

Participatory Democracy to the Contemporary Problems of Polish Social Policy

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Abstract—Socio-economic development, which is seen around the world today, has contributed to the emergence of new problems of a social nature. Different political, historical, geographical or economic conditions cause that, in addition to global issues of social policy such as an aging population, unemployment, migration, countries, regions, there are also specific new problems that require diagnosis, individualized approach and efficient, planned solutions. These should include, among others, digital addiction, peer violence, obesity among children, the problem of 'legal highs', stress, depression, diseases associated with environmental pollution etc. The central authorities, selected most often with the tools specific to representative democracy, that is, the general election, for many reasons, inter alia, organizational, communication, are not able to effectively diagnose their intensity, territorial distribution, and thus to effectively fight them. This article aims to show how in Poland, citizens influence solving problems related to the broader social policy implemented at the local government level and indicates the possibilities of improving those solutions. The conclusions of theoretical analysis have been supported by empirical studies, which tested the use of instruments of participatory democracy in the planning and creation of communal strategies for solving social problems in one of the Polish voivodeships.

Keywords—Commune, democracy, participation, social policy, social problems.

I. INTRODUCTION

NOWADAYS, the participation of citizens in public life increasingly affects management at all levels of public authority. Today, however, democratic systems in many countries, also in Poland, based on firstly the institutions of representative democracy, mainly on elections, party politics, and secondly on basic instruments of direct democracy, which in particular include the referendum, although it is often rather complementary. Other forms of participatory democracy, such as deliberative democracy, local initiative, participatory budgeting, public consultation in practice in many countries, especially in Central and Eastern Europe, are still rare. In Poland, there are rather regulations, tools and instruments, but using them is worse. Participation in Poland is at the beginning of its path and is currently experiencing its early bloom.

Appropriate use of the potential invested in representative democracy can bring enormous and multifaceted benefits. On the one hand, local communities taking an active part in public life express their needs, point out problems, and thus affect the

decisions of public authorities, which in turn can lead to solving specific problems and a proper fit in the provision of public services. Authorities, while using the knowledge acquired from citizens, also have a policy tailored to their needs, thereby obtaining support in the following elections.

The aim of this study is to show how the citizens of Poland, members of local communities, can affect the troubleshooting for the broader social policy implemented primarily at the municipal level, and to indicate barriers and possibilities for improving those solutions. This problem is very important because today the observed changes, seen in basically every area of life, create new social problems, which today are no longer only problems of the region, the country, but they are international issues and global problems. They should be talked about, discussed, and solved at all levels with that perspective in mind.

An article based on literature and legal acts sought to delineate a general definition of democracy. It also identified forms of citizen participation in political decision-making most often used in Poland at the local level and the value that it brings to social policy. In the final section, the empirical part of the paper, after analyzing communal strategies for solving social problems of Małopolska voivodeship, tools and forms of social participation of the Małopolska inhabitants identified barriers and ways to overcome difficulties in co-government. In particular, it focused on the integration of citizens in the process of strategic planning at the municipal level and on the effects of inclusion on social policy [9].

The article will be useful not only for theorists involved in public management, strategic management, local government or social policy, but also for practitioners, the local government acting as their functions at different levels of government, politicians, and those directly affecting the functioning social security systems, the scope and quality of services, public services, and the overall shape of contemporary social policy in different countries.

II. DEFINITIONAL PROBLEMS OF PARTICIPATORY DEMOCRACY

Participatory democracy is a concept which in recent years has become a subject of interest to researchers from various fields, in particular political science, management science, and legal sciences. In very general terms, participatory democracy can be defined as a political system in which a special role in the decision-making process falls to the citizens. The ambiguity of the concept causes that, in principle, it is impossible to create a single, detailed and widely accepted definition. Researchers create definitions for their own individual needs, links on the one hand to the history and

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theory of democracy, and on the other to the instruments enabling community participation in decision-making. It should be noted that they both are right.

For the purposes of this study it was concluded that participatory democracy is a process of collective, joint making important community decisions using elements of democracy, direct and indirect [1], with special recognition of the latter. These decisions are political, economic and social. In fact, participatory democracy is considered as a specific form of direct democracy, in which the role of elected politicians, local government officials, who can be dismissed at any time, has been kept to a minimum. In so defined participatory democracy, citizens have the power to decide many issues, inter alia, budget, investments, local taxes, and even the administrative division. Discussion, controversy, or voting takes place during the open assemblies in local government units. Local authorities and administration are the executives who carry out the demands and instructions of local communities.

