



Metropolization Process in the Polish and French Local Governments

*Comparative Approach*¹

Monika Augustyniak* 

* Associate Professor, Chair of Administrative Law, Andrzej Frycz Modrzewski Krakow University, Faculty of Law, Administration and International Relations, Krakow, Poland. E-mail: monikaaugustyniak1@gmail.com

Abstract

The article is aimed at presenting the stages of the metropolization process in both the Polish and French local governments, in order to establish the projected vectors of change, notably within the scope of Polish metropolitan solutions. In both legal orders, as many as three stages of the metropolization process can be distinguished in the legal context: the preparatory stage, the stage comprising the universal pattern and the third – presenting the current pattern of metropolitan institutions. The analysis of the metropolization stages unambiguously indicates the incomplete metropolization institutionalization process in both legal orders, comprising the search for the proper legal form for metropolitan areas, in order for these structures to effectively perform tasks of a supra-local nature. In both cases, the evaluation of the metropolization process constitutes an important element of the discussion on the vectors of change as regards the position of the metropolis in the modern local government. The article features both the dogmatic-legal and legal-comparative methods.

Keywords

metropolization process, metropolises in Polish and French local governments, decentralization, current pattern of metropolitan institutions, metropolitan tasks

1 Introduction

As a stage of urban development, the metropolis translates into significant population growth and a tendency of institutions to play a new role in the administrative structure of the state. The topic of metropolization is multi-faceted – it pertains to such issues as the environment and sustainable development, conditions and quality of life, as well as the better understanding of

¹ The project was realised with funds from the National Science Centre granted under decision number DEC-2017/27/B/HS5/01677 dated 22 May 2018.

emerging administrative forms within the scope of cooperation in the performance of public tasks.² This territorial approach necessitates increased integration, search for new conditions for the cooperation of local government authorities and performance of public tasks of metropolitan nature. Therefore, said issues are essential from the perspective of the modern local government and decentralization of tasks.³

“Starting from the double revolutions of the 19th century, urbanization has had a significant impact not only on our continent, on Europe, but now on the whole world. As part of this process, the population of cities has increased significantly, the role of cities has been transformed and the »catchment« areas of major cities have been established, namely the agglomerations” (Hoffman et al., 2020, 14)⁴.

The issues of the organization and functioning of metropolitan territories cause the discourse related to metropolization to be aimed at commencing debate over social and spatial inequalities, as well as multiple administrative problems.⁵ The purpose of the present article is to present the metropolization process in the legal context of both the Polish and French local governments.

Attempts at normalizing the metropolis as administrative structures functioning under French administrative law clearly indicate that a constant search is necessary for the proper legal form that would allow the metropolis to function. Said process is constantly subject to evolution, based on experience arising from the 2nd and 3rd act of the decentralization of French territories (Auber & Cervell, 2012, 18–19; Verpeaux & Janicot, 2015, 82–83). As a legal formula, the metropolis enables us to understand current challenges related to territorial governance and reveals the issue of the territorial identity⁶ of residents of the metropolis⁷ and potential conflicts attributable to the performance of tasks and exercise of competences based on metropolitan or local interest (Dolnicki et al., 2023, 391).

Polish law provides for legal solutions that enable the functioning of various forms of cooperation among local government units (special purpose association, association, agreement); these, however, have proven to be insufficient. While working on the draft law on the local government of 1990, a necessity of arriving at special solutions was expressed as to urban areas; however, it was still a long way off before they became institutionalized.

In French and Polish legal science, the concept of metropolis developed much later than in sociological or economic science. It became an issue of law, together with the emerging process of metropolization and its subsequent stages, whose result is the current metropolitan landscape, in the doctrine thought of as “unfinished power”, French: “pouvoir inachevé” (Le Saout, 2000, 459–460).

