Devon Lechtenberg. 2015. "The Organizational Spaces of Ministerial Reorganization in Poland." *Administrative Culture* 16 (2), 141-160.

The Organizational Spaces of Ministerial Reorganization in Poland

Devon Lechtenberg

Abstract

Although government institutions are an important and well-studied part of the transition literature on Central and Eastern Europe (CEE), there has been little theorization of the spaces of public administration in this region. This constitutes a missed opportunity for scholars of the region interested in the "spatial turn" of the social sciences. Tor Hernes' (2004) concepts of the spatial characteristics of organizations can serve as a useful tool in examining the effect of external political forces on the internal dynamics of public administration in CEE and other regional contexts. Using the recent merger of two Polish ministries in 2013 as a case study, it is shown that a number of distinct, yet overlapping and intersecting spaces were brought to the forefront by political pressures. Incorporating spatial concerns within the analysis of public administration will arguably improve the understanding of this complex phenomenon in the context of a changing political environment.

Keywords: public administration, spatial characteristics, administrative capacity, accountability, transition

1. Introduction

Government institutions in post-socialist Central and Eastern Europe (CEE) and the former Soviet Union (FSU) have been studied extensively. However, almost no research exists on the spatialities of organization as applied to public administration in CEE or the FSU. An opportunity exists in the application of Tor Hernes' theorizing on the spatial characteristics of organizations. This paper will argue that Hernes (2004) offers a useful point of departure for analyzing internal dynamics within public administration that are related to larger external processes in government and society. The two most influential processes include 1) the efforts to establish and maintain a boundary between the political sphere and public administration and 2) the development of lasting democratic governing institutions in CEE and the FSU. This article will focus on the former processes' relationship to organizational space.

It will be examined how the contested boundary between the political sphere and public administration shapes organizational spaces using concepts developed by Hernes (2004).

A recent ministerial reorganization in Poland provides a good case study for discussing these spatial processes within organizations. On 27 November 2013, the Council of Ministers (hereafter referred to as the Polish Cabinet) created the new Ministry of Infrastructure and Development (Polish: *Ministerstwo Infrastruktury i Rozwoju – MIR*) through the merger of the Ministry of Transport, Construction, and Maritime Economy (*Ministerstwo Transportu, Budownictwa i Gospodarki Morskiej – MTBiGM*) and the Ministry of Regional Development (*Ministerstwo Rozwoju Regionalnego – MRR*). Elżbieta Bieńkowska – who had been the Minister for Regional Development – was appointed head of the MIR by President Bronisław Komorowski at the request of then Prime Minister Donald Tusk.[1] The events preceding and immediately following the creation of the new Ministry of Infrastructure and Development witnessed the downfall of two of the three most important government figures in the area of highway construction and the elevation of the third, Bieńkowska, to the head of the new ministry as well as the post of deputy prime minister. The former figures included Sławomir Nowak, head of the MTBiGM, and Lech Witecki, the head of the General Directorate of National Roads and Motorways *(Generalna Dyrekcja Dróg Krajowych i Autostrad – GDDKiA*), which was subordinate to the MTBiGM. The downfall of both of these men marked a major change in the government transport sector in Poland. The merger of the MTBiGM and MRR intersects with the ongoing efforts to reform public administration in Poland through the strengthening of the civil service. The spatial dynamics surrounding the civil service and the merger of the MTBiGM and MRR will be discussed using Hernes' spatial theorizations of organization with a view of demonstrating the rich potential for the analysis of space within public administration. It is argued that by using Hernes, a deeper understanding of the spatial implications of administrative reform can be developed, and therefore it is a promising direction for social scientists with research interests in government institutions in Central and Eastern Europe and the Former Soviet Union as well as in other regions.

2. Background on Public administration in Poland

Public administration during state socialism was supposed to be a defender of the proletariat against the capitalist bourgeoisie. The public administration, often referred to as the government apparatus during socialism within the Western literature, was charged with the implementation of policies developed by the ruling socialist parties. Public administration in the Eastern Bloc was never a neutral institution in the Weberian sense because of its direct dependence on the ruling communist party. Within the Eastern Bloc, government employees were not treated differently from workers outside the government, as this would have divided the

[1] Note that both Donald Tusk and Elżbieta Bieńkowska left for positions in the European Union in 2014. Tusk became President of the European Council, and Bieńkowska became European Commissioner for Internal Market, Industry, Entrepreneurship and SMEs.

proletariat and privileged those employed in the government.[2] Thus a civil service did not exist in most countries, with the partial but notable exceptions of Poland and Hungary. In Poland, a legal distinction was formulated between government and non-government workers by the *1982 Law on Employees in the State Administration*; however, this fell far short of actually creating a civil service. The democratic transition, which began in 1989, raised hopes that administrative reforms focusing on the creation of a civil service would be realized. Territorial decentralization (the reestablishment of local governments) was the major administrative reform of the early transition, although it did not concern the creation of a civil service at the national level. On 14 June 1991, reformers in the government did manage to establish the National School for Public Administration (*Krajowa Szkoła Administracji Publicznej – KSAP*) modeled on the renowned French *École nationale d'administration* (ENA) in Paris. The purpose of the KSAP has been to produce highly qualified graduates for high-ranking positions within the public administration. Although seen as necessary for developing a proper civil service in the future, the KSAP was established long before the Polish civil service was finally created by a parliamentary act.

The *Law on the Civil Service of 1996* created a civil service in Poland; however, it was quickly replaced following a change in government after parliamentary elections. The new center-right government believed that the provisions of the 1996 Law favored the large number of supporters of the ousted left-wing parties within the public administration.[3] The *Law on the Civil Service of 1999* replaced the 1996 Law, making important changes in the area governing the recruitment and qualifications of personnel. These changes included expanding the scope of the civil-service corps from only high-ranking positions to include lower-ranking employees (although the two groups would remain distinct from one another), lowering the minimum government employment experience needed to become a higher civil servant from seven to two years[4], and granting graduates of the KSAP an exemption from taking the qualifying exam for being a higher civil servant (*mianowanie*). The 1999 Law was argued to have reduced politicization coming from within the bureaucracy by limiting the clout and job security of former communist officials[5] and supporters of the

[2] A constant criticism of socialism was its reliance on bureaucracy in practice. Many early socialists and communists, including Marx, Lenin, and Trotsky saw bureaucracy as an undesirable institution and argued in favor of curtailing it. However, state socialism as it was actually practiced began to increasingly rely on a powerful government and party bureaucracy to manage to complex tasks of the socialist state (see Hodges 1981 and Rigby 1988). A very informative analysis of party and government technocrats as a distinctive social group in late socialism as well as their role in the transition to democracy can be found in King and Szelényi (2004).

