

Civil society in Poland

Civil society in Poland refers primarily to the space for action of citizens, informal groups, non-governmental organisations and other entities that self-organise mainly to solve social problems, watch over the activities of state institutions and advocate for specific values and interests^{1,2}. It is a key element of the democratic system and plays an important role in shaping public opinion, promoting citizens' rights, engaging citizens to act for the common good and contributing to social and political change. However, encouraging citizens to actively participate in public life is a major challenge, especially in post-communist countries like Poland.

The origins of the formation of civil society in Poland can be traced back to the 1980s, in particular the activities of the anti-communist civic-worker movement "Solidarity", which played a key role in overthrowing communism and transforming Poland into a democratic state. Although this movement is considered a model of civil society, the experience of the then "Solidarity" was not taken into account in the socio-political transformation of Poland in the 1990s, while the experience of the previous years of authoritarian rule was partly continued³. Moreover, the radical political transformation and its consequences (e.g. inflation, increased unemployment, lowered living

¹ Piechota G., *Wpływ komunikacji politycznej na budowanie społeczeństwa obywatelskiego w demokracji lokalnej (Na przykładzie miasta Katowice)*, University of Silesia in Katowice, Katowice 2007, pp. 10-13.

² Boguszewski R., Czarnowska D., Dziwulska D., *Współdecydowanie mieszkańców o sprawach lokalnych w kontekście rozwoju społeczeństwa obywatelskiego w Polsce na przykładzie m.st. Warszawy*, [in:] *Spółczesność obywatelskie w teorii i praktyce*, ed. Boguszewski R., SGGW Publishing House, Warsaw 2018, pp. 176-177.

³ *Ibid.*, p. 108.

standards) caused disorientation and trauma for the society⁴. In the first decade of transition, this led to the reduction of civic engagement to voting in elections only and to the absence of any models of social activism and the distancing of social groups from each other^{5,6}. This was a natural outcome, given the nature of civic engagement in the Polish People's Republic⁷, which was driven by the benefits of political affiliations rather than altruistic motives.

After the fall of communism in 1989, the model for the functioning of Polish civil society was largely built with funding from North American foundations and was based on the Western concept of civil society being institutionalised and in partnership with the state⁸. However, this led to the belief that Polish civil society was quite self-sufficient and did not need any interference from the state, and that civil society structures could take care of themselves and would additionally solve some problems at low cost for the state^{9, 10}. It was expected that citizens would balance their personal interests with the common good and start to take care of the civic sphere themselves. Such a perspective, however, led to the stagnation of the third sector in the late 1990s, not least because of a lack of civic education.

A change in the functioning of civil society occurred at the beginning of the 21st century. However, it began with the weakening of funding from American donors due to the prospect of Poland's entry into the European Union. This stimulated representatives of the third sector to look for new

⁴ Jasnosz K., *Kształtowanie się społeczeństwa obywatelskiego w Polsce po 1989 roku i jego obecna kondycja*, "Rocznik administracji publicznej" 2020 (6), pp. 177-202.

⁵ Sasinowski H., *Spółeczeństwo obywatelskie i jego rola w budowie demokracji*, "Ekonomia i Zarządzanie" 2012, vol. 4, no. 1, pp. 30-47.

⁶ Podemski K., *Spółeczeństwo obywatelskie w Polsce 25 lat po wielkiej zmianie*, "Ruch prawniczy, ekonomiczny i socjologiczny" 2014, no. 2, pp. 89-109.

⁷ Polish People's Republic (PRL) – the official name of the non-sovereign Polish state from 1952 to 1989, under the political domination of the USSR.

⁸ Pazderski F., *Organizacje obywatelskie w Polsce wobec wyzwań społeczno-politycznych i nowych trendów w ich rozwoju*, [in:] *Spółeczeństwo obywatelskie...*, op. cit., pp. 109-111.

⁹ Ibid., pp. 109-111.