The article is aimed at presenting the stages of the metropolization process in both the Polish and French local governments in order to establish the projected vectors of change, notably

² As the literature points out, “The dynamic development of functional-spatial relations between the city and its increasingly distant surroundings (often referred to as the space of flows) creates the prerequisites for more intensive cooperation between municipal units. Metropolitan cooperation is becoming an increasingly important prerequisite for socio-economic development and the creation of cooperative advantages in the face of increasing urban and regional competition. Economies of scale, agglomeration and synergy effects are associated with territorial cooperation.” – see Kaczmarek & Mikula (2007, 27).

³ On the topic of the tasks of metropolitan self-government in Poland, see Szlachetko (2020, 365-366).

⁴ See also Hoffman (2017).

⁵ For more on this subject, see Pierre (2011, 2–4).

⁶ For more on metropolitan identity, see Lackowska & Mikula (2018).

⁷ As regards this notion, see Lefèvre (2009, 85–86); Pinson & Rousseau (2011).

within the scope of Polish metropolitan solutions. In both legal orders, as many as three stages can be distinguished: the preparatory stage, the stage comprising the universal pattern and the third – presenting the current pattern of metropolitan institutions.

In both cases, the evaluation of the metropolization process constitutes an important element of the discussion on the vectors of change as regards the position of the metropolis in the modern local government.

The article features both the dogmatic-legal and legal-comparative methods.

2 Metropolization process in Poland and in France – preparatory stage

In normative terms, the preparatory stage of the metropolization process includes drafts and concepts within the scope of metropolitan institutions presented in both legal orders.

Polish law has provided for multiple concepts and drafts of laws from 1990 (to be exact from the revival of the democratic local government after the communist rule); it shows the evolution in the understanding of issues related to metropolitan areas; therefore, initially, the solutions were based on voluntary forms of cooperation; however, it became apparent that they were insufficient as a legal tool to ensure smooth cooperation among units of local government (that is municipalities, districts and regional governments) (Ofiarska & Ofiarski, 2021, 243–244). Furthermore, concepts emerged that assumed the establishment of a new category of a local government unit, which involved the potential modification of the territorial division of the state. As a result, the institution of the municipal association did not yield the expected results in relation to large cities and metropolitan areas.

An important aspect of this preparatory stage was a draft intended to institutionalize the metropolis, which proposed the establishment of the metropolitan district on the supra-municipal level (Sikora, 2015). This draft was authored by several Professors: B. Dolnicki, J. Glumińska-Pawlic and C. Martysz. It provided for keeping the existing basic three-tier territorial division of the state; at the same time, it enabled the creation of an entity better integrated internally than the existing municipal associations already operating in this field (Dolnicki, 2013). However, the draft law on the metropolitan district did not gain the acceptance of the government and was not enacted.

On 20 July 2015, a draft law was presented on metropolitan associations, superseding the draft previously under consideration. It provided for the establishment of a new legal institution of universal nature. The association was to be made of municipalities located within the limits of the metropolitan area and districts on whose territory at least one municipality was located within the limits of the metropolitan area. The draft in question became the basis for the first stage of metropolization under Polish law. However, the policymaker did not introduce the metropolitan association to the catalogue of local government units, making it only a certain legal form of cooperation while performing public tasks.

As far as French law is concerned, the preparatory stage unambiguously indicates that the normative term of metropolis has been evolving together with the metropolization process. From the legal perspective, the metropolis is a form of intermunicipal cooperation (EPCI), in other words an administrative structure incorporating municipalities that decided to implement shared competences (Le Merrer, 2016; Lang et al., 2012, 269–270).

The organization of urban areas had gradually evolved from 1960 and urbanization expanded since the 1990s. Said changes are included in the institutional framework by the French National Institute for Statistics and Economic Research (INSEE), which defined the “urban areas” and

“metropolitan areas” (*aires métropolitaines*). These definitions became a point of reference for the creation of the normative framework for metropolization in France (Marcovici, 2019, 27).

The first act of decentralization witnessed the introduction of a new territorial organization in the French Republic, providing a favorable framework for the development of the metropolis, yet without establishing said framework in the normative sense. This was necessitated by the perception of the metropolis as an effect of the spatial planning policy launched in the 1960s.

The metropolization process in the French Republic has been developing for years, but the publication of the first official reports and drafts only began in 2000, which would include and emphasize the importance of the phenomenon in question.