[3] Bach-Golecka writes, "While technically one may consider CSA (civil service act) of 1996 a proper piece of legislation, nevertheless it was deprived of its legitimacy due to the instrumental, political use of its initiators. Moreover, some provisions, i.e. norms stating the required years of work experience, were explicitly designed for the benefit of public officials of the communist regime and to the detriment of the candidates who started work in state institutions after 1989" (Bach-Golecka 2011, 9).

[4] The old requirement of seven years greatly favored officials who had been in the public administration during state socialism, many of whom were supporters of center-left parties in Poland after communism.

[5] This is illustrative of the point that politicization can mean both undue political interference within the administration as well as open political allegiances within the administration. For a full discussion of politicization, see Rouban (2012).

center-left parties in Poland. It also attempted to instill more professionalism within the civil service, thereby insulating it to a greater degree than before from outside political interference. The right-leaning and populist Kaczyński government passed two laws in 2006, including the *2006 Law on the Civil Service* and the *2006 Law on the State Personnel Resources and Higher Government Positions*, ostensibly for the purpose of increasing the efficiency of the civil service, although in fact having the effect of increasing the politicization of the public administration. The perceived negative changes made by the 2006 Laws were mostly reversed by the *2008 Law on the Civil Service* following the 2007 election and the victory of the center-right Civic Platform Party of Donald Tusk. The 2008 Law largely reinstated the provisions of the 1998 Law; however the level of politicization (that is political interference of elected officials within the bureaucracy) remained higher than before.[6]

The goal in creating a civil service is to have a stable corps of dedicated government employees who qualify for their positions based on education, experience and results of competitive exams instead of political loyalties. The Polish civil service has attempted to realize these characteristics of modern public administration. Reflecting the 2008 Law, at the ministerial level, public administration is divided into two levels regarding personnel: the political level and the civil-service level. In descending rank, the political level consists of the minister, the secretary of state and the undersecretaries of state as well as the political cabinet of the minister, all of whom, with the exception of the political cabinet, are appointed by the Prime Minister and may be dismissed after a new election. The senior civil-service positions include the director-general (highest ranking civil servant of a ministry or agency), directors and deputy directors of ministerial and agency departments, in addition to directors of central-government agencies (e.g. GDDKiA). In Poland, the senior civil servants are nominated (*mianowanie*) to their positions (and are often referred to as nominated civil servants) from an available staffing pool produced by the KSAP and by lower civil servants passing the qualifying exams. Thus one may become a nominated civil servant by one of two methods: graduating from the KSAP or passing the qualifying exams. The basic requirements for candidates pursuing either method of nomination for the senior civil service are the same and include: 1) Polish or EU citizenship, 2) good personal character, 3) knowledge of at least one qualifying foreign language, 4) minimum years of management experience in addition to minimum public-sector experience. The requirements for lower civil servants are largely the same with the exception of fewer years of required work experience. Owing to the emphasis on merit, the image and efficacy of a civil service are in large part conditional on the civil servants meeting the qualifications for their positions. Politicization of the public administration was and remains a problem in Poland, where reforms have only slowly and indeed unevenly reduced its influence.

[6] For very informative accounts and analyses of the changes introduced by the succession of civil-service laws in Poland, see Bach-Golecka (2011) and Majcherkiewicz (2008 and 2014).

3. Literature Review

The review of relevant literature below begins with a discussion of the spatial characteristics of organizations, which will frame the rest of the discussion on the administrative legacy of politicization as well as important concepts from public administration immediately relevant to this analysis. Some concepts will be addressed in greater detail when they are used to analyze aspects of the merger of the Polish ministries. The review below is naturally not comprehensive but instead offers a general introduction to essential concepts within this analysis.

3.1 Spatiality of Organizations

Tor Hernes (2004) examined the spatial characteristics of organizations from a psychological and sociological perspective in *The Spatial Construction of Organization*, finding that organizations exist neither in their prescribed formal state nor in a completely informal state. In arriving at this conclusion, Hernes first expands upon observations made by Powell et al. (2002) about the relationships of organization to (formal) organizations, and secondly, he expands upon Lefebvre's (1991) concepts of space with the help of his reading of Luhmann (1995). According to Hernes (2004, 10), the relationship of organization (the informal activity) can be related to organizations (the formal institutions) in one of the following ways: 1) *Organization exists between organizations*. Temporary working groups and more permanent social networks exist with memberships in several distinct organizations. 2) *Organization exists beyond organizations*. Organizations do not exist in a vacuum. Members of organizations may be influenced by their membership in professional organizations etc. 3) *Organization exists inside organizations*. Within a distinct organization, such as a government ministry, the phenomenon of organization can be found not only in "less permanent committees, think tanks, and projects but in permanent structures such as departments, units, and programs" (2004, 10). 4) *Organization exists after organizations*. When formal organizations cease to exist, they leave behind an inheritance of "competences, relations, and structures" (2004, 10), which may be used in the creation of new formal organizations. 5) *Organization exists before organizations.* Vaguely structured competencies and relations may exist in a "state of emergence" (2004, 11) before they obtain the normal trappings of developed organizations.

The types of relations between informal organizations and formal organizations described above provide the background for Hernes' discussion of organizational spaces. Hernes creates a viable spatial description of organization by drawing on Lefebvre's three spaces, including physical space, mental space and social space (see Lefebvre 1991). The *physical space of organizations* consists of the tangible attributes such as the buildings occupied and the formal rules, procedures, codes and hierarchies which define the organizational structure.[7] The physical space created by the rules and procedures etc. must be consciously reproduced by the act of following the rules. The *mental space of organizations* consists of the core ideas and concepts

[7] Organizational structure is essentially the division of labor within the organization (see Egeberg 2007, 78).

of the organization in question as well as those of other organizations to which its members might belong. These mental spaces are not entirely dependent on people for their reproduction. The *social space of organizations* consists of the social bonding tying people together within an organization, and thus it is entirely dependent on people for its reproduction. These spaces of organization as well as the potential relationships between informal and formal organizations will inform and structure the remaining issues addressed in this literature review.

