

Civic Dialogue in Poland Compared to Other European Union Member States

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Abstract

In the invitation to the 'Europe-Poland-Dialogue' conference the organisers ask: Are we witnessing the end of a certain development stage and opening of the way to subsequent stages of dialogue advancement, its functioning and development in social realities? In this paper, the attempt to answer this question entails a description of three problems addressed by the sections below. The first section presents the differences between social and civic dialogue against the background of discussions taking place in the European Union and in Poland. The second section focuses on the evaluation of the condition of Polish civic dialogue past 1989. The third section considers social dialogue in Poland from the comparative perspective of political participation and political culture indicators of the Democracy Index. The paper ends with final remarks.

Keywords: civic dialogue, social dialogue, European Union, Democracy Index

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Differences Between Social and Civic Dialogue

Considering the Polish realities, it seems necessary to define the underlying differences between social and civic dialogue. While social dialogue in Poland has been a separate concept for a long time now, having extensive conceptual, legislative and institutional roots and legally and socially defined actors: the government, employer organisations and trade unions, **civic dialogue is a relatively new notion**. Social dialogue has been the topic of studies in the area of sociology of the economy, industry and labour, including international studies of the European Union (for example in the framework of Industrial Relations Europe published by the European Commission). In Poland it is associated with institutions such as the Trilateral Committee for Socio-Economic Affairs, Voivodeship Social Dialogue Committees and with sectoral collective labour agreements. **Civic dialogue is much wider a notion than employment relationships alone**. It is a response to a crisis of former forms of political participation, such as voting in elections, party membership and participation in public consultations.

The notion of civic dialogue was popularised in Western Europe in the 1980s. It concerns ideas, social activity areas, regulations and organisational experience beyond social partners in 'industrial democracy'. It is used to describe other areas, actors and forms of activity in the public sphere. In Poland, civic dialogue covers primarily the cooperation between public administration and third sector civil organisations (NGOs). Its main objective is to monitor, adjust and improve the political and social system.

Both types of dialogue under analysis have areas in common and influence each other, *inter alia* in the framework of consultative committees established by ministers, central authorities or local government bodies. They are usually sectoral and composed of representatives of various circles: employers, trade unions, scientific centres, social organisations, etc. Monitoring committees of operational programmes implemented with the use of structural funds can serve as an example here. Yet in many aspects they also act independently, and the expanding fields of civic dialogue do not replace the forms of social dialogue that have been weak in recent years.

In European Union countries, the underlying reason behind the emergence and development of civic dialogue was **seeking a new model of democracy** that would reverse the trend of withering participation of citizens in the public sphere. At the level of Member States, the process is known as a **crisis of parliamentary democracy**, while at the level of the European Union it is described as a democracy deficit. In

both cases, there are distinct restrictions and asymmetries in the representation of interests. Alienation of authority elites intensifies, with party and economic interests prevailing over social preferences. In the theory of democracy, a remedy for all such tendencies lies in new interpretations of common good, the principle of subsidiarity of the state and opening public administration to cooperation with social organisations and economic actors, fostered by changes in the nature of the public sphere and the dynamic development of IT. The changes brought about, *inter alia*, interactive websites for consulting policy issues and on-line voting under an umbrella name of 'e-democracy'.

New arguments in this area result from the concepts of good governance, which assume that public sphere management should involve actors at various levels and in many areas of social life in actions taken by central and local government administrations. They are elaborated by postulates concerning 'deliberative democracy' that emphasise the role of public discussion and debate, 'participatory democracy' focused on reinforcing the forms of citizen participation in referenda, local communities, workplaces, political parties and pressure groups, and 'associative democracy' highlighting the significance of informal organisations entrusted with managerial functions (Saward 2003; Held 2006).

In the EU, the debate on civic dialogue was initiated by the European Commission which published the *Green Paper* (1993) and the *White Paper on European Social Policy* (1994). These issues were discussed during the EU summit in Laeken (2000) and in the 2001 *White Paper on European Governance*. In December 2002 the European Commission organised the forms and rules of public consultations and the European Economic and Social Committee issued an opinion on *The representativeness of European civil society organisations in civic dialogue* (2006). The significance of civic dialogue is confirmed by the Treaty of Lisbon (2009) which considers this form of representative democracy as a principle of governance and a supplement to direct democracy.