The focal point of the metropolization process was the report of Balladur’s committee entitled “Time to decide” (French: “*Il est temps de décider*”), which included but was not limited to twenty propositions of the Committee aimed at facilitating the activity of the French territorial administration through the enhancement of its effectiveness and deepening local democracy as a basis for successful decentralization. It was recommended that as many as eleven metropolises be established under the operation of law, starting from 2014, followed by other units and intermunicipal associations, which could voluntarily join the metropolises. Furthermore, the issue was raised that said metropolises must be granted extensive competences (similar to municipalities). Additionally, they were to be equipped with financial means, allowing the implementation of tasks and their functioning. The Committee’s report, as prepared under the leadership of E. Balladur, had a decisive influence on the policymaker within the scope of the metropolization process.⁸

Since passing constitutional act no. 2003-276 of 28 March 2003 on the decentralized organization of the Republic,⁹ the policymaker’s freedom in the creation of new communities had been expanded by allowing the creation of the new category of territorial communities: the territorial community of a special status (see Article 72(1) of the Constitution of the French Republic), which the French policymaker could use for the institution of the metropolis (Pauliat & Deffigier, 2011, 37–38). Despite their legal capacity, the policymaker did not make such a decision. Even though the French policymaker failed to legally acknowledge the metropolis, the context had been changing in which the metropolis was perceived as an administrative structure whose aim was to play a new role in the administrative division of the state.

The initial lack of legal regulations adjusted to the phenomenon of increasing urbanization made it more difficult for metropolises to obtain their own legal form to enhance their legal position, so that they could become an efficient management tool in the local government structure. However, this raised concerns among representatives of local communities (local politicians) as they were afraid to lose their municipal competences and importance in the French local government (Parnet, 2020, 206).

As far as both legal orders are concerned, the preparatory stage was a requisite element of the metropolization process; however, it is characterized by the fact that metropolitan areas have no special legal status. Therefore, the delayed institutionalization of the metropolis does not stem from actual legal impediments. It is necessitated by the concern among representatives of local authorities that they might lose their power and competences in favor of the metropolis.

⁸ For a more extensive discussion, see Waline (2016, 125–126).

⁹ Constitutional Act No. 2003-276 of 28 March 2003 on the decentralised organisation of the Republic (Loi constitutionnelle n°2003-276 du 28 mars 2003 relative à l’organisation décentralisée de la République; NOR: JUSX0200146L).

3 Metropolization process in Poland and in France – universal formula

Under Polish law, the first stage of metropolis institutionalizing is the Act of 9 October 2015 on metropolitan associations,¹⁰ which introduced an association as a universal formula that could apply to many “metropolitan areas” in Poland. The metropolitan association was to serve as an association of local government units situated in a specific metropolitan area (more precisely, municipalities located within the limits of the metropolitan area and districts on whose territory at least one municipality is located within the limits of the metropolitan area). According to the act in question, the metropolitan area was assumed to be a “spatially consistent zone of influence of a city serving as the seat of the voivode or voivodeship assembly, characterized by the existence of strong functional connections and advanced urbanization processes, inhabited by no fewer than 500,000 residents”.¹¹ The metropolitan association was to be formed by the Council of Ministers by way of an ordinance issued *ex officio* or at the request of the council of the municipality located within the boundaries of the metropolitan area. Furthermore, the association could perform public tasks pursuant to agreements entered into with local government units, as well as with government administration bodies (horizontal and vertical agreements). It had both legislative and executive bodies. Pursuant to this regulation, no metropolitan association was established. However, this gave rise to further search for the proper legal form of metropolitan areas.

Meanwhile, under French law, the first stage began by establishing the legal framework of metropolis institutions to act on the reform of territorial authorities pursuant to the Act of 16 December 2010 (RCT Act¹²). The act is the first to have institutionalized metropolises within the French legal order (Faure, 2018, 385; Pauliat & Deffigier, 2011, 37–38).