3.2 Literature on the Administrative Transition in CEE

The nature of a possible administrative legacy from state socialism is discussed by a number of scholars in the English-language literature on the transition. If an administrative legacy is primarily viewed as the undue influence of a cadre of officials left over from state socialism, then this legacy has most certainly already eroded. However, some politicians and members of the public still see the present influences of such a residual cadre and view it as constituting the administrative legacy of state socialism. Meyer-Sahling (2009) proposed four alternatives to the assertion that reform outcomes in the public administrations of CEE are still influenced by an administrative legacy (implicitly defined as a residual cadre of officials from the previous regime). These include: 1) an early end to the legacy (cadre) during the transition, 2) the influence of conditionality for CEE countries acceding to the EU, 3) influence of Western civil-service systems, and 4) the influence of party competition on the public administration. If any of these four alternatives is true, it would indicate that the influence of this cadre of officials from the state socialist regime no longer influences the process of reform. However, if a still-influential administrative legacy is sought, one can be found in politicization. The phenomenon of politicization stands at the center of most scholars' analyses of administrative legacies of state socialism. The awarding of administrative positions to supporters of post-socialist parties was discussed by both O'Dwyer (2004) and Grzymała-Busse (2007). While the extent of politicization within the bureaucracy has been reduced over the last two decades in most countries, reforms have nevertheless not achieved the desired results. Verheijen (2012) offers several reasons why this is the case, including:

1) lack of political consensus,
2) problem of reform design,
3) the changing and often contradictory signals of external organizations,
4) a genuine political belief that continental European models of civil service are not appropriate for states undergoing rapid change (Verheijen 2012, 598).

Politicization lies at the heart of all of these reasons. The potential advantages of politicization over the government bureaucracy for elected leaders of all political stripes would disincentivize them from developing a consensus on the needed depoliticizing measures. Furthermore, if political leaders are not truly incentivized to pursue reforms, any existing reform plans will not be fully coherent or comprehensive. External organizations such as the EU do not always provide consistent guide-

lines, as these are hard to develop when the depth of politicization varies so much between old member states such as France, Germany and the United Kingdom. Many political leaders view politicization as a necessary mechanism of control over an unwieldy government apparatus during times of transformation and are not keen on surrendering it in order to comply with Western ideals of politico-administrative relations, which are not fully coherent in the first place.

The literature specific to Poland offers several important observations worth mentioning. Firstly, the similarities between socialist and capitalist administration were noted by several scholars. Izdebski (2001) reminds us that formal ministerial structures were not very different in socialist countries from those in Western capitalist countries. Secondly, Wiatr (1995, 154) goes even further and states that the qualifications and motivations of many government workers during late state socialism were not that different from those in the West. Most were educated and wanted to work for the betterment of the societies in which they lived.[8] However, a major difference was the level of politicization in the government bureaucracy. Izdebski writes that the central administration in socialist countries

> … was subject to the leadership of the communist parties above all else. Party organs, possessing their own extensive auxiliary apparatus, made many decisions that in capitalist countries would normally be made by the government or even ministers. At the same time, the policies of the communist parties' leadership were generally implemented by the administration without the mediation of representative bodies, to which the administrative organs were formally subject. This brought about a relationship of direct dependency between the administration and the extensive party organs (2001, 202).

These old habits of politico-administrative relations did not fade away quickly with the transition to the market economy and democracy. Majcherkiewicz (2014) concluded that shortcomings in administrative reforms were largely the result of an elected political class that neither understood the necessity of proper reforms (especially depoliticization) nor desired to see its power over the administration curtailed. Majcherkiewicz's conclusions echo the observations made by Verheijen (2012) above. Specifically, Majcherkiewicz argued that 1) politics in post-socialist Poland have been decisive in shaping politico-administrative relations, 2) Polish politics have become less volatile since the early transition with a positive effect for the public administration, and 3) the further "maturation of the political system" should be beneficial for the civil service in Poland (2014, 283). Thus, the actual structure of administration did not change radically, only the complex political-administrative relations. The changing relationship would influence every other aspect of administrative reform. A spatial interpretation of the existing literature makes clear that the spaces of politics and administration have not reached a balancing point and are subject to constant revision.

[8] For more information on government employees in late state socialism, see Wasilewski (1990).

3.3 Administrative Accountability and the Capacity of Public administration

Two aspects of public administration are central to any discussion of administrative reform in Central and Eastern Europe: accountability and capacity. It is necessary to understand to whom government bureaucracies are accountable as well as how they and their political systems are capable of performing their duties. Administrative accountability can be understood by examining the mechanisms by which public administration is held accountable. These mechanisms of accountability essentially correspond to the actors to whom administrative entities are accountable. B. Guy Peters (2010) names several different mechanisms of administrative accountability, including: organizational methods (internal controls), market and external controls (non-governmental competition), group and public pressures (interest groups, clientele), political methods (vertical accountability to elected government) and normative methods (professional norms etc.). A further characteristic of mechanisms of accountability is that they are important for understanding the hierarchy of the administration as well as the division of labor.

Capacity within public administration consists of capabilities in specific areas. The one most relevant to this discussion are the functionally instrumental capacities described by Ali Farazmand (2009). These include institutional, organizational, policy and political capacities, all of which reflect the ability of public administration to cope with the challenges of governance in current times. Institutional capacity can be described as the ability to establish, maintain and alter the institutions surrounding organizations where appropriate. Institutional capacity requires both institutions such as the market economy, nongovernmental organizations and government bureaucracies on the one hand, and the institutionalization of ideas, rules of conduct and procedures on the other. Farazmand's conception of organizational capacity describes the ability to organize the needed structures, processes, values and norms as well as resources necessary for the work of public administration. Policy capacity is the ability of public administration to both skillfully develop and implement policy as well as reviewing these processes internally. Politics as capacity represents the ability of the political system (especially the political elite) within a country to effectively manage and lead the public administration. The four functionally instrumental capacities of public administration both present a detailed illustration of public administration and provide the subject of additional spatial theorization of organizations.

