitative and qualitative survey is shown in Tables 1 and 2.

Table 1. Sociodemographic profile of the survey sample (n=302)

Characteristics	Items	Percentage
Gender	Female	69,7%
	Male	30,3%
Major	Bachelor's administration	18,5%
	Master's Administration	2,3%
	Bachelor's economics	23,5%
	Master's economics	3,3%
	Criminology	30,1%
	Law	10,9%
	Law in business	11,3%
Year of study	First year of bachelor's degree	55%
	Second year of bachelor's degree	24,5%
	Third year of bachelor's degree	14,9%
	First year of master's studies	3,3%
	Second year of master's studies	2,3%
Permanent place of residence	Village	30,8%
	Town up to 50 thousand	20,2%
	Town from 50 thousand to 150 thousand	11,6%
	City from 150 thousand to 500 thousand	35,1%
	City above 500 thousand inhabitants	2,3%

Source: own research.

Table 2. Sociodemographic profile of the IDI sample

Characteristics	Items	Quantity
Gender	Female	5
	Male	7
Major	Bachelor's administration	3
	Master's Administration	3
	Bachelor's economics	3
	Master's economics	2
	Law in business	1

Source: own research.

4. RESULTS

During the in-depth interviews, students explained how they define responsible consumption. The thematic analysis conducted identified three recurring themes in the respondents' statements:

- Non-waste (codes: I buy as much as I use up; choosing products that will last longer; buying used things). In most of the students' statements, responsible consumption is equated with such a way of buying and using goods that eliminates waste. The reluctance to throw products in the garbage is evident here. Situations in which someone bought too much food and threw some of it away are cited as negative examples. Such situations are judged not only as a waste of money but also as a burden on the environment.
- Choosing products that do not harm the environment or people (codes: concern for workers' rights; with the environment in mind; with future generations in mind; not

tested on animals; buying from honest producers). The theme includes typical associations with the phrase "responsible consumption." Students define responsible purchasing decisions as those that minimize negative impacts on the environment, animals, and production workers. They are aware that with their consumer choices, they can to some extent promote socially responsible producers.

- Self-discipline (codes: keeping an eye on the budget; not succumbing to temptation; meeting all basic needs; seeking product information). Responsible consumption is associated with effort to be made, self-discipline, and habit formation. The effort is required to follow the market, seek product information, be aware of one's needs, refrain from cravings, and keep spending under control.

The second research question focused on the responsible consumption behavior exhibited by students. Both qualitative and quantitative parts provided answers. A factor analysis was conducted on the questions in the survey questionnaire. The questions dealt with various aspects of consumer behavior, from which three indices – key factors of consumer behavior – emerged, each with a range of 0–32:

- Index of frugality, mean 24.18, dev. std. 5,73
- Index of responsible purchasing decisions, mean 16.78, dev. std. 6,78
- Index of social influence and fashion influence, mean 14.48, dev. std. 5,37².

The responsible purchasing decisions index was found to be less significant than the frugality index and more significant than the index of social influence and fashion influence.

The components of the responsible purchasing decisions index are presented in Table 3. It contains product selection criteria that address the impact of the production process on the environment, animals, workers, and the consumer himself. Each component of the index takes a value from 0 to 4. Students present a diverse attitude towards

Table 3. Components of the index of responsible purchasing decisions

Index component: the importance of a given criterion during purchasing decisions	Mean (variable value range 0–4)	Standard deviation
Product composition	2,57	1,1
Guarantee	2,36	1,13
Knowledge of whether animals were not harmed in the production process	2,32	1,43
Knowledge of whether the product was made with respect for human and worker rights	2,19	1,29
Quality certificate	2,1	1,13
Knowledge about whether the production is safe for the environment	1,97	1,25
The possibility of recycling the product	1,91	1,25
Country of origin	1,36	1,14

Source: own research.

² The indexes were verified for reliability and discriminatory power of the individual components. In the case of the Responsible Purchasing Decisions Index, the Spearman rank correlation coefficient values for the correlation between individual index items and the index value were located in the range of 0.47 - 0.84. The reliability of the index was tested using the Cronbach's Alpha index, which was 0.85 (statistically significant, $p < 0.05$).

responsible purchasing decisions, with a slight predominance of responsible decisions. Of the criteria analyzed, the most important to them are the composition of the product, the guarantee, the knowledge of whether animals were not harmed during production, and whether the product was made with respect for human and worker rights.

Product composition was mentioned during in-depth interviews in the context of product quality and durability, and also with reference to food products and their impact on health. Some respondents declared a habit of reading labels. Quality certification and warranty came up in the context of choosing products that will last longer. Recycling was mentioned in regard to plastic packaging. During the interviews, many students expressed concern for animal welfare, most often laboratory and fur animals and those destined for slaughter. Country of origin appeared to be considered most often in the minds of consumers in the context of China and concerns about labor rights violations.

In the survey, students were also asked whether knowledge if a product was vegan or vegetarian influenced their purchasing decisions. Based on factor analysis, this criterion was not included in the index in question. The largest group of respondents (45%) considered it completely irrelevant. Clarification of such a position is provided by in-depth interviews, which indicate a dominant desire to eat meat while caring about animal welfare.

I'm very pro-environment and I'm very, very interested in the animal issue, but everything kind of has its own, everything has to be balanced. (...) If it were to be tested on animals or directly like, for example, skins from some mink and those mink were to be kept in some horrible conditions in cages or something like that, then that affects me and I'm definitely against that. But when it comes to food things, for example, I don't know, I mean like this vegan and vegetarian trend I respect it a lot and I'm kind of full of admiration, but no, I wouldn't choose to be a vegetarian. I like meat and I know I intend to eat it. (IDI 3)

The index of responsible purchasing decisions is correlated with specific beliefs. These relate to the protection of animal welfare, control of the environmental impact of businesses, and the relationship of consumer choices to the quality of life of future generations. The correlation coefficient values are presented in Table 4. All correlations are statistically significant, $p < 0.05$.