Article 11 of the Treaty introduces provisions concerning providing opinions on EU affairs by citizens and representative EU citizen associations and the principle of dialogue with such associations. The Treaty imposes certain obligations on EU institutions, which must give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action. Apart from earlier election law concerning elections to the European Parliament, which guarantees each citizen the right to participate in democratic life of the EU, it also introduced a new civil right of a popular initiative and a declarative duty (of

unspecified entities) to make decisions in the most transparent way possible as close to the citizen as possible¹.

Despite the need for modification of institutional forms of articulation and representation of interests, reported more and more frequently, it was impossible to work out a universally acknowledged definition of civic dialogue². It is not considered parallel with or supplementary to social dialogue. Relations between these dialogue types remain a subject of discussions. Yet civic dialogue is more diversified than social dialogue in problem terms. It is also distinguished by a lower level of participant organisation, their dispersion and weaker institutionalisation of relations with public administration. Civic dialogue is considered **one of the new instruments of shaping social order and promoting participatory democracy**, which provides an opportunity for development of civil organisations frequently located outside the mainstream of state infrastructure. It may play important roles in the area of services, innovation, citizen advocacy, policy advocacy as well as expressive and socialisation functions, and establishment of a community.

In Poland, the origin and development of civic dialogue are the outcome of dynamic development of non-governmental organisations in the beginning of the 1990s, programme initiatives connected with establishing infrastructural organisations such as support centres and social services supported from abroad (e.g. in the framework of a PHARE project or in cooperation with western NGOs) and legislative actions. Among the latter, the most important legal act is the *Act on public benefit activity and volunteer work* adopted by the Sejm on 24 April 2003, which includes *inter alia* provisions regulating the rules of cooperation of public administration bodies in the area of public tasks with NGOs, and provisions concerning the establishment, composition and competence of the Public Benefit Activity Council (PBAC) at the Ministry of Labour and Social Policy (MLSP).

Adoption of the *Act on public benefit activity and volunteer work* contributed to defining the identity of the civil sector by establishing the institutional framework of its actors and their operation methods, it introduced legal rules of providing subsidies

¹ Absence of a precise definition of 'non-governmental organisations' and 'civic dialogue' in EU documents gives rise to doubts as to representativeness of civil sector representatives and great freedom in conducting this dialogue by the European Commission. Civil partners involved in consultation procedures are not guaranteed decision-making rights (veto players). Due to the preference of Western European authority elites for liberal solutions, representations of economic interests and lobbyist organisations supported by technocracy enjoyed greater possibility of action.

² The origin of the contemporary version of civic dialogue in Poland with evaluation of selected institutions is presented in Schimanek 2007; see also: Wiktorska-Święcicka 2013.

from public funds and making tax deductions, and determined the foundations for and models of cooperation with the public administration. Both the Act and establishment of the Council took place in the framework of a policy project aimed at reinforcing the institutions of dialogue and partnership as important values and tools serving the implementation of long-term public policies. This approach was manifested in 2002 when the government adopted the Social Dialogue Rules, which highlighted the need to enrich traditional social dialogue with civic dialogue.

These rules also determined the conditions necessary to conduct civic dialogue³. Subsequent amendment of the *Act on public benefit activity and volunteer work* of 2010 formally reinforced civic dialogue mechanisms, *inter alia* by introducing mandatory programmes of cooperation between local government units and NGOs, public consultations on local legal acts and on cooperation programmes, resolutions on how these consultations are to be conducted and introduction of the possibility to establish public benefit activity councils at the voivodeship, poviats and gmina level at the request of NGOs. A positive effect of such actions consisted in consolidating a view that institutionalisation of civic dialogue (as well as other forms of participation) is an important dimension of democracy development in Poland.