It should be noted that in Poland the above mentioned definition relates to the operation of authorities and communities at a lower, local level. Indeed, considering the real possibility of inclusion of communities in decision-making one should mention the practical possibilities for participation. Direct participation of citizens in Polish national political system in practice is basically unprecedented and impractical for several reasons - organizational, communication, and control substance. It should be emphasized that in Poland there is no habit, custom, there are no intentions, or beliefs about the need for such solutions, but that does not mean the total absence of direct participation at the central level. Today, there are in fact more than 100 actors involved in civil dialogue at the central level [5].

In turn, direct democracy is a system in which decisions are taken by the people through various forms of activity. However, the most efficient in the use of participatory forms of democracy are called 'small groups', communities that share common values, problems, goals, standards and a sense of responsibility for the interests of the individual and of the entire local community. The activity of the community members is made possible by an efficient, direct communication which enables the construction of local networks. Participatory democracy fulfils its role only in small units [12].

Reflections on participative democracy are needed and they are highly relevant, because the tools rooted in the European tradition of representative democracy no longer correspond to the challenges and problems of the permanently changing modern society [8]. Socio-economic development has meant that it became necessary to introduce alternatives to force in many countries' political systems. Communities have started talking loudly and they insist on a wider-than-before inclusion in decision-making processes. Participatory democracy has become a natural element in the functioning of modern societies - not only in Poland but also in most EU countries and selected countries in the world. There is a distinct change in the willingness to engage in decisions at local and national

level. Citizens want impact on social, political and economic matters. At this stage of society development, it is crucial to find ways to improve and enhance the participation of stakeholders in decision-making. 'A demanding indifference' slowly begins to fall into oblivion walk away into history. Jürgen Habermas described it as a situation when the citizens expect from the state to satisfy various needs, while very rarely take active measures to push a specific decision on the public that their concerns. Citizens are satisfied with the awareness that the fight for certain decisions in public affairs is the responsibility of political parties, and rarely check the measures and the fulfillment of pre-election promises and demands [10].

A similar situation exists in Poland. The data obtained by the Centre for Public Opinion Research (OBOP) commissioned by the President of Poland suggests that Poles want to participate in the functioning of their communities and engage in issues that directly affect them. But they need changes in laws and improvement of the tools that enable them to exert greater influence and shape their communities. The study finds that 54% of Poles admit that they have no impact on the affairs of their local community. 48% of the respondents have stated that after the elections the local authorities do not meet their expectations. Interestingly enough, 75% of the respondents believe that the functioning and the development of the town in which they live is an important responsibility of their councillors. At the same time, the respondents have clearly indicated the need to strengthen the tools of direct influence on government decisions – public consultation, in particular. 81% of the respondents believe that public consultation should be carried out to take any decision even if it will, for instance, extend the term of the investment. The same percentage of respondents would like to introduce changes in the law defining the way of conducting public consultations. Citizens also see the need to introduce illegal yet legally civic initiative adopt resolutions -- 79% of respondents indicated the need for its introduction [18].

Bearing in mind the purpose of the article, the following questions are interesting: How does a community in Poland influence the political decisions at different levels of government? Is the participation of citizens sufficient to satisfy all parties? How to motivate the community to participate, to co-govern? Can members of local communities help in solving problems, with particular emphasis on the changing social policy issues? It should also be clear that in this article, social policy is understood as a policy of the central government, local government and of other public institutions, of NGOs and of society that cares about the quality of citizen life by providing the denizens with services and income [14]. The questions posed above are extensive, difficult, ambiguous, but common because they are also directed at not only representatives of the local administration, but also at other sectors of the economy in many countries.