Table 4. Views correlated with the index of responsible purchasing decisions

	Correlation with the index of responsible purchasing decisions (Spearman's r, $p < 0.05$)
My current behavior as a consumer has an impact on what life will be like for future generations	0,34
Animal welfare should be better protected by law	0,35
The environmental impact of companies should be more controlled	0,38

Source: own research.

Responsible consumption is also evident in the way people use the products they own. During IDI interviews, students declared that they take care of their belongings. Similarly, in the survey, 57.6% of respondents agreed with the statement "I try to repair things instead

of buying new ones”³. They tend to sell or donate unneeded items rather than throw them away. 72.5% denied that "Items that I no longer need, I usually throw away, even if they are not damaged." There is an apparent tendency to use products for a long time and a reluctance to throw them away. As many as 84.8% of respondents admit that "I use products until they wear out, despite the arrival of a newer model on the market." Similar statements appeared during IDI interviews.

This approach is seen as both economically rational and ethical and ecological because it does not contribute to the generation of waste and environmental pollution. Similarly, attitudes toward responsible consumption are also revealed about second-hand purchases. 75.5% of respondents believe that buying used items is environmentally friendly, and 64.6% consider "second-hand" purchases.

I like [shopping in a second-hand store] because one, you can find it cheap, and two, as if everyone bought or exchanged these clothes there, well, there would be less trash and all that stuff in this world (...). Well, and quality-wise, these are nice things, too. (IDI 07)

The research also revealed an area of irresponsible consumer decisions. Respondents were asked to refer to the statement: "It happens to me to buy a product that I doubt was produced ethically (e.g., using child labor) because I like it and it's cheap". The largest group (27.4%) chose the "hard to say" option. The rest split almost equally: agreeing and disagreeing. This dilemma was also the subject of qualitative interviews. In this context, students usually mentioned online purchases of products from China. Two groups of consumers making ethically questionable purchases emerged. The first were those who were aware that cheap and attractive products were paid for not only by the suffering of production workers but often also by environmental damage. This caused remorse in some of them. Others explained that they do not think about responsible consumption. The second group had doubts about whether the information about the harmfulness of the production process that reached them was true.

In-depth interviews provided insight into concerns about responsible consumption and green products. There was a suspicion that eco-products serve the profits of manufacturers rather than the environment. Students perceive the lack of repairability of many electronic products and the practice of aging products as forcing consumers to keep buying new products, which means throwing away old ones and increasing the amount of garbage. They point out that these products are often energy-saving devices that are advertised as being environmentally friendly. Respondents note that often calling a product green is a justification for a significant price increase. This creates mistrust among consumers and a sense of being cheated. Electric cars were also frequently mentioned in students' statements as an example of products that should be green but are not. Other doubts about responsible consumption can be boiled down to the question: Will pro-environmental solutions be effective if only some countries introduce them?

So when I order such things from Aliexpress I probably somehow don't think about it, because I rather think that whether Amazon or Apple or even Coca Cola also contributes a lot to, let's say, environmental destruction. (IDI 1)

³ Sum of "rather yes" and "definitely yes" responses from a five-point Likert scale.

Let's say I buy apples, yes I will pay PLN 3 for them. And there are some EKO apples, somewhere super packed, there without chemical sprays. And they cost 8 zlotys. Now am I practically always when buying apples, which, well, besides the fact that I will somehow mentally feel better about it, that I am helping the environment, when in China the chimneys of everyone's factories are running without filters, that I will feel a little better about myself, should I lose money on this, yes? It can be done to a certain extent. Yes, that is, if let's assume, this price difference is relatively negligible for someone there, one can pay attention to it, but well, one can't go into exaggeration. (IDI 10)

And some talk about that we produced it in ecological sustainability, so pay for it 10 times more than normally, because we are such an Eco company here. Well I don't buy something like that [...] and such marketing talk doesn't reach me. (IDI 04)

5. CONCLUSIONS

Responsible consumption is an important, though not critical factor in the purchasing decisions of the consumers surveyed. Of greatest importance is frugality. The way students define responsible consumption is related to frugal management: not wasting, buying only needed products, seeking product information, and self-discipline. It's also a concern for the environment and moral issues: concern about whether the production process respected workers' rights and did not involve animal suffering. Responsible consumer behavior demonstrated by students includes analyzing the composition of products, paying attention to whether the product has a guarantee, or a quality certificate, and what impact the production process had on workers, the environment, and animals. These elements form an index of responsible purchasing decisions, which is correlated with beliefs regarding the impact of consumer decisions on future generations, beliefs about the need to control the environmental impact of companies, and the need to safeguard animal welfare legally. Responsible consumption is also evident in the way people use the products they own. Students take care of their belongings, repair them, and donate or sell unnecessary items. They are reluctant to throw things away. They are mostly positive about second-hand purchases.

There is an area of purchasing decisions where responsible consumption and frugal management are mutually supportive. For example, respondents prefer durable products that they will use for a longer period. This approach is seen as both economically rational and ethical and ecological because it does not contribute to generating waste and pollution. That is an effect of the economic and ecological combination described by Peattie (2010). However, it is important to remember that it is economic rationality that has the greatest impact on the consumers surveyed. Thus, they present responsible consumption behavior as long as it is profitable. When responsibility involves greater expenses they encounter resistance. As a result, attitudes toward responsible consumption vary. Some young consumers have doubts about the trend. Electric cars are often cited as an example in this context. In addition, students perceive many manufacturers as dishonest and feel cheated by them. At issue are the alleged practices of aging electronic products and constructing them so that individual parts cannot be repaired or replaced. The results of the research suggest that there is a group of consumers willing to pay more for a product that will allow repairs and replacement of parts, and as a result, will last longer.