In due consideration of the concerns of the representatives of municipality authorities and departments, the policymaker had rejected the notion of metropolitan cooperation (as a territorial community pursuant to Article 72 of the Constitution of the French Republic), granting them the status of public establishments for intermunicipal cooperation with their own tax status (EPCI à FP¹³). This form is well-suited for the promotion of municipal solidarity, and, therefore, for reducing public expenditure through the sharing of services, yet without questioning the existence of municipalities. Consequently, the *status quo* was maintained at the expense of the metropolis. By granting the same status of the public institution to all metropolises, the French policymaker created a new legal category, yet within the framework of the reinforced intermunicipal community (Marcou, 2010, 368–369; Douence, 2011, 263).

This new form of intermunicipal cooperation, or EPCI, with its own tax status (as a metropolis), existing pursuant to Article L. 5217-1 -4 CGCT¹⁴ was a part of the administrative structure of the French local government. This metropolitan intermunicipal community was to enable its member municipalities to jointly develop and implement an economic, ecological,

¹⁰ Act of 9 October 2015 on metropolitan associations (U.S.2015.1890 as amended) – hereinafter referred to as the Act of 2015.

¹¹ See Article 5 of the Act of 2015.

¹² La loi n° 2010-1563 du 16 décembre 2010 de réforme des collectivités territoriales (loi RCT), NOR: IOCX0922788L, JORF n°0292 du 17 décembre 2010

¹³ Les établissements publics de coopération intercommunale à fiscalité propre (EPCI à FP).

¹⁴ The General Code of Territorial Collectivities (*Code général des collectivités territoriales* -CGCT) – source: <https://www.legifrance.gouv.fr>

educational, cultural and social planning and development project for their territory in order to enhance its competitiveness and consistency. The policymaker equipped it with extensive competences, which were shifted from the department, region and direct state competences to the metropolis. The RCT Act was a decisive factor in the establishment of metropolitan EPCI (forms of intermunicipal cooperation) solely on a voluntary basis. The municipalities were exclusively competent to apply for the establishment of a metropolis; therefore, the metropolis formula was not as successful as expected (Faure, 2018, 385). Since the Act of 2010, only one metropolitan area has been established, namely “Métropole Nice Côte d’Azur”. Above all else, the policymaker granted the metropolitan EPCI the authority to exercise numerous municipal competences under the operation of law. Municipalities considered these extensive transfers as a factor contributing to their loss of prerogatives and potential risk of them being absorbed by the metropolis, which justified their reluctance to this metropolitan form. Due to the lack of attractiveness of this legal form, pursuant to the RCT Act, metropolises did not position themselves in the territorial landscape of France, waiting for the next stage of metropolization.

The policymaker’s decision of 2010 to grant all metropolises the same status as to the forms of intermunicipal cooperation (EPCI with its own tax system) meant the uniformity of these structures that facilitated the identification of this new institution of metropolis as an intermunicipal structure. However, this resulted in the reduced role and importance in the French local government. Considered as structures of intermunicipal cooperation, metropolises did not have such legal status under the Act as territorial communities (Protière, 2012)(municipalities, departments, regions).

4 Metropolization process in Poland and France – current pattern

Polish law provides for this institutionalization stage of the metropolitan association pursuant to the Act of 9 March 2017 on *the metropolitan association* in the Silesian Voivodeship.¹⁵ With the creation of the legal structure of the metropolitan association, the Act in question referred to the systemic solutions adopted in the Act of 2015, albeit it factored in certain indispensable modifications. It did away with cooperation in the form of a voluntary intermunicipal association and joint performance of tasks in the area of the polycentric Upper-Silesian Conurbation, as they had not yielded expected results) (Dolnicki, 2021, 463). The Act rescinded the creation of a single systemic-competence model for all metropolitan areas in favor of a separate legal regulation for the respective metropolitan areas due to their economic, spatial and financial specificity. Consistently, the policymaker decided to include the specificity and needs of a given metropolitan area while establishing a specific metropolitan association by way of a separate act. The metropolitan association referred to as the Metropolis GZM [Górnośląsko-Zagłębiowska Metropolia] was therefore established.¹⁶ The association is formed by as many as 41 municipalities inhabited by approx. 2,280,000 people and comprises all the municipalities in the Upper-Silesian Conurbation; it is characterized by polycentrism. It was assumed that

¹⁵ See the Act of 9 March 2017 on the *metropolitan association* in the Silesian Voivodeship (i.e. Polish Journal of Laws of 2022.1709) – hereinafter referred to as the Act of 2017.