3.4 Concluding Thoughts on the Literature

The literature has established that the politicization of the public administration, and specifically excessive interference in public administration by political actors, has been the most influential factor related to administrative reform efforts (or the lack thereof) in CEE and the FSU. Previously mentioned scholarship by Meyer-Sahling (2009), Verheijen (2012), O'Dwyer (2004), Grzymała-Busse (2007), and Majcherkiewicz (2014), among others, point towards politicization as a lingering legacy of state socialism. Thus, it is known that the political spheres in CEE countries not only seek to manage the public administration (as is perfectly normal), but seek to extend their influence beyond what is thought to be appropriate for proper political-administrative

relations. The political sphere is able to extend its influence and control over the administration because of mechanisms of accountability described by Peters (2010). The author would argue not only that these mechanisms ensure that the administration will nearly always comply with the directives from the political sphere, but they will also ensure that larger trends in the political sphere are reflected in the administration itself. Public administration is not simply controlled by means of these mechanisms of accountability, but actively shaped by them as well. Hernes' work on organizational spaces provides us with a structured approach to examining how administration is shaped by these external political forces. Internal dynamics also play a role in shaping organizational space, but are ultimately subordinate to external political will, especially when considering a transformation as large as a ministerial merger. Owing to the complexity of administration, internal preferences (reflecting internal dynamics) are capable of influencing the political sphere; however, the balance of power in political-administrative relations is decidedly in favor of the political sphere.

As discussed above, a consideration of the relationship between politicization, mechanisms of accountability and organizational space will allow us to better understand the forces that shape administrative reforms. Figure 1 below is a visual aid showing a simplified conception of how these factors relate to one another. It is accepted that external political forces are the primary factor in compelling administrative reform. It should be remembered that the divide between politics and administration is much less clear in reality than depicted in the figure. Mechanisms of accountability bind the administration to the authority of the political leadership, thus ensuring that the administration must respond to external pressure. Farazmand's (2009) work on functionally instrumental and administrative capacities gives us some sense of the structure of activities within public administration, which is, in turn, important for conceptualizing the organizational spaces. Having shown the rationale for how using Hernes can illustrate the effects of external political processes on administration, the case study will now be presented below.

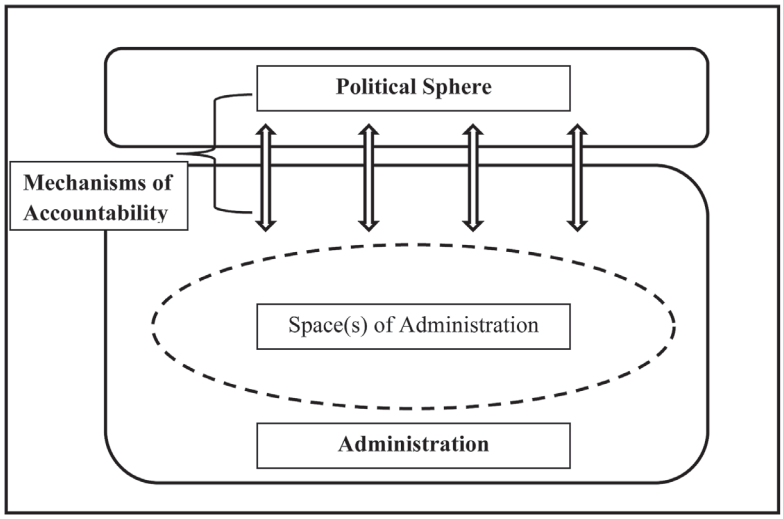


Figure 1: **Relationship of Administrative Spaces to Political and Administrative Spheres**

4. Background on Highway Transportation in Poland

Poland has long suffered from the effects of underinvestment in modern highway infrastructure. During the socialist era (1947-1989), the government favored investment in rail infrastructure, as this was a decidedly more efficient form of transporting people and heavy materials for the rapid industrialization underway. An added reason for all but ignoring highway transportation was that it would have been favorable to private car ownership, a material luxury for individuals that was contrary to communist orthodoxy. A final reason for underinvestment in highway infrastructure was that resources being spent on other modes of transportation and social policies could not be spared for highway construction in light of the abovementioned policy preferences. Although a number of studies were conducted in the 1960s, 1970s and 1980s that supported the realization of a network of highways, few resources were directed at these proposed projects. The result was that there were less than 400 kilometers of fragmented highways in 1989 when the democratic and economic transition began. Responding to the fact that car ownership has tripled in Poland since 1989 (Eurostat 2012), every Polish government since then has promised to remedy the lack of highway infrastructure, but the requisite funding simply did not exist.

The financial situation began to change in the run-up to Poland's accession to the European Union in May 2004. The EU possesses a number of financial and support instruments that current and future member states may utilize in order to raise their level of economic competitiveness as well as their standard of living, namely the European Regional Development Fund (ERDF), the European Social Fund (ESF), and the Cohesion Fund. It is the Cohesion Fund that supports the construction of modern networks of highways (both motorways and expressways) in poorer member states, as these will be part of the Trans-European Network of motorways, a key feature of an integrated European economic area. Poland has received billions of Euros in assistance for its highway construction program in the 2007-2013 EU Budget and is poised to receive even more in the 2014-2020 budget perspective, after which its large allocation of EU funds will be drastically reduced. It must be emphasized that Poland still does not possess the financial resources necessary for implementing its highway program alone, and will not possess such a capability in the near to medium term, therefore it is imperative that the proposed network of motorways and expressways be complete by the end of the 2014-2020 budget perspective. While the last ten years have witnessed a great increase in the total length of motorways (1491 km out of about 2000 planned km) and expressways (1268 km out of about 5300 planned km) (GDDKiA 2014), much more progress must be made in order to complete the network. While difficulties in financing the highway-construction projects have played a decisive role in the slow pace of progress, another important factor must be taken into account. In order to manage all aspects of these projects, it has been necessary to develop the capabilities of Polish government institutions that form the core of this case study.