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THE SUPERVISING RIGHTS OF THE MINISTRY OF JUSTICE OVER THE PROFESSIONAL SELF-GOVERNMENT OF ATTORNEYS-AT-LAW AS AN EXAMPLE OF PARTICULAR FORMS OF PUBLIC MANAGEMENT

Public management is a discipline of science derived from management, legal, and political sciences. It addresses activities that ensure effective management of organized action of people aimed at creating public value and realizing the public interest in the process of rendering public services. One form of public management is ministry supervision over the professional self-government of attorneys-at-law, ensuring legality and serving the public good. One essential means of supervision in this area is opposition by the Ministry of Justice to a resolution of the council of a district chamber of attorneys-at-law on registration on the list of attorneys. Using the methods of dogmatic analysis and a jurisprudence survey, the author presents the ways of interpreting the legal provisions concerning the subject-matter opposition and the evolution of opinions formulated in this respect over the last few dozen years. The article aims to show how a strict interpretation of the concrete rights of a supervising organ influences the restrictions on supervising interference in the sphere reserved for the competencies of professional self-government – an entity of its essence autonomous and independent.

Keywords: public management, supervision over the self-government of attorneys-at-law, opposition to registration on the list of attorneys-at-law, access to practicing the profession of an attorney-at-law, decentralization.

1. INTRODUCTION

The institution of the Ministry of Justice's opposition to the resolution of the council of a district chamber of attorneys-at-law on registration on the list of attorneys-at-law or attorneys-at-law trainees provided by art. 31² of the statute on attorneys-at-law (Statute, 1982), hereinafter referred to as "the Statute", is one of the means of supervision belonging to the Ministry of Justice, which exercises the supervision over the activity of the professional self-government of attorneys-at-law within the scope and in forms defined by a statute (art. 5 of the Statute). Laying down, by the legislator, of the institution of

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supervision over the performance of certain tasks from the scope of public administration by organs of professional self-government is the consequence of the transfer by the state to the self-government of these tasks as a result of the process of decentralisation (Tabernacka, 2007). The self-government of attorneys-at-law is one of the self-governments provided by art. 17 s. 1 of the Constitution of the Republic of Poland (Constitution, 1997), hereinafter referred to as “the Constitution of the RP”, according to which by means of a statute, professional self-governments may be created, representing persons practising professions of public confidence and concerning themselves with the proper practice of such professions in accordance with, and for the purpose of protecting the public interest. This is one of the forms of material decentralisation, as a result of which certain public tasks are transferred towards entities being outside the structure of the state administration, therefore autonomous and independent from the state. As is underlined in the literature and jurisprudence, decentralised entities, to be able to properly perform the transferred tasks, cannot be yet totally independent and autonomous. This would, on the one hand, lead to the derivation of the self-governmental structures from the state, which is still responsible for the proper performance of the transferred tasks (Tabernacka, 2007), while on the other hand, the self-government could not make use of the state authority while performing the transferred tasks.

The institution of opposition provided by art. 31² of the Statute is directly connected with the problem of access to practising the profession of an attorney-at-law, similar to the possibility of making an appeal to the Ministry of Justice from a resolution of the Presidium of the National Chamber of Attorneys-At-Law refusing the registration on the list of attorneys-at-law. Both these institutions concern, therefore, such an essential sphere of the activity of self-government, part of its competencies since the beginning of its existence, such as deciding on membership of a given person to a professional corporation. With reference to both these means of supervision, there have been discrepancies appearing in the jurisprudence of administrative courts and doubts connected with their application in practice. This article refers to one of the indicated means of supervision, that is, to the ministry’s opposition to the resolution on registration, leaving the question of appeal from the resolution and refusing the registration to separate reflections.

The application of means of supervision being the subject matter opposition created several doubts in practice. This article presents a short analysis with the purpose of ordering the problems connected with this. The purpose of the article is, moreover, to show – based on the example of the discussed means of supervision – in which way a strict interpretation of concrete rights of a supervising organ influences the restriction of the supervising interference in the sphere reserved for the competencies of the self-government of attorneys-at-law, as an entity – of its essence – autonomous and independent. By using a method of dogmatic analysis and jurisprudence survey, this article presents the way of interpretation of the legal provisions concerning the subject matter of opposition of the Ministry of Justice and the evolution of opinions formulated in this respect within the space of several dozen recent years. To put things in order, I indicate that all references to the registration on the list of attorneys-at-law only, which are in the further part of the article, will equally refer to the registration on the list of attorneys-at-law trainees, as the analysed art. 31² of the Statute contains the legal regulation concerning both these registrations.

2. THE LEGAL CHARACTER OF THE OPPOSITION IN ART. 31² OF THE STATUTE ON ATTORNEYS-AT-LAW

As indicated by the Supreme Administrative Court in the resolution of October 30 2007, II GPS 3/07, in the light of binding law, an opposition is not a uniform institution. It may appear as a procedural remedy of appeal serving a party for directing a matter for recognition by a court or a proper administrative organ (such character has, for example, opposition to a default judgement or opposition to a payment order in the remainder procedure (Code, 1964, respectively art. 344 and art. 505), opposition to instructions and orders of court referendary given within the scope of aid law (Statute, 2002, art. 258–260, hereinafter referred to as “the Law on proceeding before administrative courts”), opposition serving a prosecutor to a final decision (Code, 1960, art. 184, hereinafter referred to as “KPA”). It may also appear in regulations of material law as a measure belonging to an administrative organ within its control or supervision competencies towards entities subordinated to the public administration (such character has, for example, opposition provided by Statute, 1994, art. 30 sec. 5 or by Statute, 2015, art. 90).