III. CRITICAL ANALYSIS OF THE USE OF THE TOOLS OF PARTICIPATORY DEMOCRACY IN POLAND TO SOLVE SOCIAL PROBLEMS

In order to analyse the various forms of public participation in Poland we would refer to the history of local government and its beginning somewhere in the thirteenth century [23], or even go back to the formation of communities [15]. Roots of institutions of public participation in Poland can be traced back to the Middle Ages, when, apart from the disadvantages that can be attributed to the nobility, positives were visible in the form of broad participation of citizens in public life. Severe political situation, the partitions, and the political system in place in Poland after the Second World War, meant that participation manifested itself by creating underground organizations and spontaneous forms of action, in the form of the civic committees, appropriate and specific for transitional periods [3]. Despite of the fact that during all the years of the Polish People's Republic, public participation in the exercise of power was very limited, in 1946 there was a propaganda referendum, which also was to serve the possibilities of ratio parliamentary elections [31]. The referendum covered three issues (abolition of the Senate, land reform and nationalization of industry and the western border), and the results have already been fixed. Until the 80's of the 20th century the Polish authorities very negatively related to the instruments of direct democracy, as evidenced by laws, which lacked regulation in that field. However, the legislature created the possibility of participation in the form of outside representative forms. Their basic feature was the lack of binding nature [16]. Such forms were included as, inter alia, the submission of complaints, participation of social organizations in carrying out public tasks, or taking part in consultations on key issues for the country [13].

Before the political transformation, on 6th May 1987, Polish Parliament passed the change of the 1952 Constitution of PRL (the Polish People's Republic). In accordance with that change "the exercise of state power by the working people can also occur through the expression of the will in a referendum" [27]. The rules and procedures for conducting a referendum would be imposed by statute. On the same day as the amendment to the constitution a law was passed on public consultations and on referenda. According to that legal act the referendum could have been nationwide or local [26]. In the same year there was also a centrally initiated referendum aimed to relate to specific political changes, including the establishment of a president. In fact, owing to the two questions which were then posed, the purpose of the referendum was to gain acceptance for the policies of the contemporary authorities and thereby to legitimize their power. The number of votes in relation to the number of all citizen entitled to participate meant that 67,3% did not take part in the referendum. The turnout was too low, and therefore, detrimental to the local authorities, the results of the referendum were not binding.

Apart from the interwar period, new forms of public participation could begin to take shape on the ground of Poland only after the political transformation that took place in

1989. After 1989, local governments received new opportunities in meeting the needs of the community, providing them with development and solving social problems [32]. Reactivation of local government, the adoption of laws on local government and regional self-government in 1990, and then a new administrative division and the re-establishment of poviats in 1998 significantly influenced the development of Polish democracy.

At present Polish political system guarantees a number of forms of civic participation in local government, more or less specifically dealt with legally, that could be classified according to several criteria. These forms, depending on the binding effect of the decisions, can be divided into:

- Informing – passive (e.g. access to information – direct and through new technologies) [25] and active (e.g. open discussion meetings with local communities or groups of sector unions);
- Consulting – characterized by two-way communication, when the administration proposes solutions and seeks views on them in many ways.
- Co-decision – involving genuine partnership in building solutions. Entities that may include, among others, individuals, public institutions, trade unions, employers' organizations, churches and religious organisations, NGOs – mainly foundations or associations and social economy entities, researchers, experts, jointly define the problems and look for good solutions. The design process solutions and consulting solutions run at the same time. Co-decision is characterized by two-way communication and is much less hierarchical;
- Delegating - transmit certain tasks to other entities or institutions, while providing them with the necessary support.

Participatory democracy in Poland is 'at the beginning of the road'. Although there are laws that regulate issues related to, among others, public consultation, public discussions and other forms of public inclusion in decision-making, both the theoretical and practical point of view, there is still much to be done. At the moment, the legal basis which regulates the participation of citizens is a series of acts, ranging from the Constitution, through government acts and ending with, among others, the Act on public benefit and volunteer work, the social assistance Act, Act on employment promotion and labor market institutions, the Law on spatial planning and development.

Nowadays in Poland the most innovative forms of participation at the local level, and, at the same time, those through which citizens greatly influence political decisions, in addition to the referendum, inter alia, include public consultation, participatory budgeting, local initiative and village fund. At the moment, we are working on the introduction of the Act on cooperation in local government for local and regional development and for other laws and of the Act to strengthen the participation of citizens in the activities of local government, with the cooperation of municipalities, counties and provinces, as well as on amending certain laws which regulate other important developments, for example to

hear civil, civic interpellation, or civic initiative to adopt resolutions [33]. It should be emphasized that a number of the above solutions, despite the absence of legislation acts in the part of local government units, based on statutes, regulations, or various other provisions, agreements.