¹⁶ Ordinance of the Council of Ministers of 26.06.2017 on the establishment of the metropolitan association in the Silesian Voivodeship referred to as “Metropolis GZM” (Polish Journal of Laws, item 1290).

cooperation in the form of an obligatory intermunicipal association and joint performance of tasks in the area of the polycentric Upper-Silesian Conurbation would yield expected results (Dolnicki et al., 2023, 398).

French law provides for this institutionalization stage of the metropolis pursuant to the provisions of the MAPTAM Act,¹⁷ the subsequent regulations of the NOTRe Act,¹⁸ and the provisions of the SPAM Act¹⁹, resulting from the introduction of the third act of decentralization in the French Republic. This reform gave rise to the normative framework of the institution of metropolis under French law, making significant shifts in competences in favor of the metropolis and introducing threshold conditions related to the creation of metropolises and eliminating legal inconsistencies attributable to the new territorial map. Within the framework of the 3rd act of decentralization, the government decided to elevate the status of metropolises, which necessitated redefining their legal status.

The MAPTAM Act was aimed at establishing the new reinforced institution of the metropolis, which could successfully implement legal tasks with the consideration of the characteristic features of the metropolis. This Act provided for the automatic establishment of the following three metropolises under the operation of law: Metropolises of: Greater Paris, Aix-Marseille-Provence and Lyon. On 1 January 2015, the Metropolis of Lyon was established, a territorial unit with a special status (*collectivité territoriale à statut particulier*). L. Janicot indicates that Lyon, as a new territorial community, paved the way to a hitherto unprecedented territorial diversity (Janicot, 2013, 63).²⁰ Meanwhile, on 1 January 2016, the Metropolis of Greater Paris was established, a form of EPCI intermunicipal cooperation with its own tax system with a special status (*EPCI à fiscalité propre à statut particulier*) and Metropolis of Aix-Marseille-Provence, an EPCI with its own tax system subject to certain deviations from common law (*droit commun*) (Morand-Deville et al., 2019, 197).

Aside from the three entities mentioned above, as many as 19 common law metropolises were established (*des métropoles de droit commun*), which – pursuant to Article L. 5217-1 CGCT – legally constitute an EPCI institution with their own tax systems.²¹ Therefore, the Act introduced the first distinction between the three metropolises with a special status and common law metropolises (providing two modes of establishing common law metropolises: obligatory and optional).

Pursuant to the MAPTAM Act, it was also established what associations a metropolis must have with a region in order to revitalize its territories, while setting the objective to join the

¹⁷ Act No. 2014-58 of 27 January 2014 on the modernisation of territorial public action and affirmation of metropolises (LOI n° 2014-58 du 27 janvier 2014 de modernisation de l'action publique territoriale et d'affirmation des métropoles, NOR: RDX1306287L) – referred to as the MAPTAM Act).

¹⁸ Act No. 2015-991 of 7 August 2015 on the new territorial organisation of the Republic (LOI n° 2015-991 du 7 août 2015 portant nouvelle organisation territoriale de la République, NOR: RDX1412429L, JORF n°0182 du 8 août 2015) – referred to as the NOTRe Act).

¹⁹ Act No. 2017-257 of 28 February 2017 on the status of Paris and metropolitan development (LOI n° 2017-257 du 28 février 2017 relative au statut de Paris et à l'aménagement métropolitain, NOR: ARCX1617470L, JORF n°0051 du 1 mars 2017) – referred to as the SPAM Act.

²⁰ For a more extensive discussion, see Pyka (2016).