As the Supreme Administrative Court has noted in the aforementioned resolution, in the legal literature, an opposition is rated among means of supervision in the system of decentralised administration, in which apart from governmental administration, there are other entities performing administration in an autonomous way (for example Rączka, 1999)². The self-government of attorneys-at-law is such an entity, being under the supervision of the state administration where it has been entrusted with a certain scope of state power to which formation of access to practice the profession of attorney-at-law is traditionally rated. And in this very meaning – as an instrument belonging to the system of supervision exercised by the Ministry of Justice towards organs of the self-government of attorneys-at-law as a result of the process of decentralisation – the opposition acts in art. 31² of the Statute:

1. The registration on the list of attorneys-at-law or attorneys-at-law trainees is regarded as done if the Ministry of Justice does not sign the opposition to the registration within the term of 30 days from the day of delivery of the resolution with the personal files of the candidate. In the case mentioned in art. 31¹ sec. 2, the course of this term is then counted since the day of the renewed delivery of the resolution with the personal files. The Ministry of Justice expresses the opposition in the form of an administrative decision. 2. The decision of the Ministry of Justice may be appealed to an administrative court by the interested person or an organ of the self-government within the term of 30 days from the day of delivery of this decision.

The opposition of the Ministry of Justice provided by the above-mentioned regulation is a means of supervision in the system of decentralised administration, which has a form of an administrative decision. As such, this opposition is covered by the property of administrative courts exercising control of the public administration activity through ruling, among others, in the matters of complaints against administrative decisions (on the consequences of a judgement of a provincial administrative court which revokes the opposition of the ministry see Piecha, 2023).

² See also the judgement of the Supreme Administrative Court of 26.04.2012 II GSK 478/11.

The application of this means of supervision is factually possible thanks to an obligation imposed on the council of a district chamber of attorneys-at-law in art. 31¹ s. 1 of the Statute, i.e. sending to the Ministry of Justice each resolution on registration on the list of attorneys-at-law (within the term of 7 days) and attorneys-at-law trainees (within the term of 30 days), whereas the resolutions on registrations are sent to the Ministry of Justice with the personal files of the candidate. The resolution on registration starts to be binding not until the lapse of the term of 30 days defined in art. 31² s. 1 of the Statute, unless the supervising organ submits the opposition within this term. While the legislator does not define directly the premises for submitting the opposition, in jurisprudence, it is adopted that the ministry submits the opposition in case of acknowledgement that the resolution on registration is not in accordance with the law (Piecha, 2023)³. The opposition is thus an administrative-legal instrument enabling challenging the content of a positive resolution of a proper organ of the professional self-government in the subject matter of registration on the list of attorneys-at-law and registration on the list of attorneys-at-law trainees because submitting the opposition by the Ministry of Justice deprives the resolution on registration of the legal effect⁴ (see also Stankiewicz, Scheffler [ed.] 2022). In the jurisprudence of administrative courts, it raises no doubts that the resolution of the council of a district chamber of attorneys-at-law on registration on the list of attorneys-at-law has a character of a resolution taken under the solvable condition, i.e. not submitting the opposition by the Ministry of Justice within the term of 30 days from the day of delivery of this resolution with the personal files. Therefore, the registration is regarded as done if the Ministry of Justice does not oppose this registration within the above-mentioned term of 30 days. In other words, the unsuccessful lapse of this term means that the registration on the list of attorneys-at-law is done on the day of undertaking the proper resolution on the registration while submitting the opposition causes this resolution to be null and void since the day of its undertaking, i.e. *ex tunc*. The result of making use of the right to submit the opposition is abolition, *ex tunc*, not only the resolution on registration, but the proceeding as a result of which it was given as well⁵ (see also Stankiewicz, Scheffler [ed.] 2022).

3. MATERIALLY LEGAL CHARACTER OF THE TERM TO ADOPT THE OPPOSITION BY THE SUPERVISING ORGAN

One of the questions decided unambiguously by the administrative courts is the character of the 30-day term within which the Ministry of Justice may file the opposition to the registration on the list of attorneys-at-law defined in art. 31² s. 1 of the Statute. Two standpoints were presented in practice. According to the first one, this term has a procedural character, which means in the light of art. 103 of KPA that as a result of the ministry

³ See also the decision of the Supreme Administrative Court of 24.05.2007 II GSK 8/07, in which it has been stated that the subject matter of the proceeding of the Ministry is setting defects, not defined in the statute, of the final decision on the registration, which justify depriving it of the legal power.

⁴ The judgement of the Supreme Administrative Court of 22.05.2015 II GSK 2712/14.

⁵ See, for example, the resolution of 7 judges of the Supreme Administrative Court of 30.10.2007 II GPS 3/07, judgement of the Supreme Administrative Court of 26.04.2012 II GSK 478/11, judgement of the Supreme Administrative Court of 20.07.2012 II GSK 2088/11, judgement of the Provincial Administrative Court in Warsaw of 20.09.2006 VI SA/Wa 1150/06; judgement of the Provincial Administrative Court in Warsaw of 7.07.2006 VI SA/Wa 901/06, judgement of the Provincial Administrative Court in Warsaw of 20.03.2014 VI SA/Wa 2661/13.

suspending the proceedings on adopting the opposition, its course was stopped⁶. According to the second standpoint, this term has a materially legal character, and thus, suspending such a proceeding does not stop its course⁷ (compare also Rączka, 1999).