5. Ministerial Reorganization in the Polish Transport Sector

The reorganization and merger of the MTBiGM and MRR occurred in November 2013. This was partially the result of pressures to consolidate the redundant functions of both ministries into one vertical hierarchy, although the trigger for reorganization would come from outside of the public administration. Vertical hierarchy and thus vertical accountability are defining organizational features of public administration in Poland. Therefore, examining the leadership of government entities is all the more important for understanding the ministerial reorganization of 2013. Deprived of its once powerful political leader, Sławomir Nowak, the MTBiGM could more easily be merged with another ministry, a drastic measure when considering the resilience of organizational structures in government. While the organizational structure of the GDDKiA itself was hardly affected at all by the ministerial reorganization, the leadership and thus the tone and style of the GDDKiA's working relationship with the outside world could be changed by the dismissal of Lech Witecki. In light of these observations, the analysis of the MTBiGM and GDDKiA below will prominently feature the events surrounding the end of their respective leaders' tenure in office.

5.1 The Ministry of Transport, Construction and Maritime Economy

The ministry responsible for transportation[9] and transportation infrastructure, including the functions of policymaking, planning and regulation, has been reorganized many times over the years. In fact, since 1989 alone it has been reorganized seven times, adding and subtracting policy areas and changing names with each transformation. Although the core responsibilities remained the same, the frequent reorganizations undoubtedly had a detrimental effect on the ability of the ministry to function, specifically in terms of the retention of personnel and medium- to long-term planning capabilities. In addition highly technical aspects of planning, implementation and regulatory functions have normally been the responsibilities of agencies or directorates (cf. GDDKiA) within the ministry. However, policymaking – i.e. determining the extent of the network, official policy formulation, prioritizing the construction of specific segments, route selection etc. – has always been the preserve of the ministry itself. Until recently, instability in Polish politics has meant that there have been sixteen governments since 1989. The transport ministry remained unchanged throughout the 1990s but then was reorganized following the election of a center-left government in 2001. The right-wing populist Law and Justice Party's victory in the next election brought about two reorganizations in 2005 and 2006, respectively. The center-right Civic Platform Party under Donald Tusk won the 2007 election and again reorganized the ministry three times in 2007, 2011, and 2013. It was the reorganization of 2011 that created the MTBiGM with Sławomir Nowak as minister.

[9] Polish legal texts reference the "ministry responsible for transportation" just as they do with the "minister responsible for transportation" as the name of the ministry may change with reorganizations. "Transport ministry" will be used in this article generically in lieu of the proper names of previous iterations of the ministry responsible for transport prior to the creation of the MTBiGM in 2011.

Unlike most of his predecessors, Nowak had no background in transportation, whether as an economist, engineer or policymaker. Instead he was a close political advisor of Donald Tusk and was deemed reliable and trustworthy. Progress on the realization of the motorway and expressway network had been slow, with many difficulties arising because of the tense and distrustful relationship between the Polish government and the private contractors who were building the network. Prime Minister Tusk undoubtedly felt that he required a trusted confidante who would seek to implement the government's construction program. Nowak's tenure at the MTBiGM was generally seen as quite efficient despite his lack of experience in transportation. Progress towards the completion of the network was made under Nowak, but coordinating efforts with the Ministry of Regional Development and the contractors proved difficult. The policymaking function of transportation planning was shared between the MTBiGM and the MRR, which was responsible for 1) spatial planning as a policy area and 2) the allocation and supervising of EU funds. There was much redundancy in the policy areas assigned to both ministries as transportation planning cannot be effectively extracted from spatial planning. Thus, there had been some discussion of merging the two ministries for some time. However, merging the two ministries would mean that one or both of the respective ministers – both highly regarded at the time – would lose their position as minister in the new ministry. No action was taken, and the status quo remained until a scandal brought down Sławomir Nowak. In 2013 it became known that Nowak had acquired an expensive wristwatch valued at over USD 6,600. The value of the wristwatch was greater than the minimum value of property that Nowak was required to declare as a Member of Parliament and minister. Owing to the fact that Nowak did not disclose his watch to Parliament, and because it was not clear how he obtained it, prosecutors informed the Parliament that his actions were potentially illegal. Nowak's resignation was accepted by Prime Minister Tusk. With Nowak gone, there were no longer any major political impediments to Tusk reorganizing the transport ministry by merging it with the MRR. Thus, the Ministry of Infrastructure and Development was created under the leadership of Elżbieta Bieńkowska, who was widely seen as having an impeccable record during her time as Minister of Regional Development.

5.2 The General Directorate of National Roads and Motorways

The General Directorate of National Roads and Motorways (GDDKiA) was created by a merger of the *Agencja Budowy i Eksploatacji Autostrad* (ABiEA) and the General Directorate for Public Roads in 2002. The GDDKiA is an agency subordinate to the ministry responsible for transportation and is charged with planning and implementing highway construction programs as well as regulating their usage. It concludes contracts with construction companies as well as with firms that will operate and maintain sections of tolled-motorways under concession. The GDDKiA is headed by the General Director who, according to Polish law should be a nominated civil servant appointed by the prime minister on the advice of the minister responsible for transport, although the prime minister may appoint anyone deemed suitable as *acting* General Director. The General Director reports directly to the minister responsible for transport. The GDDKiA has earned a reputation as a very

skilled organization staffed with technocratic civil servants, although it also has a reputation as being equally rigid with contractors regarding payments of construction costs as well as completion timelines. The construction contractors interact directly with the GDDKiA more often than they do with the ministries themselves. The distrustful relationship between the GDDKiA and the contractors has been at the focal point of friction between the construction sector and the Polish government. Successive Polish governments have long suspected the road-construction sector of charging too much for services rendered, a practice that could not continue when the stringently monitored EU Cohesion Funds became available for co-financing the government's highway program. The desire to ensure that domestic and EU funds for road construction were supervised lead to Donald Tusk appointing of Lech Witecki, an auditor from the Supreme Audit Chamber (*Najwyższa Izba Kontroli – NIK*)[10], as acting head of the GDDKiA in May 2008.