²¹ There are twenty-one metropolises in France and one metropolis with a special status, which is Lyon, which is both a metropolis and a department. The largest French metropolis is that of Greater Paris (7.2 million inhabitants), followed by Aix-Marseille (1.8 million inhabitants) and Lyon (1.4 million inhabitants). – see Cabrillac (2022, 371).

member municipalities in developing and conducting the economic, educational, cultural and social planning and development projects for their territory, in order to enhance its consistency and competitiveness and contributing to the sustainable and mutually supportive development of the regional territory. The metropolis should strengthen “the economic functions of the metropolitan area, its transport networks and university, scientific and innovative resources in the spirit of regional and interregional cooperation” (see Article L. 5217-1 CGCT). Pursuant to the MAPTAM Act, the metropolis should become the capital city of the region.

In the meantime, NOTRe Act makes various shifts in relation to the division of competences in favor of the metropolis, strengthening it in the performance of tasks.

Lastly, to eliminate certain inconsistencies arising from the new territorial map, SPAM Act significantly lowered the threshold conditions for the establishment of the metropolis, increasing the total number of metropolises to 22 from 1 January 2018.

The acts mentioned above serve as the legal framework for the current pattern of metropolization in France, although still imperfect.

The third act of decentralization established the varied status for all these metropolises adjusted to the local specificity (RTC Acts other than regulations). However, the policymaker grants the metropolises, with the exception of the Metropolis of Lyon, an intermunicipal status.

In light of the MAPTAM and NOTRe reforms, the metropolization process is not intended for the simplification of structures or clarifying competences. On the other hand, the establishment of a different status for the Metropolis of Lyon, presented as a territorial community, did not arouse controversy due to the earlier political agreement entered into between the President of Grand Lyon (du Grand Lyon) and the President of the General Council of the Rhône (le président du conseil général du Rhône) (Marcovici, 2019, 69).

The weakness of the French metropolization process consisted of the state imposing a specific form of territories without holding extensive consultation and obtaining the approval of the metropolitan project by the territorial communities and local institutions. With all certainty, this would strengthen the legal basis of the metropolis institution and its social importance.

The status of the respective metropolises in France is a result of political compromises; it led to the creation of a system that still needs reform. Similarly, this remark applies to the Polish solutions within the scope of the metropolitan association in the Silesian Voivodeship, as regards its organization, functioning (Dolnicki, 2020) and legal status.

5 Conclusions – unfinished metropolization process

The preparatory stage applicable to the metropolization process in both legal orders is a key element in the creation of a proper form for metropolitan areas. However, it is more progressive in its ideas and concepts than in normative regulations. This is attributable to concerns among representatives of the authorities in municipalities and districts (departments) related to the potential loss of power and reduction in real clout in the local government community which is well illustrated by the French example. Albeit, this stage was necessary to take further steps in the metropolization process in Poland and France.

The next metropolization stage was comprised of legal regulations related to the creation of a single institutional pattern for all metropolitan areas, referred to as the universal pattern (in the form of the Polish metropolitan association or the French public association for intermunicipal cooperation – EPCI). However, these solutions were met with criticism in both legal orders as they were not capable of resolving issues peculiar to a specific area, taking into account the

existing forms of local government cooperation and methods of implementing public tasks. The issue in question inspired the search for specialized metropolitan forms within the framework of which the performance of tasks would be possible and optimal. Therefore, in both the Polish and in the French local governments, the metropolis institutionalization model shifted from the universal to the detailed formula, dedicated to specific metropolitan areas – (metropolises “à la carte” – the next stage of the metropolis institutionalization process). It should be pointed out that the status of the respective metropolises in France is a result of political compromises; this led to the creation of a system which still needs reform. This also applies to Polish metropolitan solutions that should correlate with satisfying the needs of residents of metropolitan areas.

It should, however, be observed that the MAPTAM reform of 2014, together with the subsequent acts, was aimed at the state imposing specific reorganization measures (unlike those of 2010). It applied to the automatic establishment of three metropolises with a special status and an obligation to convert eight EPCI into common law metropolises. However, it should be noted that said Act additionally enables the establishment of metropolises on a voluntary basis with the stipulation that specific statutory conditions are fulfilled. Similarly, the metropolitan association model in the Silesian Voivodeship is a legal formula of an obligatory nature, in some respects similar to local government units; however, it still lacks a legal status similar to the local government unit.