Finally, the Supreme Administrative Court, in the resolution of 7 judges of October 30 2007, II GPS 3/07 declared itself in favour of the second of the aforementioned standpoints and decided that the term within which the Ministry of Justice may file the opposition to the registration on the list of attorneys-at-law has a materially legal character. The Supreme Administrative Court, in the aforementioned resolution, stated that the Ministry of Justice has a 30-day term to submit the opposition, which begins from the day of receiving the resolution on registration on the list of attorneys-at-law or attorneys-at-law trainees with the personal files of the registered person. After the lapse of this term, the competencies of the supervising organ expire. This is a term of the material law because it concerns the supervising competencies of the organ. This term is not subject to restoring, breaking, nor suspending.

Similarly, in the judgement of the Supreme Administrative Court of July 20 2012, II GSK 2088/11 it was indicated that both in the jurisprudence of administrative courts (compare, for example, the resolution of 7 judges of the Supreme Administrative Court of 30.10.2007 II GPS 3/07) and in the literature of the subject (compare for example B. Adamiak, J. Borkowski, a gloss to judgement of the Supreme Administrative Court of 26.01.1993 II SA 930/92, "Radca Prawny" 1994, No. 3, p. 76 and subsequent) it is acknowledged consistently and uniformly that the term within which the Ministry of Justice may file the opposition mentioned in art. 31² s. 1 of the Statute is a term of the material law. Therefore, the lapse of this term, considering the character of the competencies of the Ministry of Justice therein defined, the procedure of their execution and the purpose of the setting of this term (stabilisation and certainty of the legal situation of a person soliciting the registration and subsequently registered on the list of attorneys-at-law, in relation to competencies of the supervising organ), by force of law results in the expiration of the supervising competencies of the Ministry of Justice to submit the opposition to the resolution of the organ of the professional self-government on registration on the list of attorneys-at-law. After the lapse of the subject-matter term, the legal status of the final conclusion of the case of registration on the list of attorneys-at-law arises spontaneously (judgement of the Supreme Administrative Court of 26.01.1993 r. II SA 930/92). The Ministry of Justice not submitting the opposition within the term of 30 days from the day of delivery of the resolution with the personal files means that the registration is done. In consequence, in case of the opposition expressed after the lapse of this term, the registration should be regarded as done because the term defined in art. 31² s. 1 of the Statute has a character of a term of the material law. The right of the Ministry of Justice, stipulated in the Statute, to intrude on the constitutional competencies of the organs of

⁶ Compare a judgement of the Supreme Administrative Court of 6.03.1992 II SA 1206/91, *Orzecznictwo Naczelnego Sądu Administracyjnego (lata 1987–1993)*, Supplement to No. 6/15 of "Radca Prawny", 1994 (after Rączka, 1999).

⁷ Compare a judgement of the Supreme Administrative Court of 26.01.1993 II SA 930/92: "A suspension of the administrative proceeding of the Ministry of Justice concerning a potential opposition to the registration on the list of attorneys-at-law stops the course of procedural terms indicated in the code of administrative proceeding, however has no influence on the course of the term of art. 31 s. 2 of the statute on attorneys-at-law /Journal of Laws Nr 19 item 145; amendment Journal of Laws 1989, Nr 33 item 175/".

a professional self-government to concern themselves with the practice of the profession cannot be interpreted in a broadening way, including enabling the Ministry unjustified extension of the term defined in art. 31² s. 1 of the Statute (judgement of the Supreme Administrative Court of 26.10.2017 II GSK 73/16).

4. IS A REQUEST FOR RECONSIDERATION OF THE CASE BY THE MINISTRY NECESSARY?

In the practice application of art. 31² of the Statute, doubts also arose regarding the question of whether a prior submission of a request for reconsideration of the case according to the procedure of art. 127 § 3 KPA is necessary before filing a complaint to the ministry's opposition to an administrative court. The Ministry of Justice's opposition has a form of an administrative decision and, therefore, according to art. 52 § 1 of the Law on proceeding before administrative courts in order to file a complaint regarding such a decision, a prior fulfilment of means of appeal is necessary.

In particular, in the decision of May 24 2007, II GSK 8/07, the Supreme Administrative Court revoked a judgement of the Court of the first instance and rejected the complaint, indicating its unacceptability due to non-fulfilment of the means of appeal in the form of a request for reconsideration of the case⁸. In the justification of this decision, it was indicated that the competencies of the Ministry of Justice do not refer to reconsideration (for the next time) of the case of the registration on the list of attorneys-at-law. Therefore, it should be acknowledged that the administration verification proceeding instituted ex officio by the Ministry of Justice and ending with the issuance of a decision on the opposition is a supervising proceeding in relation to a two-instance proceeding started by the application for registration and carried out by the organs of the self-government of attorneys-at-law. As a result of this, the Ministry of Justice cannot be regarded as the third instance in cases of registration. It was also expressly stated that the provisions of the Statute do not give the basis for acknowledgement that in case of a proceeding started by the Ministry of Justice submitting the opposition, one deals with an exception from the rule of a two-instance administrative proceeding (art. 78 of the Constitution of the RP, art. 15 KPA).