Civic Dialogue in Poland: Deficit of Governance by Discussion

In the last ten to twenty years, a number of mechanisms for the institutionalisation of civic dialogue have been worked out. The Public Benefit Activity Council has been established, and *ad hoc* consultations on draft acts related to NGO operation conditions, ongoing consultations on programme documents for structural funds, regulatory impact assessments and public hearing have been introduced. Yet in Poland

³ These conditions include existence of representativeness of the third sector, independence of parties to dialogue, method and capacity to transfer arrangements to a lower level of NGO operation, balancing the interests of the parties to dialogue; acting on the basis of the principle of mutual trust, respect and dialogue in good faith; willingness and readiness for joint actions of both parties to dialogue in order to work out compromises and arrangements, determination of the subject of dialogue and its form in the context of making decisions and arrangements, building adequate dialogue structures and institutions, as well as ensuring content-related and logistic services (*Zasady dialogu...* 2002).

from the beginning of systemic transformations past 1989, critical views announcing the ‘**crisis of participation**’ and ‘**deficit of citizenship**’ were the dominant ones. It is universally acknowledged that the democratisation process is mainly legal and institutional in nature, and Poles are characterised by very high political idleness and withdrawal of the society from politics.

As concluded by the authors of the report *Demokratyczny audit Polski 2014* [*Democratic Audit of Poland 2014*], ‘the functioning of democracy in Poland is perceived ... in a negative way – **Poles believe that democratic institutions** (the Sejm, the Senate) **work badly**, as the key features from the point of view of democracy are not present (this primarily concerns the economic and redistribution functions of the state, considered of utmost importance to considering a state democratic). This is followed by low social capital – no confidence in democratic institutions, no sense of policy control at the national and local level and **low civil participation**’ (Markowski 2014: 7). The indicators of such attitudes and trends usually include data on low voter turnout, small membership of political and civil organisations and low involvement of members in their operation, social discouragement and indifference to political issues, ‘**enclave**’ or niche **nature of active citizenship**, critical view of political actors, and even ‘spiritual emigration’ or ‘escape into privacy,’ notions coined during the socialist era.

Reflecting on the reasons behind such trends, many hypotheses are put forward that stem from diverse theoretical approaches. The most influential ones are: the transformation shock hypothesis (anomy, confusion and dissatisfaction), the hypothesis of historical heritage as the source of citizenship deficit (culture of distrust, legacy of the Communist dictatorship, learned helplessness, civilizational incompetence, etc.) and the hypothesis of structural conditions, accumulation of barriers that give rise to a syndrome of co-existence of economic, social and civil exclusion (Szczegółą 2013).

In recent years, also other concepts were put forward to explain the weaknesses of democracy and the civil society in Poland that refer to a post-colonial perspective, new interpretations of central-peripheral relationships and regional discourses. From this perspective, the model of active citizenship propagated after 1989 did not stem from Polish conditions, grassroots experience or resources, but replaced them with a new, external project derived from western models. The project (similar to the neoliberal strategy of economic transformations) considered the national experience and resources as development burden which is an obstacle in establishing civil society, defined mainly from the perspective of large city institutional and formal structures and quantitative expansion of NGOs.

As a result, Polish discussion on the civil society focuses mainly on NGOs, due to which civil society development is usually measured by the condition of the third sector. In such a narrowed, one-dimension perspective, other important issues are frequently overlooked, such as the sphere of traditions, values or ideology, the role of social ties based on a family, neighbour community, parish or other forms of self-organisation and active citizenship, which are not recorded by official statistics or studies (Górniak 2014)⁴.

Not attempting to resolve the theoretical controversy over the reasons behind the weakness of democracy in Poland (which lies outside the scope of this paper), it can be assumed that the condition of civic dialogue in Poland is also an important measure of public participation. In this context, it is worthwhile to quote the view of Giovanni Sartori (1994: 9), according to whom **democracy can** in principle **be considered ‘governance by discussion’**. Thus, analysis of civic dialogue provides a lot of information on the condition of Polish democracy.