Lech Witecki replaced Janusz Koper, an engineer with deep knowledge of the road-building process, whereas Witecki had no such background. Janusz Koper was dismissed because he questioned the feasibility of the government's timetable for completing the new network of motorways and expressways. In contrast, Witecki showed no reservations about the ambitious time table, and furthermore, he sought to strictly control the process of planning and implementation, especially as it related to the use of EU funds. Witecki gained many detractors in the construction industry, with contractors complaining of excessive rigidity apparent in his leadership. Under Witecki, prices and timetables were fixed and non-negotiable. This was damaging to many contractors who had to contend with increasing prices for materials that the previously negotiated contract with the GDDKiA would not cover. Additionally, delays in construction due to unforeseen engineering difficulties were not tolerated by Witecki. His position was initially secure, until problems began to arise. The position of General Director of National Roads and Motorways was supposed to be filled by a nominated civil servant (either a graduate of the National School of Public Administration or a person successfully passing the difficult civil-service exam), criteria that Witecki never met. In fact, during his tenure as acting head of the GDDKiA he failed the exam for nominated civil servants twice, causing embarrassment for the Tusk government. The poor working relationship between the GDDKiA and the construction sector also worsened over time. Witecki would finally be dismissed from his position in February 2014, following the merging of the MTBiGM and MRR into the new Ministry of Infrastructure and Development. His acting replacement was an experienced leader of a regional branch of the GDDKiA.

6. Analysis and Discussion

The merger of the Ministry of Transport, Construction, and Maritime Economy (MTBiGM) and the Ministry of Regional Development (MRR) in November 2013 represents a process of concentration (or rather reconcentration) of policymaking for

[10] For reference, the function of the Supreme Audit Chamber (NIK) is analogous to the Government Accountability Office (GAO) in the United States. Like the GAO, the NIK is a part of the legislative branch.

transportation and spatial planning in Poland. Although policy regarding national roads continued to remain in the hands of the central government after the democratic transition began in 1989, significant powers relating to spatial planning were devolved to newly created local governments in the early 1990s, severely complicating efforts to develop a coherent national spatial development strategy in the process. Where the goals of a national transportation plan are not fully coordinated with a comprehensive spatial development strategy, the benefits of both efforts are reduced. *The Law on Spatial Planning of 2003* has sought to remedy deficiencies in coordination between national and local spatial plans with some success. The MRR was created in 2004 in order to manage spatial planning in Poland as well as managing EU funds available for economic and social development, including funds for motorways and expressways. Much of the staff was initially drawn from the ministry responsible for transportation. This had the effect of compounding the already existing vertical decentralization (regarding subnational governments) with horizontal decentralization in the planning process. Although the MTBiGM and MRR were both generally good at policymaking in their respective domains and cooperated, problems of coordination and redundancy did arise. Given these issues, the relative flexibility afforded to the Prime Minister in creating, abolishing and reorganizing government ministries as well as the political downfall of Sławomir Nowak as the transportation minister in 2013, the creation of the new Ministry of Infrastructure and Development (MIR) out of the MTBiGM and MRR under the leadership of the effective and irreproachable Bieńkowska was a logical solution on both a political and an administrative level. The observation can be made that since this outcome depended upon the removal of Nowak as head of the MTBiGM before the merger, the reorganization of the ministries was largely driven by considerations of the personalities at the tops of the ministries. The prominent place of personality considerations within the calculus of ministerial reorganizations only reinforces the importance of vertical authority and accountability within the ministries.

The General Directorate of National Roads and Motorways (GDDKiA) was not affected in any great way by the merger of the MTBiGM and MRR into the new ministry; the agency as a whole was now simply part of the MIR. However, there was a change in the top leadership, including the removal of Lech Witecki. Bieńkowska recommended that Witecki be removed in order to establish a new tone at the GDDKiA, especially in the relationship between the GDDKiA and the construction industry. The 2014-2020 EU funding perspective was now in place, and it is absolutely necessary for Poland to complete the vast majority of the network of motorways and expressways before external funding is drastically reduced. While not advocating a reduction in standards, a change in tone was necessary. Witecki's inability to fully qualify as a nominated civil servant was also a major concern. Even if good transportation policies are developed in the MIR, this could be negated by the implementing body (the GDDKiA) having a bad relationship with the road-building contractors. Therefore, it was imperative to ensure that good policy was not thwarted by controllable factors in the implementation phase.

6.1 The Spatialities of Public Administration

If many of the functions of the MTBiGM and MRR had been seen as redundant and if there were problems in coordination, the logical idea of merging the two ministries would have existed for some time. The merger of the MTBiGM and MRR immediately after the removal of Nowak was so sudden that it indicates that the continued presence of both Nowak and Bieńkowska as powerful ministers forestalled a merger which would have already taken place, had they both not been in charge at their respective ministries. Were it not for political considerations, the MTBiGM and MRR could have probably been merged much earlier. This fact alone clearly indicates two things. Firstly, a reform as large as a ministerial merger clearly originated in the political sphere, as only the prime minister and cabinet were powerful enough to initiate it. Secondly, an action that made sense to many had long been prevented by considerations within the political sphere, demonstrating that external politics is paramount when understanding administrative reform. Thus, there is not a clear boundary between the spaces of politics and administration, something that greatly increases the political influence over the administration.

A partial (re)concentration of policymaking power within the transport sector was achieved by the merger of the MTBiGM and MRR. In spatial terms, this act of reconcentration was the equivalent of forcefully blending the two distinct *physical spaces* of the previous ministries together. Two separate systems of hierarchies, divisions of labor, rules, procedures – all of which are important elements of institutional and organizational capacity – were abolished and combined into a new unified system. While a new ministry can be created instantaneously by merging two older ministries by law, it certainly does not transpire in such complete and sudden action in reality. Fully combining the physical spaces of two separate government ministries takes time, demonstrating the existence of *organization before and after organizations*. The MTBiGM and MRR both existed independently of one another prior to the merger, and many elements of the previous ministries will continue to exist within the new unified ministry. A related spatial manifestation of the ministerial merger is that the previously existing inter-ministerial coordinating committees, *organization existing between organizations*, became intra-ministerial coordinating committees or *organization existing inside organizations*.