In principle, however, it was not regarded as necessary to make a request to the Ministry of Justice for reconsideration of the case closed by its decision opposing the registration, not only before the date of the aforementioned case but later as well. For example, in a judgment of June 13 2007, VI SA/Wa 651/07, the Provincial Administrative Court in Warsaw stated that the Ministry of Justice's decision opposing the registration on the list of attorneys-at-law is not subject to verification in the administrative course of instances and thus the two instances rule expressed both in the Constitution of the RP (art. 78) and in art. 15 KPA is limited. The method of appealing to the opposition indicated in the provision of art. 31¹ s. 3⁹ of the statute on attorneys-at-law is a particular regulation; therefore, art. 127 § 3 KPA (request for reconsideration of the case) is not applicable in this situation. The provision of art. 31¹ s. 3 of the statute is clear, precise and raises no doubts

⁸ Similarly, it was stated by a decision of the Supreme Administrative Court of 24.05.2007 II GSK 26/07 in a case concerning the Ministry of Justice's opposition to registration on the list of advocate trainees.

⁹ Art. 31¹ s. 3 of the statute on attorneys-at-law in the then wording: "The Ministry of Justice's opposition may be appealed by the interested person to an administrative court within the term of 30 days from the day of delivery of the opposition" was the equivalent of the present regulation in art. 31² s. 2 of the Statute.

as to the scope of its application. The existence of exceptions from the analysed two instances rule is admitted by the Constitution of the RP (v. art. 78 in fine), the only requirement being that the exception and appealing procedure were defined by a statute. We have such a situation on the grounds of the statute on attorneys-at-law.

The doubt that arose was unambiguously explained in the aforementioned resolution of 7 judges of the Supreme Administrative Court of October 30 2007, II GPS 3/07, in which it was stated that filing a complaint to an administrative court provided by 31¹ s. 3¹⁰ of the statute on attorneys-at-law does not require the fulfilment of the means of appeal in the form of a request for reconsideration of the case according to the procedure of art. 127 § 3 KPA. In the justification of the resolution, it was indicated that the provisions of art. 31¹ s. 2 and 3 of the statute on attorneys-at-law define in a particular way the events which start the terms: of submitting the opposition (s. 2) and filing the complaint to the opposition (s. 3); therefore, these regulations are autonomous and exhaustive. They do not leave the space for supplementary application within this scope of the provisions of KPA regarding the request for reconsideration of the case (art. 127 § 3 KPA). The standpoint that the Ministry of Justice examines the merits of the case of the opposition two times as a result of filing the request for reconsideration of the case cannot be reconciled with the requirement of submitting the opposition (also that one issued according to the procedure of art. 127 § 3 KPA) in the deadline of 30 days from the receipt of the resolution on registration with the personal files of the registered person. On this basis, it may be concluded that the opposition mentioned in art. 31¹ s. 2 of the statute is a decision undertaken in a one-instance proceeding, and one is not entitled to the means provided by art. 127 § 3 KPA with regard to this decision. The Court also indicated that the proceeding of the Ministry of Justice concerning the opposition to registration has a different character than the proceeding concerning an appeal from a resolution of the Presidium of the National Chamber of Attorneys-At-Law refusing the registration on the list of attorneys-at-law. According to the then-adopted line of jurisprudence, in the latter proceeding, the ministry acted as an organ of the third instance of the ordinary administrative proceeding, which prejudged the way of examining the appeal and the content of the decisions possible to be issued by this appeal organ, defined in art. 138 KPA, including the decisions stating the merits of the case¹¹. Also, in the proceeding concerning the opposition, the Ministry of Justice acts as an organ protecting the public interest, and the only purpose of its opposition is not admitting to receiving the status of an attorney-at-law by a person who – in this organ's opinion – will not be able to carry out tasks consisting in rendering legal aid. Therefore, because the ministry's opposition will always be unfavourable for the interested person (as it deprives the person of the rights given by a resolution of an organ of the self-government of attorneys-at-law and is contradictory to the evaluation of their qualifications made by this self-government), the concerns of the effectiveness of the proceeding support the transfer, already on this stage, the settling of the case to an administrative court through the complaint filed by the interested person.

¹⁰ See *ibidem*.

¹¹ The Supreme Administrative Court departed from this line of jurisprudence in a resolution of 7 judges of 25.03.2013 II GPS 1/13 by stating that while examining the appeals mentioned in art. 31 s. 2a of the Statute, the Ministry of Justice may not apply art. 138 § 1 p. 2 KPA and decide on the merits of the case. A critical analysis of the Supreme Administrative Court's argumentation is presented by Sypniewski, 2015.

In consequence, the Supreme Administrative Court acknowledged that 31¹ s. 3 of the statute on attorneys-at-law is a particular provision which constitutes a justified exception from the rule of a two-instance proceeding expressed in art. 78 of the Constitution and does not stay in conflict with the rule of a two-instance administrative proceeding expressed in art. 15 KPA.

5. THE SCOPE OF THE MINISTRY OF JUSTICE'S RIGHTS TO EXAMINE THE CASE

The proceeding concerning the opposition conducted by the Ministry of Justice is a separate proceeding from the proceeding on registration on the list of attorneys-at-law. The latter proceeding (examining and explaining) is conducted by organs of the self-government of attorneys-at-law with the purpose of settling the merits of the case of registration. Therefore, the administrative case is the case with the subject matter of registration on the list of attorneys-at-law, and the competence to its settling has been given to an organ of the self-government, i.e. the council of a district chamber of attorneys-at-law. The legal effectiveness of this settlement - through giving a person the right to practice the profession of an attorney-at-law - is dependent on the realisation of the supervising competencies by the Ministry of Justice (Stankiewicz, Scheffler [ed.] 2022). In other words, while conducting the supervising proceeding, the Ministry of Justice does not deal with the administrative case initiated by the application for registration on the list of attorneys-at-law for settling this case, which belongs to the statutory competencies of the corporate organ. Acting in the public interest, the ministry, as a supervising organ, controls (evaluates) whether the evidential material collected in the two-instance proceeding conducted before the professional corporation organs, from the point of view of normative premises conditioning the registration on the list of attorneys-at-law, constitutes a sufficient factual basis for making this registration (judgement of the Supreme Administrative Court of 20.07.2012 II GSK 2088/11, similarly the judgement of the Provincial Administrative Court in Warsaw of 20.03.2014 VI SA/Wa 2661/13). Therefore, the Ministry of Justice, considering the legitimacy of submitting the opposition, has the power to establish whether all premises required for registration defined in art. 24 and 25 of the Statute have been fulfilled (judgement of the Supreme Administrative Court of 22.05.2015 II GSK 2712/14). The Ministry of Justice's competence for verifying the correctness of the corporate organ's standpoint on making the registration on the list of attorneys-at-law, from the point of view of the provisions of law defining the conditions the fulfilment of which this registration depends on, is also confirmed by a judgement of the Supreme Administrative Court of April 26 2012, II GSK 478/11.