As regards Polish law, several bills related to the establishment of new metropolitan associations have been filed during this and the previous terms of the Sejm. Basically, said drafts refer to the legal regulations of the Act on the metropolitan association in the Silesian Voivodeship, yet they do not involve certain modifications referring to the specificity of a given metropolitan area, for instance the draft related to the establishment of the Krakow Metropolis. However, these drafts have not been enacted to date, which also goes to show that there is no political will regarding the extension of the metropolis portfolio in the Polish local government.

In the French Republic, the unfinished metropolization process involves a discussion that lingers in politics and the doctrine of administrative law and is related to the extension of the legal status of the Lyon Metropolis with other metropolises, increasing competences of common law metropolises and the pursuit of the metropolitan identity based on mechanisms of common and democratic election of metropolitan counsellors and the performance of tasks based on metropolitan interest. An example of such activities is Act no. 2022-217 of 21 February 2022 on diversification, decentralization, deconcentration and various means to simplify public activities²² (3DS Act), which modified the organization and competences of the Aix-Marseille-Provence (AMP) Metropolis, resulting from new challenges in the metropolization process. This reform restores local rights to municipalities and establishes the process of restoring the balance in financial relations between the metropolis and its member municipalities. The 3DS Act on diversification, decentralization, deconcentration and various means to simplify public activities was finally enacted by the National Assembly and Senate on 8, 9 February 2022. (Morel, 2022, 1053). This Act, inspired by the President of the Republic in the aftermath of great national debate, provides answers and tools to implement public policies in regions, reacting to specific expectations of given local representatives.

²² LOI n° 2022-217 du 21 février 2022 relative à la différenciation, la décentralisation, la déconcentration et portant diverses mesures de simplification de l'action publique locale, NOR: TERB2105196L, JORF n°0044 du 22 février 2022 – referred to as Act No. 2022-217 or 3DS Act.

Currently, as far as both legal orders are concerned, we are facing the unfinished process of metropolis institutionalization. Polish and French policymakers are still searching for the proper legal form for the metropolis, tailored to the needs of a specific metropolitan area, which is not only a simple form of intermunicipal cooperation. Prior experience serves as the groundwork for the development of new legal formulas within the scope of organization and functioning of the metropolis based on metropolitan interests, intended for the relevant performance of public tasks.

In the future, the vectors of metropolization will be determined by the position of the metropolis in the specific territorial division of the state (as a local government unit performing tasks of the district and selected competences of the municipality following the example of the Lyon Metropolis) or positioning the metropolis in the special division of the state where this institution will still only be thought of as a form of intermunicipal cooperation.