Characterising various aspects of such dialogue, particular attention should be paid to a publication summarising 10-year experience of the Public Benefit Activity Council: *Ku dialogowi obywatelskiemu w Polsce [Towards Civic dialogue in Poland]* (Wiktorska-Świąćka 2013). The study documents many historical, legal and problem aspects of Council activity, it includes a list of institutions delegating their representatives to the Council, its composition in subsequent terms, and presents opinions of people involved in Council establishment and evolution. Due to political setting of the Council and hopes pinned on it, the study provides empirical evidence to support the claim on the ‘deficit of governance by discussion’ in Poland. What does the deficit consist in? Based on the statements of people who have played the leading role in the development of civic dialogue, several key issues can be pointed out:

No political will of the authorities. The decline of social dialogue since 2005 is perceived as the aftermath of the policy pursued by subsequent governments, for which cooperation and partnership were not priorities. Involvement of government administration in building dialogue has been slight, as also proven by the composition of the Council and its treatment by decision-makers (except 2003–2005, when the

⁴ An example of restrictions on mainstream research on active citizenship in Poland is the underrating of social and civil capacity of rural areas, which is a consequence of adopting a modernisation concept based on preference given to large city development. See: *Trzeci Sektor* quarterly No 29/2013. A similar view can be attributed to emergence of new urban movements, frequently informal and difficult to grasp statistically.

implementation of the Social Dialogue Rules started and government representatives supported the Council considerably).

Perspective of handling matters *ad hoc*. Civil and social dialogue is not focused on strategic and long-term aspects of the issues that are dealt with. Politicians do not include relevant groups in making important decisions. Usually, they are driven by intuition and current game of interests. It is also supported by the attitude of the Ministry of Finance, which limits the effects of civic dialogue due to concerns of depleting public finance. Such practices lead to marginalisation of dialogue in political power institutions, and diminish its significance to the general public by having a discouraging effect on citizens active in the public sphere.

The role of civic dialogue reduced to *side issues*. The dialogue is only apparent and treated marginally. Public authorities tend to focus on formal issues, control, reporting, etc., while disregarding matters of importance and ignoring the Council during consultations on draft legal acts. The model of cooperation between public administration and civic dialogue participants that consists in making joint decisions is only declaratory. A model of civil intervention linked with rare manifestations of participation in defining and implementing public policies is employed more frequently.

Low status of civic dialogue. The Public Benefit Activity Council is a consultative and opinion-forming body at the Ministry of Labour and Social Policy with limited competence and low authority. The Council is considered subordinate to the ministry, not a universally acknowledged civic dialogue body. Other institutions of dialogue with political authorities and public administration, such as the Trilateral Committee for Socio-Economic Affairs and the Joint Committee of the Central and Local Government, have more prestige. They are also deeper rooted in stronger organisations (employers, trade unions) or representatives of local government units, such as the Association of Polish Cities and the Union of Rural Gminas of the Republic of Poland. Also, slow and spatially diversified shaping of regional and local civic dialogue as a tool supporting the development of the public and non-governmental sector constitutes an important barrier.

Issues of representativeness of social participants of civic dialogue. Weakness of the non-governmental organisations sector and its internal diversification as an aspect of the problem of articulation, self-organisation of social interests, mechanisms of selecting citizens' representatives in relations with public administration, including no representativeness of NGO representatives in the Public Benefit Activity Council.

Reports by these organisations (and personal experience of the author from the Civic Legislative Forum) allow concluding that Polish political circles commonly

perceive democracy as competition of the elites, representative democracy or electoral democracy. Such approach openly or implicitly marginalises other ways of defining democracy that are not in line with the interest of the government (e.g. deliberative democracy concepts), which place emphasis on increasing importance of public debate in politics. One can also see the presence of neoliberal preferences to reduce democracy to constitutional guarantees of freedoms and rights of an individual, including voting rights that citizens may exercise once in several years, leaving everyday governance to party leaders and public administration⁵.