¹⁰ Jasnosz K., *Kształtowanie się społeczeństwa obywatelskiego w Polsce...*, op. cit., p. 182.

sources of securing financial stability, such as European funds (which replaced earlier measures but to a much lesser extent) and cooperation with Polish public institutions¹¹. In applying for EU membership, Poland had to recognise the importance of civil society and start seeing civic institutions as partners. Under these circumstances, *the Public Benefit and Volunteer Work Act* was adopted in 2003, which regulated the relationship between public administration and third sector entities and introduced the possibility of donating 1% (from 2023 1.5%) of personal income tax to a selected public benefit organisation (PBO)¹². Despite these positive changes for grassroots organisations, the sector continued to face weak social entrenchment and civic mistrust. The main reason for this was the reluctance of grassroots organisations to communicate with ordinary citizens, which required more effort and specific skills, compared to communicating with public authorities 'in the same language'¹³. Also, citizens were often seen only as a source of financial support, or as volunteers to perform simple tasks. This perspective resulted in the third sector separating itself from civil society, and civic organisations were only seen through the prism of large foundations, often visible in the traditional media (mainly on TV) and focusing mainly on social fundraising and helping people in need. This created the misconception that organisations operated with substantial funds without transparent control over how they were spent and, as a result, used the money for their own benefit^{14, 15}.

¹¹ Pazderski F., *Organizacje obywatelskie w Polsce wobec wyzwań...*, op. cit., pp. 111-112.

¹² Legal PBO status is granted at the request of an NGO, which commits to stricter rules, related to transparency of operations and finances, in exchange for certain privileges, such as the possibility of receiving 1.5% tax on personal income.

¹³ *Ibid.*, p. 112.

¹⁴ Adamiak P., *Wizerunek organizacji pozarządowych. Raport z badania*, Research by the Klon/Jawor Association, Warsaw 2015, pp. 6-7.

¹⁵ Gumkowska M., Research team at the Klon/Jawor Association, *Co o organizacjach myślą Polacy? [cz. 1]*, <https://publicystyka.ngo.pl/co-o-organizacjach-mysla-polacy-cz-1> (accessed 10.02.2023).

In addition, since 2015, public dialogue has been significantly curtailed by state authorities. Government-controlled public media portrayed selected civic organisations as being linked to the political opposition and abusing public funds, which further undermined public trust¹⁶. The situation was particularly difficult for organisations living off international financial support and dealing with social minority rights, anti-discrimination issues and environmental protection¹⁷. The government proposed to introduce a centralised model for administering the third sector and controlling the distribution of both government and international funds. However, some civic organisations have self-organised, reaching out to new supporters, seeking innovative funding opportunities and engaging in watchdog activities¹⁸. However, organisational membership and civic activism (e.g. signing petitions, participating in demonstrations, speaking in public) have not yet become part of Polish political culture¹⁹.

One of the important factors determining civic activity is mutual social trust, the level of which has changed very little over the last 20 years. Poles generally have a low level of trust in others, usually ranking below the average in comparison with other European countries: in 2022, only 19% believed that most people could be trusted²⁰. Typically, these respondents are better educated, live in larger cities and have higher per capita incomes²¹. This translates correspondingly into trust in civic sector institutions as well as willingness to take collective action. Also researchers point out the lack of a sense of responsibility of Poles towards their impact on society.

¹⁶ Pazderski F., *Civil society development in Poland on the crossroads of political game*, https://europesociety.hu/sites/default/files/csatolmanyok/pazderski_paper.pdf (accessed 10.02.2023).

¹⁷ Pazderski F., *Organizacje obywatelskie w Polsce wobec wyzwań...*, op. cit., pp. 105-106.

¹⁸ Ibid., pp. 114-117.

¹⁹ Podemski K., *Spółeczeństwo obywatelskie w Polsce 25 lat...*, op. cit., pp. 106-107.

