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DEBUDŻETYZACJA FINANSÓW PAŃSTWA (DE-BUDGETING OF THE STATE FINANCE)

Temida 2, Białystok 2007, 299 pages

The structure of the thesis reviewed is clear, logical, complete and correct in its merits. The introduction presents the subject and the aim of the thesis, the research hypothesis, methodology and sources used in the thesis. The First Chapter has a general character and considers the theoretical aspect. It refers to the definition, premises, effects and forms of de-budgeting of public finance. The Second Chapter shows the evolution of legal links between the state budget and organizational units of the public finance sector. It contains: the political and economic basis of observance of the budgetary principle of completeness; the genesis, premises and effects of variable links between the state budget and commercial units in the period of 1918-1939 and after the World War II in the light of German and French developments; the description of budgetary units (principal budgetary units) as the primary organizational form of the state's gross budget management; the description of budgetary institutions (budgetary companies), auxiliary units serving the purposes of the principal bodies and special purpose resources (special purpose accounts) as the main means of making state's budgetary management more flexible.

The Third Chapter of the thesis reviewed is its largest section (95 pages) and considers the state special purpose funds as the main instruments of de-budgeting of public finance. It consists of five sections describing: the main features of the state's special funds and motives of their creations; the system of the state's special funds in the light of the regulations of the Public Finance Act; the financial and legal results of reforming social insurance special funds; the analysis of state's financial policy in the matter of special funds in 1991-2006; the perspective of creating new state's special purpose funds. The following chapter (chapter IV) refers to the state's agencies as instruments of de-budgeting of public finance. It offers descriptions of: the legal status, competencies and tasks of state's agencies; the phenomenon of creating state's agencies in the era of economic and political transformations in Poland. This chapter also reviews the rationale of creating state's agencies, and their impact on the phenomenon of de-budgeting of public finance. Other organizational units of the

public finance sector, like other forms of de-budgeting of public finance, have been presented in the Fifth Chapter of the thesis. The typology of the organizational units, the organization and financial management of science and education units, healthcare units, the state's cultural units; public law foundations; other state's organizational units carrying out special state tasks, supervised by supreme state administrative organs are presented there. The Sixth Chapter describes the cases of rationalizing public finance de-budgeting in relation to public finance reforms. Finally, the thesis contains the Conclusions, a Bibliography, a List of Tables, and a List of Sources of Law with reference to the merits of the thesis.

Many theses presented in the reviewed book are valuable and acceptable. In particular it refers to research hypothesis that de-budgeting of public finance should have an objective character. The above mentioned hypothesis was fully proved in the reviewed book. One of the most valuable arguments formulated there is that de-budgeting of public finance derives mainly from the necessity of releasing some of units from the strict, rigid "corset" of classic budgetary management in the name of effectiveness and rationality of public money management. It is worth mentioning that the doctrine, as well as the financial policy, seem to accept too easily the above phenomena. The legislator should find the appropriate limits to the desire of "clearing up" public finance. Reasonable actions in this sphere should aim to find an optimal balance between budgeting and de-budgeting. The process of forced elimination of some de-budgeting forms without considering the necessity of its existence, will ultimately fail (the case of elimination of two special state funds followed by the creation of several new ones) or will be in reality only a superficial action (e.g. the elimination of previous "special purpose means" followed by the creation of "own revenues accounts" and motivation funds of principal budgetary units).

The reviewed thesis, like other scientific works, invokes doubts, awakes questioning and inspires to present contrary opinions. This is an eminent feature of any scientific discussion and a necessary base for scientific development. In my opinion, however, the weak side of the book is that the criteria for judging the present system and future reforms of de-budgeting are not clear enough. The rationalization (objectivism) of de-budgeting in a particular place and time is the term used mostly often by the author, it is not, however, explained. One may venture to say that one of the criteria for judging this sphere could be a variable policy of state governments or variable individual policy of Ministries of Finances, whose average period in government has reached a "magic" few months in recent years. A good question here could be – Should appropriate limits of de-budgeting be stated in the Constitution? Does our Constitution state these limits already? In my opinion this sphere should be regulated through the Constitution in the future.

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