The Statute clearly limits the scope of the explaining proceeding and, in particular, the evidence proceeding regarding the opposition. According to the provision of art. 31¹ of the Statute, the supervising organ may take into account exclusively materials presented by the council of a district chamber of attorneys-at-law, that is, the resolution on registration sent with the personal files of the registered person. This means, among others, that the ministry, while making a decision on the opposition – together with its justification – may not go beyond the limits of information included in the presented materials (so the Provincial Administrative Court in Warsaw in judgements of 7.07.2006 VI SA/Wa 901/06 and of 20.09.2006 VI SA/Wa 1150/06). This refers also to the course of a proceeding encompassed by the hypothesis of the provision of art. 31¹ s. 2 of the Statute, according to which if the application for registration enclosed in the personal files does not include all

required information or documents, the Ministry of Justice returns the resolution together with the personal files of the candidate to the proper council of a district chamber of attorneys-at-law to make it complete. Since also in the situation encompassed by the hypothesis of this provision, the Ministry of Justice operates on the basis of information and documents (personal files) sent to it – after completing the original (formal) shortages in the personal files of the candidate soliciting the registration – by the district chamber of attorneys-at-law, controlling compliance with the law of the resolution of the organs of the professional self-government on registration on the list of attorneys-at-law, and may not exceed indicated limits (judgement of the Supreme Administrative Court of 20.07.2012 II GSK 2088/11, similarly the judgement of the Provincial Administrative Court in Warsaw of 20.03.2014 VI SA/Wa 2661/13).

On this background, a doubt has arisen with regard to the question of a point of reference for the supervising organ in the proceeding conducted by it, i.e. whether it is the legal and factual state existing in the moment of making the registration by the organ of the self-government, or whether the supervising organ may take into consideration changes of the factual state which took place after the registration and before expressing its opposition. For example, the Provincial Administrative Court in Warsaw, in a judgement of May 31 2007, VI SA/Wa 541/07, stated that the Ministry of Justice is obliged *ex officio* to take into consideration not only the factual state acknowledged at the time of issuance of the resolution by the organ of the self-government but changes of this state which took place between the issuance of the resolution and expressing the opposition as well. In other words, while issuing its decision, the Ministry of Justice not only has the possibility but is obliged to take into consideration new circumstances in the case as well.

A different standpoint results from a judgement of the Supreme Administrative Court of October 26 2017, II GSK 73/16, in which, with regard to the supervising character of the Ministry of Justice's competencies in matters concerning registration on the list of attorneys-at-law (the ministry does not conduct the proceeding on the merits of the case of registration on the list of attorneys-at-law as an organ of the next instance but only controls the correctness of the corporate organ's decision issued in this case), it was stated that the point of reference for them is the legal and factual state existing at the moment of issuance of the controlled decision on registration, and not the circumstances on the day of issuance of supervising act (signature of the opposition). The Ministry of Justice does not conduct in its own scope the evidence proceeding aiming to state whether the person registered on the list of attorneys-at-law "still" fulfils the requirements needed for achieving the registration.

In my opinion, the second of the expressed standpoints is a correct one, which may be additionally justified by an argument concerning the very essence of the self-government of attorneys-at-law being one of the self-governments of professions of public confidence mentioned by art. 17 s. 1 of the Constitution RP. As an entity, in its assumption, autonomous and independent from the governmental administration, it is subject only to the supervision of the state within the scope which is strictly defined by statutes. Art. 5 s. 3 of the Statute gives no supervising competencies to the Ministry of Justice and does not have a constituting character but a declaring one; thus, no specific supervising actions may be taken on its basis. The Constitutional Tribunal, in a judgement of December 1 2009, K 4/08, indicated that this provision does not give the Ministry of Justice the right to take over the tasks of the professional self-government of attorneys-at-law. Each interference of this organ in professional self-government matters needs a particular provision of law. Then, since the provisions of the Statute regulating the procedure of making registrations

on the list of attorneys-at-law admit the sole competence within this scope to organs of the self-government, the Ministry of Justice's role is not reconsidering the matter of registration. While controlling the evidence material collected by an organ of the self-government from the point of view of the existence or non-existence of legal defects in the final decision on registration, which would justify deprivation of its legal power, the Ministry of Justice takes the decision on opposition solely and exclusively on the basis of information and documents (personal files) which were sent to them by the council of a district chamber of attorneys-at-law (see the judgement of the Supreme Administrative Court of 20.07.2012 II GSK 2088/11).