²⁰ Omyła-Rudzka M., *Zaufanie społeczne*, Centre for Public Opinion Research Foundation, Research Communication no. 37/2022, Warsaw 2022, p. 1.

²¹ Ibid., p. 13.

In the event of some irregularity in the social or civic sphere, Poles are more likely to blame someone else (a neighbour, the local government or the state in general) instead of taking corrective action themselves²².

Despite these unfavourable political and social conditions, the number and recognisability of civic organisations began to gradually increase. On average, about 5,000 new NGOs were established every year and by 2021 there were already 138,000 registered organisations, most of which (about 75%) were concentrated in cities²³. Currently, civil society in Poland is very diverse and includes a wide range of initiatives, from grassroots activities to large NGOs operating in many different areas. Most organisations are involved in sport, culture and education, with a large proportion of NGOs active in at least three different areas at the same time²⁴. For more than 20 years, the biggest problem for NGOs in Poland remains raising funds and equipment necessary for the stable functioning of the organisation.

Civic engagement is also gradually increasing, as evidenced by mass social movements (e.g. for women's rights or against controversial education reform), increasingly active urban movements, mobilisation actions (e.g. strikes by nurses or single mothers)²⁵. However, in many cases, both such grassroots initiatives and support for NGO activities are ad hoc and short-lived, and usually do not require much effort (e.g. signing a petition, making a donation, participating in in-kind or food donations, sharing information on one's social media account, donating 1.5% of one's tax). Recently, there has been a trend towards an increase in the number of local civic leaders encouraging others to take collective social action, as well as an increased

²² Jasnosz K., *Kształtowanie się społeczeństwa obywatelskiego w Polsce...*, op. cit., pp. 188-189.

²³ Charycka B., Gumkowska M., Bednarek J., *Kondycja organizacji pozarządowych. Trendy 2002-2022*, Research by the Klon/Jawor Association, Warsaw 2022, p. 20.

²⁴ *Ibid.*, pp. 24-25.

²⁵ Korolczuk E., *Spółeczeństwo obywatelskie w Polsce – kryzys czy nowe otwarcie?*, Series of Analyses by the Institute of Advanced Studies, Warsaw 2017, p. 2.

awareness of the importance of exerting social influence on local authorities. However, this increase in local involvement is insufficient in relation to the pace of development of third sector actors, as NGOs are increasingly experiencing a shortage of people willing to get involved in their activities, both selflessly as volunteers, but also as employees or team leaders²⁶.

According to a recent survey by the Centre for Public Opinion Research, the level of Poles' commitment to civic organisations, as well as to children and people in need (including seniors, the disabled, the sick, the homeless) has gradually increased every year since 2001, and has remained more or less the same in 2020-2021 (45%). This is slightly lower than the pre-pandemic 2019 level (51% – the highest of all survey years) and is similar to the level six years ago (44%)²⁷. Engagement in civic activism is more common among those with higher education, in managerial and specialist roles, with high incomes and living in the largest cities (over 500,000 people). Those with left-wing views and those involved in religious practices are also more active.

However, the higher socio-economic status of more socially active people may directly correlate with the availability of participatory tools in their place of residence. Undeniably, big cities attract many more educated and experienced people and offer them better career opportunities (higher positions and salaries accordingly). But also big cities have better civic participation regulations, more active third sector actors and more opportunities to initiate new municipal projects. Most cities with more than 100,000 inhabitants offer residents at least the possibility to participate in civic budgets and public consultations (including on planning documents²⁸), as well as to initiate a local initiative and a citizens' resolution initiative.

²⁶ Charycka B., Gumkowska M., Bednarek J., *Kondycja organizacji...*, op. cit., p. 54.

²⁷ Feliksiak M., *Aktywność w organizacjach obywatelskich*, Centre for Public Opinion Research Foundation, Research Communication no. 41/2022, Warsaw 2022, p. 6.