More and newer opportunities for citizen participation also forced changes in the instruments used. At the moment, apart from the classic debates, panel discussions, meetings, members discuss community matters using new information technologies. Contemporarily, also still fledgling e-initiatives, there is not only voting on-line whether there is a poll or not. There are also internet forums, blogs, and, above all, the discussions in social media. Despite the use of new media, not all local government units take advantage of them, but, it is already a clearly noticeable positive trend, which should be further nurtured.

So what to do in order for the most innovative solutions in Polish participatory democracy to ultimately serve citizens and help them solve problems related to the broader social policy?

One of the oldest forms of citizen participation is to take part in the referendum, which may be carried out both at a local and national level. Despite the recently introduced legislative changes that increase the scope of that instrument, its use is slight. To a large extent it is due to the lack of tradition to take part in the referendum, which, in turn, leads to low voter turnout. The experience of the last term of the 2010-2014 local authorities was that voter turnout in the 111 referenda organized was 17,87% [17], which resulted in 95 cases of nullity. Most referendums, however, are held in order to appeal to local government bodies before the end of their term, and therefore do not have a direct impact on solving the problems of social policy.

Another relatively new form of participation, since the introduction of the amendments to the Act on public benefit activity and volunteerism in 2010, is a local initiative. In the light of the Act a local initiative it is "a form of cooperation of local government units with their inhabitants, in order to jointly carry out public tasks for the local community" [28]. This solution primarily promotes active citizenship, because on the one hand it allows for inference with the implementation of specific public tasks, and on the other hand requires the applicant to multi-sectorally participate in the task.

Considering the local initiative through the prism of the possibility of its use for solving problems of social policy, it must be emphasized that any initiative should be part of the directory imposed upon regulations spool, which is, *inter alia*, limited to the development of infrastructure, charity, sustainability and promotion of national traditions, the development of national, civic and cultural consciousness, culture, physical culture and tourism, art, promotion and organization of volunteerism, education and upbringing, public order and security and which is very important to the broader approach supporting the development of local communities. Local initiative can be a good instrument to improve the quality of public services and to solve social problems. In addition to building citizen-state relationships, it

provides citizens with opportunities to express needs. It is an instrument through which there will be a chance to increase the marginal efficiency of public and social services.

It is worth noting that a study by the Institute of Public Affairs shows that in terms of participation, it is important to what extent services are universal and apply to the general public, and to what extent they are selective and only cater for specific needs, solve specific problems. It turns out that the type of services has an impact on the level of participation [11]. Using services related to the general public (rather municipal and administrative) does not encourage participation, unless the initiative in the area comes from the service provider. Willingness to participate increases with the individualization of services. It can therefore be concluded that a local initiative should more often focus on personalized social services related to education, early school education, welfare and recreation. However, the barrier affecting the development of a local initiative will certainly be a financial issue. Therefore, appropriate, meticulous, and consulted planning is needed. It is also important to realize that communities/institutions need to inform about it, even promote, and sometimes bring with them their own contribution, e.g. in the form of social work. Local governments should be aware that local initiative is not a mechanism to reduce the cost of the public service tasks and to shift to interested economic responsibility for meeting the local needs and solving specific local problems [22].

In Poland, as in many countries in Europe and the world, with an established democracy at the local level, there is the practice of widespread public consultation. Public consultations have lived to see many definitions, and on Sherry R. Arnstein's ladder of participation¹ they were located shortly after the so-called informing forms, but prior to posting decisions [2]. Public consultation in its formula is the primary way to obtain feedback from stakeholders, which both directly and indirectly affects the effects of the proposed action by the authorities [6]. The aim of the consultation is to exchange opinions between policymakers and stakeholders, designed to help in the adoption of rational, best settlement possible. A number of cases result from reports and analyses carried out in Poland. In Poland, public institutions often avoid consultation or forge their operation for two main reasons. Firstly, due to budgetary constraints, and secondly, because of the short period of time they need to make decisions in. The social partners often focus only on very narrow self-interest. The public is also convinced that the consultation is a form of extortion of a specific position. Both the administration and the other participants in the consultation generally lack substantial preparation. There are shortcomings regarding the basic knowledge about the purpose of the consultation, proper organization of consultation and communication skills [19]. In turn, the study of the Institute of Public Affairs in 2011 focusing on the local level, showed that, indeed, nearly half of local, municipal measures, carried

¹ On the ladder of social participation Sherry R. Arnstein awarded eight levels, which include: manipulation, treatment, information, consultation, pacification (mitigation), partnership, delegated authority, civic control.

out in some form of public consultation with residents most often using passive forms (e.g. questionnaires), resembling a referendum or vote for any option, rather than measures more engaging and interactive.