The merger of the MTBiGM and MRR is also illustrative of the *mental space* of organizations. It is conceivable that difficulties arose in the combining of organizations with different (specific) policy goals, motivations and outlooks. Although the MTBiGM and MRR were both working towards the realization of a network of motorways and expressways in Poland, their specific policy motivations and thus their specific policy capacities differed according to their missions. The MTBiGM's mission was to plan and implement policies related to transportation, including regulation. Future motorways and expressways were to be assigned a location, designed, built, and subsequently regulated. The MTBiGM based its location decisions and timing of construction projects in part on preexisting economic necessity, whereas the MRR's interest in the emerging network was its ability to contribute to future socio-economic development in Poland. Thus, the MRR saw

transportation infrastructure as only one part of a much larger spatial development plan. Both ministries were guided by their own policy documents, which, while mostly complementary, reflected their differing missions. Their motivations were to realize their own policy plans and maintain their ministries' budgets. Common outlooks or approaches to policy questions within the ministry were also illustrative of their differences. The MTBiGM's mission lent itself to engineers and economists, thus privileging the views and norms particular to those professions in the policymaking process. The MRR was home to many economists and (urban) planners, among others, again privileging the views and norms particular to those professions. Both ministries had lawyers working for them, adding to the complexity, given the law profession's distinct professional culture. These are examples of normative methods of accountability described by Peters as well as being part of the institutional capacity described by Farazmand. These phenomena also demonstrate that *organization exists outside of organizations*. Finally, the *social space* of organization applied to the merger of the MTBiGM and MRR brings forth the various habits, customs, traditions and social groups that existed within each ministry that then may potentially contest space within the new ministry. However, in the absence of detailed and lengthy ethnographic research, it is difficult to speculate what these social groups may have been and what conflicts they may have had in the new ministry.

The GDDKiA is a very self-contained organization that has been in existence for a comparatively long time in contrast to the various iterations of the ministry responsible for transport to which it has belonged. The GDDKiA contains distinctive physical, mental and social spaces, like any other organization. Its physical space was mostly unaltered by the merger of the MTBiGM and MRR, being retained and continuously reproduced by its employees. Owing to its mission, the mental space of the GDDKiA is shaped by the outlooks of engineers and economists. Within the context of its mission of designing, building and regulating national roads in Poland, the characteristics of Farazmand's institutional, organizational and policy capacities can be identified, as well. However, wider issues of political-administrative relations in the Polish government are reflected in spatially theorizing the GDDKiA, specifically when focusing on Lech Witecki as General Director. Firstly, Witecki's tenure as General Director reflects the extent of the politicization of the top administrative positions in the Polish government. The General Director was supposed to be a civil servant; it is not a clearly political position as is perfectly normal in the case of a minister. Although Witecki should have eventually qualified as a nominated civil servant, he was never able to pass his exam. This put the *mental space* of the civil service (representing merit as determined by the required criteria and passing the exam) in conflict with the *physical space* of Polish government, whose laws clearly allowed the Prime Minister and the minister responsible for transport to keep anyone they deemed fit in the position as acting General Director. And while there was an understanding that Witecki would eventually qualify as a nominated civil servant, thereby politically legitimizing his position and safeguarding the government's reputation, this never occurred. Secondly, Witecki hailed from a different professional background than the mission of the GDDKiA favors. The GDDKiA - a very professional and technocratic organization – is seen as performing its job very

efficiently and thereby deflecting political interference from the outside. This technocratic prowess results from the strong qualifications of its civil servants, many of whom have technical educations and thereby contribute to a distinctive mental and social space within the GDDKiA. Auditors and road engineers occupy very different mental spaces. Witecki's removal as head of the GDDKiA created the potential of filling the position with a permanent nominated civil servant, thus harmonizing the ideals and purposes of the civil service with the practices of the government. Filling this positon with a fully qualified permanent replacement would recognize the boundary between the political and administrative spaces and stabilize political-administrative relations.

7. Conclusion

The creation of the Ministry of Infrastructure and Development (MIR) through the merger of the Ministry of Transport, Construction and Maritime Economy (MTBiGM) and the Ministry of Regional Development (MRR) in Poland has provided a case study that serves as an opportunity to apply spatial theorizations of organization to the context of political reform in Central and Eastern Europe since 1989. The analysis presented in this article illustrates some of the many possible ways in which Hernes' theorization of physical, mental and social spaces of organization intersect and overlap the five various states of organization existing between, beyond, within, before and after organizations. Studying organizational spaces can help us understand the effects of larger political processes on public administration because they are bound by the mechanisms of accountability to the political sphere. Although an analysis of organizational spaces would not result in a satisfying explanation for what is driving administrative reform in CEE, Hernes' scholarship on organizational spaces is a useful tool and potential method for the study of public administration. Using a framework based on Hernes' scholarship would have the greatest benefit in ethnographic studies utilizing either a structural or a phenomenological approach.

The policymaking process for national roads was rationalized by the reconcentration of both vertically and horizontally diffused authority into the new Ministry of Infrastructure and Development. The merger was made politically possible by the removal of Sławomir Nowak as transport minister, enabling the popular Bieńkowska to become head of the new ministry. Lech Witecki's removal at the GDDKiA was necessary to ensure smooth policy implementation within the timeframe of the 2014-2020 EU funding perspective. These events demonstrate that these seemingly logical administrative reforms within a given policy area were ultimately enabled by political events. Furthermore, it suggests that political considerations may have previously prevented a rationalization of the policymaking process through the merging of the two ministries as long as the three main figures in Polish transportation policy remained secure in their positions.

Public administration provides an often overlooked opportunity for spatial discussions which reflect not only internal phenomena, but also outside phenomena and potentially social trends. Applying Hernes' spatial theorization of organizational dynamics to public administration will help scholars further elucidate the way in

which processes in the political sphere affect public administration. The author would argue that this contributes to a relatively new direction in the literature on institutional changes in Central and Eastern Europe, resulting from both the transition to democracy and accession to the European Union. Additionally, it reinforces the connection between area studies and the "spatial turn" in social sciences. Finally, further research on the spaces of public administration in Central and Eastern Europe and the former Soviet Union could offer great opportunities for the further development of spatial theories of organization.