²⁸ Under the *Spatial Planning and Development Act*, residents are ensured participation in local spatial planning by submitting comments on local spatial development plan and studies

In recent years there have also been new legal solutions, innovative forms of civic engagement, additional financial opportunities and government programmes supporting the development of Polish civil society. The civic sphere is increasingly treated by state authorities as a strategic element of the development of a democratic state and is regulated by two basic laws: the already mentioned *the Public Benefit and Volunteer Work Act* (of 2003; hereafter: UDPPiW) and *the Act on the National Freedom Institute – Centre for Civil Society Development* (of 2017; hereafter: *the Act on NIW-CRSO*).

The UDPPiW defines the term of a non-governmental organisation and public benefit activities as well as 34 spheres of public tasks within which NGOs can undertake their activities. It also regulates the cooperation of public administration bodies with NGOs and introduces the 1.5% mechanism. In addition, the UDPPiW defines the term of local initiative, which is a form of cooperation between residents and local government that gives residents the opportunity to initiate a social project and partially implement it in order to solve a local problem.

In turn, *the Act on NIW-CRSO* already introduces the term 'civil society' into the Polish legal system and establishes the institution “National Freedom Institute – Centre for Civil Society Development”, whose remit is primarily to coordinate government programmes supporting the development of civil society by, inter alia, increasing the institutional and financial efficiency of NGOs, professionalising third sector staff and civic education. NIW-CRSO also manages *the Civil Society Organisations Development Programme for 2018-2030*, developed in 2018 by the Council of Ministers, which provides for various forms of support tailored to the needs of the third sector, including subsidising the activities of civic media, watchdog organisations

on conditions and directions of spatial development, which determine how the space in their city of residence may change.

and think tanks. The main objective of the Programme for these years is to support the institutional, organisational and financial development of civil society organisations and to increase the involvement of these organisations in public life, civil dialogue and public consultations.

At the local level, on the other hand, civil society is developing dynamically but somewhat unevenly. On the one hand, the authorities of individual cities spontaneously initiate and test numerous new opportunities for civic action and participation. For example, the civic budget and the citizens' resolution initiative were first tested in selected cities, and only later became regulated in the legal system by the 2018 amendment to *the Act on Municipal Self-Government*²⁹. At the same time, some local governments do not see the need to involve residents in decision-making processes, and the participatory tools they introduce may be a mere formality. As a rule, the openness to cooperation with citizens and the increase in the number of available participatory tools increases with the size of the city.

Despite the growing importance of civic participation, only a few local government units create specialised units for dialogue with citizens and cooperation with NGOs. And in smaller cities, people dealing with public participation most often work in different cells that are mainly related to culture, sport, education or social policy. Moreover, most of the existing participation cells in local government administrations focus primarily on cooperation with NGOs rather than on civic dialogue in the broadest sense (e.g. public consultations).

Also, there are often diverse formal problems in local governments related to the regulation of public participation tools, among others provisions limiting

²⁹ Pistelok P., Martela B. (eds.), *Partycypacja publiczna. Raport o stanie polskich miast*, Institute for Urban and Regional Development, Warsaw-Kraków 2019, p. 14.

the participation of a large proportion of citizens in participation tools or the lack of legislation regulating citizen participation tools at all. For example, despite statutory provisions (the 2010 amendment to the UDPPiW) obliging local governments to adopt local initiative resolutions, as of 2017, only about a third of them have done so, and even fewer actually implement ideas from this source³⁰. This situation underlines that the mere imposition of obligations on local authorities to enable civic participation does not yet guarantee the adoption and implementation of new solutions.