In both cited sources research draws attention to the fact that even when consultations are undertaken, they very often have a ceremonial, moral character. Participants do not receive feedback, their results are not developed and therefore it is hard to determine what their actual impact on the final decisions is [11].

In Poland, from 2011, civil budget initiative also known as participatory has increasingly been used [21]. In most general terms it is a decision-making process in which the individual residents of advertisement budget co-decide about the distribution of specific funds. Compared to the consultation, the budget relies to a much greater extent on the authorities to implement the decisions taken, which are still based on social contracts. Residents receive feedback on both projects selected and rejected. It can therefore be assumed that the civic budget, just as the initiative, also helps in the diagnosis and in the solution of social problems. Needs and ideas come directly from residents. However, attention should be paid to the dangers. The amount of funds and the scope of projects subject to the decisiveness of the residents, communication, or the method of voting in local government are very different. There are no specific regulations, which can lead to illusory co-decision and which threatens the very idea of the budget. Despite all the imperfections today, in the future it may play a decisive role in the development of local government and solving social problems.

Residents of villages also decide on the separate financial resources through the entered, and basically revised in 2014, village fund. The Act of village fund enables to separate the fund only for auxiliary units which are village councils, which does not prevent the use of hamlet fund only to rural areas. To parish received funding, the commune council has to adopt a resolution on the separation of village fund. Residents voting at the meeting rural decide what measures will be used in a particular rural administrative unit. The draft proposal concerning the hamlet fund may be filed by the mayor, by village council or by adult residents of 15 village councils. To complete a specific project within the village fund, it must meet three conditions. It must serve to improve living standards, belong to the commune's own tasks, and be consistent with the development strategy of the municipality. A significant incentive for municipalities to extract the village fund is the possibility of obtaining reimbursement of incurred expenses from the state budget up to 40%, depending on the wealth of the community [29]. In conclusion, it is clear that the village fund, as well as participatory budgeting, can be effectively used to solve local problems of social policy, although awareness of the communities regarding the benefits of its use appears to be crucial.

IV. PARTICIPATION AND COMMUNAL STRATEGIES FOR SOLVING SOCIAL PROBLEMS – THE GENERAL CONCLUSIONS OF THE STUDIES

While analysing the above considerations, it can be seen that both in the case of a local initiative, participatory budgeting or village fund, and in the case of an initiative raised by the residents, they must comply with the applicable units of strategic documents, because only those will be able to be presented and implemented. These, in turn, in order to be able to meet the expectations of communities and solve problems of social policy, should be developed jointly, with the participation of public authorities, citizens, NGOs and other public and private institutions, external experts, scientists. Otherwise, the documents do not comply with their functions [20].

The planning process in local government units in Poland has been conducted basically since the administrative reform of the late 90's. For over 15 years many strategic documents have been created, as well as the reports regarding their implementation, which has mostly been a result of the implementation of top-down regulations. And so, the Act on social assistance [30] obliges the Polish communes and poviats to develop strategies for solving social problems, and the voivodeships to develop strategies for social policy. These strategies should be developed according to a fixed scheme, in which the legislature has recognized the following elements: a diagnosis of the social situation, a forecast of changes in the scope of the strategy, a definition of objectives (proposed strategic amendments, necessary directions measures how to implement the strategy and its financial framework, indicators, implementation of actions). After these few years of the entry into force of the new opportunities for participation, it is worth considering whether plans and strategic documents aimed at feeding ideas for solving social problems in the Polish communes are created correctly. The objective of further analysis is not an assessment of their content, and not checking the social process of their creation. It is, in principle checking the first and second phase of the strategy, the diagnosis and prognosis. The aim of this study is to check on the declarative level, or at the beginning of the development strategy of the social voice whether the latter is actually heard. From the point of view of the foregoing, it is a fundamental problem because the level of inclusion in community planning in municipalities largely testifies to the strength and maturity of Polish democracy.