The statutory limitation of the recognition scope of the supervising organ in the supervising proceedings conducted by it is also confirmed by rulings of administrative courts concerning the legitimacy of the return of the resolution with personal files for making them complete on the basis of art. 31¹ s. 2 of the Statute. In a judgement of October 26 2017, II GSK 73/16, the Supreme Administrative Court stated that the provision of art. 31¹ s. 2 of the Statute may be applied when the application for registration does not contain all required information or documents. Similarly, in a judgement of February 19 2021, II GSK 596/20,¹² the Supreme Administrative Court stated that the return of the resolution together with personal files for making them complete must have a justified and convincing basis of factual nature. The return, which has no justified basis, may not thus result in the prolongation of the term for signing the opposition. The Court indicated, moreover, that the institution of the return serves and should serve – as this is just its essence and purpose, which are determined by the accepted model, logic and function of the application proceeding – for completing the shortages of the application for registration. It is obvious, thereby, that the shortages which are to be completed must have a real character. In other words, it means that the deficits of the application for registration must really exist and basically concern “the required information or documents”, meaning information or documents enclosed to the application mentioned in art. 24 s. 2a of the Statute.

In the situation in which the Ministry of Justice has no reasons to request for completing information with the effect of prolonging the term for signing the opposition (according to art. 31² s. 1 sentence 2 of the Statute¹³), then by issuing the decision on opposition after the lapse of the 30 days term defined in art. 31² s. 1 of the Statute, it infringes this legal provision. This means, with regard to the materially legal character of this term, that the opposition does not result then in the legal effect of abolition *ex tunc* of the registration on the list of attorneys-at-law because not submitting by the ministry of the opposition within the term of 30 days from the day of delivery of the resolution together with the personal files means that the registration is done¹⁴.

6. SUMMARY

The issues discussed in this article concern, as mentioned, the problem of access to practising the profession of an attorney-at-law, thus of membership in a professional

¹² Admittedly, this judgement concerned the registration on the list of advocates; however, with regard to, in this respect, analogous legal regulations relating to the self-government of advocates and of attorneys-at-law, it may also be referred to as the self-government of attorneys-at-law.

¹³ Art. 31² s. 1 sentence 2 of the Statute: “In the case mentioned in art. 31¹ sec. 2, the course of this term is then counted since the day of the renewed delivery of the resolution with the personal files”.

¹⁴ See the judgement of the Supreme Administrative Court of 26.10.2017 II GSK 73/16.

corporation. From the beginning of the professional self-government's existence, making decisions in this respect was traditionally within its competencies. This was confirmed by the Constitutional Tribunal in a judgement of April 19 2006, K 6/06, which stated that the question of recruitment to legal professions is a public question and, as such, is subject to statutory regulation; however, the right to decide on the matter who is a member of this corporation belongs to the decision of the self-government of attorneys-at-law. This standpoint is reflected by the provisions of the Statute regulating the procedure of making registration on the list of attorneys-at-law, in which the examining proceeding on the matters of registration belongs to competencies of organs of the self-government.

As a decentralised entity, the self-government of attorneys-at-law is subject to the supervision of the state organs, which is exercised within the scope and in forms strictly defined by statutory provisions. One of the means of supervision is, discussed in this article, the institution of the opposition to the resolution of the council of a district chamber of attorneys-at-law on registration on the list of attorneys-at-law or attorneys-at-law trainees. The Ministry of Justice acts here as an organ protecting the public interest, and the justification of the application of the opposition institution is not admitting to receiving the status of an attorney-at-law by a person who will not guarantee to carry out the tasks consisting of rendering legal aid¹⁵.

The subject matter legal regulations take into consideration the assumptions of the lawmaker concerning the inviolability of the essence of care over the proper practising of the profession in accordance with and for the purpose of protecting the public interest, which was given by art. 17 s. 1 of the Constitution of the RP to self-governments of professions of public confidence as one of their functions. One of the attributes of this care is executing the authoritative acts connected with admitting to the practising of the profession (see for example Izdebski, Legat Lipińska [ed.] 2002; Tabernacka, 2007), for the proper execution of constitutional functions of the professional self-government requires ensuring that it has a possibility to decide on the matter of who can practice the given profession, which was confirmed many times by the Constitutional Tribunal¹⁶. Moreover, the accepted statutory solutions in this respect and the above-analysed jurisprudence line of administrative courts correspond with the autonomy rule of a professional self-government as a decentralised entity independently deciding, among others, on membership in a self-government. This is confirmed in particular by, many times underlined, the character of the proceedings conducted by the Ministry of Justice on the matter of opposition of art. 31² of the Statute as a supervising proceeding within the scope of the legitimacy of the resolution of the self-government organ on registration on the list of attorneys-at-law. Moreover, it is confirmed by the discussed statements of administrative courts concerning not only the scope of the Ministry of Justice's rights to examine the case in the matter of opposition but also the lack of necessity to submit a request for reconsideration of the case by the ministry according to the procedure of art. 127 § 3 KPA as well.

The institution of the opposition of art. 31² of the Statute, discussed in this article, as a means of supervision to the organs of the self-government of attorneys-at-law, as well as

¹⁵ See the resolution of the Supreme Administrative Court of 30.10.2007 II GPS 3/07.

¹⁶ See on this subject and on the subject of model solutions within preparation and admission to practising of legal professions and possibility (and its limits) of restricting the care scope, for example, judgements of the Constitutional Tribunal of 22.05.2001 K 37/00, 19.04.2006 K 6/06, 8.11.2006 K 30/06, 26.03.2008 K 4/07, 14.12.2010 K 20/08, 30.11.2011 K 1/10.

the jurisprudence line accepted in this respect, show the way of restricting supervising interference in the sphere reserved for the professional self-government's competencies as an entity – of its essence – autonomous and independent. Since the legislator, taking into consideration the constitutional function of the professional self-government as for concerning itself with the proper practice of a given profession, has given to it a defined scope of autonomy to decide on the access to its practising, all supervising rights within this respect should therefore be interpreted in a strict way.

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