The most problems, it seems, exist around public consultations, which quite often do not guarantee high quality civic dialogue. In 2017, in about 40% of the resolutions, local authorities allowed only adults or registered persons (although this is not proof of residence) to participate in public consultations. Such restrictions are a direct violation of *the Act on Municipal Self-Government*, which allows all residents to participate in public consultations, regardless of age and registration. Also, the regulations for public consultations³¹ are often quite limited – they lack a precise definition of consultation standards and specific forms of consultation, and publicising materials on the consulted issue (i.e. informing) is mistakenly treated as one of the possible consultation methods and does not seek the opinion of residents³². They also lack provisions setting out standards for reporting, evaluation and reporting on public consultations, including a summary of post-consultation decisions taken by local authorities. This results in low confidence of residents in the consultations, as they

³⁰ Ibid., p. 16.

³¹ In Polish law, *the Rules of Procedure for Public Consultation* are a normative act adopted by a local government body in which the process of initiating, carrying out and evaluating public consultations is to be recorded, and the standards and rules for carrying them out are to be specified. This document is not obligatory and is introduced by local authorities by a separate resolution or in the text of statutes.

³² Ibid., p. 17.

do not know if and how their comments have influenced the resolution of the issue consulted.

Two-thirds of cities with bylaws offer residents the opportunity to initiate a public consultation, although in about 15% of these cities this is quite formalised and difficult, and in some cities it is almost impossible to submit such a request³³. In some municipalities, a request for citizen consultation must be supported by at least 5% of residents, and in individual cases the required number of signatures can be as high as several tens of per cent. At the same time, the final decision to hold a consultation is usually left to the discretion of the authorities, and the submission of all the necessary documents does not guarantee that the consultation will take place. Thus, it can be seen that some local authorities are not open to dialogue with residents and that access to public participation is limited to the minimum required by law.

The most popular, as well as the fastest growing, specific form of public consultation in Poland is the civic budget (CB). In 2021, it was implemented by more than 240 cities (i.e. approx. 42% of Polish cities with over 5,000 inhabitants), which allocated approx. PLN 0.6 billion to it³⁴. Usually, a city which has organised CB at least once – continues it in subsequent years. Although due to the pandemic a lot of cities have abandoned the civic budget (e.g. in 2016 CB was organised in about 320 cities), but there is a well visible return of this tool to the pre-pandemic state. The spread and popularity of civic budgets in Poland is truly remarkable, given that CB started as a small-scale experiment initiated by an informal group of activists in only one city (in 2011 in Sopot). This success shows that certain participatory tools can develop spontaneously without the need for specific national regulations, which in this

³³ Ibid., p. 18.

³⁴ Martela B., Janik L., Bubak G., *Barometr budżetu obywatelskiego. Edycja 2021*, Institute for Urban and Regional Development, Warsaw-Kraków 2022, pp. 5-8.

case only appeared in 2018. The fact that there are now several hundred CBs operating in Poland, with a total budget of more than half a billion PLN, is a reflection of the strength of civic engagement and the potential of such initiatives, leading to specific decisions on the basis of a certain 'social contract' between residents and local government.

In conclusion, civic engagement and public participation in Poland has been developing very intensively in recent years. Numerous non-governmental organisations, grassroots initiatives and social movements are emerging, and an increasing number of citizens are taking part in the participatory activities on offer. However, the most popular forms of cooperation among citizens remain direct meetings with officials, social actions, civic budgeting and submitting letters, petitions or demands³⁵, which require less involvement; whereas public consultations or civic budgeting are less interesting. More attention should therefore be paid to improving the quality of civic participation. Above all, local regulations should be improved and universal standards should be introduced, based on the desire to genuinely involve citizens in decision-making and to ensure the highest quality of civic dialogue. It would be worthwhile for administrations to improve the competencies of officials dealing with public participation and civic dialogue in the broad sense, and to create separate specialised participation units. Comprehensive civic education, popularisation of particular participatory tools at the local level and making it easier for residents to initiate participatory activities are also very important.

³⁵ Boguszewski R., *Współpraca władz lokalnych z mieszkańcami*, Public Opinion Research Center Foundation, Research Communication no. 46/2018, Warsaw 2018, p. 4.