Before the beginning of the study there was a hypothesis that strategies for solving social problems in communes are created with the participation of residents. The study included commune's strategies for solving social problems in the Małopolska voivodeship. In order to verify the above hypothesis the strategies of all urban communes in Małopolska have been analyzed ².

The analysis results are not satisfactory. It turns out that 1/3 of the urban communes in Małopolska do not have current

² In Małopolska there are 182 communes out of which: village communes - 121, of the urban – village communes- 47, urban communes - 14.

strategy or are in the process of its preparation. In virtually all strategies structural errors are visible. Basically, they lack the ways to implement the strategy, the financial framework and the indicators of achievement measures. In all strategies it is possible to find a reference to higher-level strategic documents. Often the content is too large.

Another objection, which regards all strategies, is the diagnostic part. Typically, the diagnosis is the most abundant, which, from the point of view of hypothesis verification, would be beneficial. Unfortunately, it is not. The diagnosis of a 60% strategy was created almost exclusively on the basis of the existing data from statistical offices, social policy centres, associations on the basis of the information provided by the employees of those institutions. How limited was the necessary diversification of sources of data? What about the consultation? On the declarative level, of course, everywhere it appeared as though the term arrangements were in place, but 60% of the strategy was to 'agree' only with organizational units of social policy, and rarely with NGOs. In one case, there appeared a consultancy of research institution. Strategies do not mention consultations with scientists. In 40% of the strategies the involvement of local inhabitants in creating the strategy was declared, but at 88% it was only carrying out a survey among residents. From a theoretical point of view, it was rather a participation level of information. In only one strategy, acquiring additional source of information about social problems in the form of individual interviews with the inhabitants was declared, which can already be classified as public consultation [11].

Triangulation methods, that is simultaneous use of existing data, data from surveys conducted with residents, not just with the staff of the institutions responsible for carrying out social policy, and qualitative methods did not exist. This fact has a very negative impact on the quality of the strategy, because the lack of interviews with residents makes it basically impossible to face new social problems. Even at the declarative level all strategies do not mention the use of higher participation and the highest level – co-governing, delegating, or deliberative democracy [4], [7] that primarily characterizes the public nature of the discourse, persuasive arguments selection in order to achieve a satisfactory consensus. It is a very worrying situation because such behaviour leads to very large checks by the authorities on the creation of local social policy, which could threaten its huge mismatch to the needs of communities.

It should also be noted that participation was rarely talked about in the earlier strategies – those created in the years 2006-2008, which usually arrive in the following two years. Newer strategies, formed after 2011, and those that are under development to a greater extent relate to the need to apply the tools of participatory democracy.

V. CONCLUSIONS

Social policy, very generally speaking, is the activity of the state and other entities from various sectors of the economy which aims to improve the lives of citizens. It is therefore impossible to conduct social policy without the participation of

the interested parties themselves. The social policy is for the people, not the other way round. Troubleshooting should therefore indisputably be done with their participation. The use of instruments of participatory democracy is necessary for the normal development of administrative units, as well as of the citizens themselves.

Today in Poland various kinds of participatory processes already exist and are further expanded by the legal instruments. However, much of their vocation does not produce the expected results. Most of those instruments are used much less frequently than it is possible, and the practice shows that participatory democracy in Poland at the level of consultation or co-governing unfortunately is still apparent, which clearly shows the overall results of the research outlined above. The hypothesis regarding active participation of residents in planning strategies for solving social problems has in fact been verified negatively.

To state the reasons for that situation is not simple. Certainly, the basic problem is the lack of awareness of both the community and of the authorities, who often regard participation in decision-making processes as a nuisance and do not see the benefits of cross-sectoral cooperation. However, if the instruments are appreciated and socially accepted, they positively affect the communities in which they operate. It might be the case that in Poland it is necessary to take care of education in this regard, training, common awareness, and an effort to change attitudes, mentality. Development of civil society does not come in a few months. It is a long-term process. It should promote not only the solutions to help communities/organizations participate in the creation of public policies, but also cooperation, decision-making processes incorporating the greatest number of partners (also in the planning and creation of strategic documents), making such laws, which will facilitate wider participation and encourage local social leaders [24].

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