References

- Auber, E., & Cervell, D. (2012). *Les collectivités territoriales*. Sedes.
- Cabrillac, R. (2022). *Dictionnaire du vocabulaire juridique 2023.*, LexisNexis.
- Dolnicki, B., Augustyniak, M., & Marchaj, R. (2023). *Status prawny związku metropolitalnego w Polsce a metropolii we Francji*. Wolters Kluwer.
- Dolnicki, B. (2021). *Samorząd Terytorialny* (8th ed.). Wolters Kluwer.
- Dolnicki, B. (2020). Jeszcze raz w sprawie metropolii. *Ruch Prawniczy, Ekonomiczny i Socjologiczny*, 82(4), 65–81. <https://doi.org/10.14746/rpeis.2020.82.4.6>
- Dolnicki, B. (2013). Założenia ustawy o powiecie metropolitalnym Aglomeracji Górnośląskiej. *Przegląd Prawa Publicznego*, 12, 72–88.
- Douence, J.-C. (2011). *Les métropoles*. RFDA.
- Faure, B. (2018). *Droit des collectivités territoriales* (5th ed.). Précis Dalloz.
- Hoffman I., Fazekas J., Bencsik A., Bodó B. I., Budai K., Dancs T., Dombrovsky B., Ferge P., Kári G., Lukács D., Kárász M., Gönczi L., Vasas Zs. R., Cseh K. B., Papp D., & Molnár Cs. (2020). Comparative Research on the Metropolitan Administration and Service in Porto. *Studia Iuridica Lublinensia*, 29(4), 11–30. <https://doi.org/10.17951/sil.2020.29.4.11-30>
- Hoffman I. (2017). Local and regional governments. In Fazekas M. (Ed.), *Administrative Law – General Part I*. (pp. 252–253). ELTE Eötvös.
- Janicot, L. (2013). La gouvernance institutionnelle des territoires – les métropoles. *Revue Lamy Collectivités Territoriales*, n° 92, 63.
- Kaczmarek, T., & Mikuła, Ł. (2007). *Ustroje terytorialno-administracyjne obszarów metropolitalnych w Europie*. Bogucki.
- Lackowska, M., & Mikuła, Ł. (2018). How metropolitan can you go? Citizenship in Polish city-regions. *Journal of Urban Affairs*, 40(1), 47–62. <https://doi.org/10.1111/juaf.12260>
- Lang, A.V., Gondouin, G., & Inserguet-Brisset, V. (2012). *Dictionnaire de droit administrative*. Sirey.
- Le Merrer, P. (2016). Les métropoles: quel impact sur les territoires? *Idées économiques et sociales*, 184, 35–42. <https://doi.org/10.3917/idee.184.0035>
- Le Saout, R. (2000). L'intercommunalité, un pouvoir inachevé. *Revue française de science politique*, 50(3), 439–461. <https://doi.org/10.3406/rfsp.2000.395482>
- Lefèvre, C. (2009). *Gouverner les métropoles*. LGDJ.

- Marcou, G. (2010). Les métropoles ont-elles une chance? *JCP Adm*, 26 juillet 2010, no. 30, 368–369.
- Marcovici, E. (2019). *Les métropoles en France*. LGDJ.
- Morand-Deville, J., Bourdon, P., & Poulet, F. (2019). *Droit administratif*. LGDJ.
- Morel, B. (2022). La différenciation territoriale, émergence sans bruit d'un nouveau paradigme. *Revue du Droit Public*, 4, 1053.
- Ofiarska, M., & Ofiarski, Z. (2021). *Związki komunalne i metropolitalne w Polsce*. Wolters Kluwer.
- Parnet, C. (2020). Le projet de fusion métropole-département Aix-Marseille-Provence: les contours incertains du macronisme territoriale. In P. Le Lidec (Ed.), *Emmanuel Macron et les réformes territoriales. Finances et institutions* (pp. 195–215). BergerLevrault.
- Pauliat, H., & Deffigier, C. (2011). *La réforme des collectivités territoriales commentée*. Le-Moniteur.
- Pierre, J. (2011). *The Politics of Urban Governance*. Palgrave Macmillan.
- Pinson, G., & Rousseau, M. (2011). Les systèmes métropolitains intégrés. Etat des lieux et problématiques. *Territoires 2040: Revue d'études et de prospective*, 3, 29–58.
- Protière, G. (2012). Le statut des métropoles en France. *Est Europa: Revue d'études politiques et constitutionnelles*, 2, 289–304.
- Pyka, R. (2016). The evolution of urban power in France at the beginning of the 21st century. New dimensions, new levels on the example of the Lyon Metropolis. *Regional and Local Studies*, 3, 31–49.
- Sikora, K. (2015). Koncepcja powiatu metropolitalnego w świetle projektu ustawy o powiecie metropolitalnym. In M. Klimek, & J. Czerw (Eds), *Samorząd powiatowy w Polsce. 15 years of experience (1999-2014)* (pp. 532–543). KUL.
- Szlachetko, J. H. (2020). *Normative model of metropolitan self-government*. Wydawnictwo Uniwersytetu Gdańskiego.
- Verpeaux, M., & Janicot, L. (2015). *Droit des collectivités territoriales*. PUF.
- Waline, J. (2016). *Droit administratif*. Dalloz.