References

Bach-Golecka, Dobrochna. 2011. "Public Administration after Communism: The Case of the Polish Civil Service." *Warsaw University Law Review* 10(3-4), 8-34.

Egeberg, Morten. 2007. "How Bureaucratic Structure Matters: An Organizational Perspective." In Martin Painter and B. Guy Peters (eds). *Tradition and Public Administration*. Basingstoke: Palgrave-MacMillan, 77-87.

Eurostat. 2012. *EU Transport in Figures 2012*. Luxembourg: Publication Office of the European Union. Available at http://ec.europa.eu/transport/facts-fundings/statistics/doc/2012/pocketbook2012.pdf (last accessed 4 November 2014).

Farazmand, Ali. 2009. "Building Administrative Capacity for the Age of Rapid Globalization: A Modest Prescription for the 21st Century." *Public Administration Review 69* (November/December), 1007-1020.

GDDKiA. 2014. Informacja Prasowa. [Press Release]. Available at https://www.gddkia.gov.pl/userfiles/articles/r/raport-roczny-gddkia-podsumowuje_13731/Informacja%20prasowa%202013.pdf (last accessed 23 February 2015).

Grzymała-Busse, Anna. 2007. *Rebuilding Leviathan: Party Competition and State Exploitation in Post-Communist Democracies*. Cambridge: Cambridge University Press.

Hernes, Tor. 2004. *The Spatial Construction of Organization*. Amsterdam: John Benjamins Publishing Company.

Hodges, Donald. 1981. *The Bureaucratization of Socialism*. Amherst: University of Massachusetts Press.

Izdebski, Hubert. 2001. *Historia Administracji*. 5th edn. Warsaw: Liber.

King, Lawrence Peter and Iván Szelényi. 2004. *Theories of the New Class: Intellectuals and Power*. Minneapolis: University of Minnesota Press.

Lefebvre, Henri. 1991. *The Production of Space*. Oxford: Blackwell.

Luhmann, Niklas. 1995. *Social Systems*. Stanford: Stanford University Press.

Majcherkiewicz, Tatiana. 2014. "W poszukiwaniu kompromisu i uznanian: reform służby cywilnej i ewolucja stosunków polityczno-administracyjnych w latach 1989-2011." In Witold Mikułowski and Agnieszka Jezierski (eds). *Administracja publiczna wobec wyzwań kryzyzu ekonomiczego i jego konsekwencji społecznych*. Warsaw: KSAP, 247-288.

Majcherkiewicz, Tatiana. 2008. "Civil Service Reform in Poland: The Influence of Path Dependency." In Jerri Killian and Niklas Eklund (eds). *Handbook of Administrative Reform: An International Perspective*. New York: CRC Press, 139-158.

Meyer-Sahling, Jan-Hinrik. 2009. "Varieties of Legacies: A Critical Review of Legacy Explanations of Public Administration in East-Central Europe." *International Review of Administrative Sciences* 75(3), 509-528.

O'Dwyer, Conor. 2004. "Runaway State Building: How Political Parties Shape State in Postcommunist Eastern Europe." *World Politics* 56(4), 520-553.

Peters, B. Guy. 2010. *The Politics of Bureaucracy: An Introduction to Comparative Public Administration*. Abingdon: Routledge.

Powell, Walter W., Kenneth W. Kogut and Laurel Smith-Doerr. 2002 "Interorganizational Collaboration and the Locus of Innovation: Networks of Learning in Biotechnology." *Administrative Science Quarterly* 41, 116-145.

Rigby, T.H. 1988. "Staffing USSR Incorporated: The Origins of the Nomenklatura System." *Soviet Studies* 40, 523-537.

Rouban, Luc. 2012. "The Politicization of the Civil Service." In B. Guy Peters and Jon Pierre (eds). *The SAGE Handbook of Public Administration*. Los Angeles: Sage Publications Ltd, 380-391.

Verheijen, Tony. 2012. "Comprehensive Reform and Public Administration in Post-Communist States." In Jon Pierre and B. Guy Peters (eds). *The SAGE Handbook of Public Administration*. Los Angeles: Sage Publications Ltd, 590-601.

Wasilewski, Jacek. 1990. "The Patterns of Bureaucratic Elite Recruitment in Poland in the 1970s and 1980s." *Soviet Studies* 42(4), 743-757.

Wiatr, Jerzy. 1995. "Dilemmas of Re-organizing the Bureaucracy in Poland during the Democratic Transformation." *Communist and Post-Communist Studies* 28(1), 153-160.

Polish Laws

1982 Law on Employees in the State Administration. Ustawa z dnia 6 września 1982 r. o pracownikach urzędów państwowych (tj. Dz. U. 2001, nr. 96, poz. 953).

1996 Law on the Civil Service. Ustawa z dnia 5 lipca 1996 r. o służbie cywilnej (Dz. U. Nr 89, poz. 402).

1998 Law on the Civil Service. Ustawa z dnia 18 grudnia 1998 r. o służbie cywilnej (Dz. U. z 1999 r. Nr 49, poz. 483).

2003 Law on Spatial Planning. Ustawa z dnia 27 marca 2003 r. o planowaniu i zagospodarowaniu przestrzennym (Dz. U. 2003 r. Nr 80, poz. 717).

2006 Law on the Civil Service. Ustawa z dnia 24 sierpnia 2006 r. o służbie cywilnej (Dz. U. z 2006 r. Nr 170, poz. 1218).

2006 Law on the State Personnel Resources and Higher Government Positions. Ustawa z dnia 24 sierpnia 2006 r. o państwowym zasobie kadrowym i wysokich stanowiskach państwowych (Dz. U. z 2006 r. Nr 170, poz. 1217).

2008 Law on the Civil Service. Ustawa z dnia 21 listopada 2008 r. o służbie cywilnej (Dz. U. z 2008 r. Nr 227, poz. 505).

Devon Lechtenberg, PhD, is an independent scholar in Chicago, Illinois, United States. His research focuses on government institutions and policies relating to transport and mobilities. He is particularly interested in the evolution of planning institutions in Central and Eastern Europe. Email: devon.lechtenberg@gmail.com.