The manifestations of such approach to civic dialogue include, *inter alia*, rejection of referendum initiatives on covering six-year-olds with the schooling obligation and reforms of the pension system (supported by hundreds of thousands of people) by the Sejm, protests of the society against ratification of ACTA or the medicine reimbursement reform. Although the above issues are fit for a referendum to a varying extent, the way in which decisions were made on a majority of the issues proves arrogance of the authorities and that they treat democratic institutions as a means to achieve their own goals. A spectacular example of such governance style, which discourages active participation, was the referendum campaign on dismissing the Warsaw president in autumn 2013. In view of current political interests, the leaders of the party in power (called the Civic Platform) as well as the Polish president and prime minister persuaded voters not to take part in the referendum. Several months later, the same politicians appealed to Poles to vote in the European Parliament election.

Such events reflect the contradictions in treatment of civil participation by the authorities. The majority of politicians declare to support it, but in a situation where participation might undermine their ideas, they become its opponents (for example right-wing politicians believe that regulations on abortion may not be subject to a referendum). Debates on civil participation highlight that state authorities get involved in educating the society to a marginal extent, they do not show them how to become organised or what goals could be attained in cooperation. **The distance of the ‘political class’ towards participation and treating it as a means to achieve their own objectives** largely consolidates the attitudes of defying social realities instead of

⁵ For example in its report on establishing laws in Poland, the Helsinki Foundation for Human Rights states that political circles are frequently convinced that citizens’ initiative is a sufficient form of citizen participation in the legislative process, and in other aspects the society should have confidence in their chosen representatives. The view translates into lack of understanding for the idea of participation of the non-government party in the legislative process, which curbs dialogue on changes to the law (Pietryka 2013: 2).

playing a role in creating them. It also thwarts the standards of the public sphere and copies the obsolete state governance model, as expressed by underdevelopment of the legal framework of civic dialogue and poor quality of public policies.

Dialogue participants representing political decision-makers, government administration and experts, in turn, emphasise the **gap between declared approach to participation and actual readiness of citizens for personal participation**. Although participation has a legal, organisational and financial basis and new forms of cooperation of public administration with the civil sector are developed (such as local budget planning), it is poorly reflected by action on the part of the society. It is evidenced by referenda on recalling local authorities: in recent years only seven out of 165 such referenda were valid, while other were not due to insufficient voter turnout⁶.

Poland witnessed **institutionalisation of negative feedback**. Political elites declare support for civic dialogue, but in practice they limit its role to side issues. The marginalisation of the civil sector in terms of decision making reduces readiness of the society to participate in political processes and increases idleness and apathy in the public sphere. The low status of civic dialogue does not encourage social partners to participate in the work of ineffective (and frequently mere facade) institutions, and the authorities gain more and more arguments in favour of a proposition on 'bad quality citizens' who do not want or do not know how to exercise their rights.

European Union Comparative Perspective

The nature and extent of civic dialogue deficit in Poland can be put into a perspective by comparing its individual aspects to the results of international studies. Yet these issues are rarely discussed in the context of many economic and social development indices invoked in relation to globalisation processes. The only exception is the Democracy Index (DI) that has been published from 2006 by The Economist Intelligence Unit. It measures the condition of democracy in 165 UN member states using 60 indicators that cover the electoral process and pluralism, functioning of government, political participation, political culture and civil liberties.

⁶ See: *Debate Obywatelska partycypacja – migotanie idei? [Civil participation – flickering of the idea?]* (Bulletin 2014). Studies on various levels of the local government also show that they developed mechanisms of autocratisation, bureaucratism, power concentration, development of ruling party control and weakness of control mechanisms, which weaken the motivations of citizens to pursue political participation (Dziesiętowska-Naroska, Makowski 2014: 55–88).

The ranking classifies countries by regime type: full democracies, flawed democracies, hybrid regimes and authoritarian regimes⁷. In the European Union, the highest ranks are occupied by full democracies, which include Scandinavian countries (the world leaders), Benelux countries, Austria, Ireland, Germany, Malta, United Kingdom, Czech Republic and Spain. Total scores in all DI rankings place Poland in the group of European flawed democracies. States included in this category are distinguished by national elections that are free and fair and observance of civil rights, but also significant systemic weaknesses, e.g. related to effectiveness of governance and freedom of the media⁸.

In the case of Poland, the highest scores were attributed to the electoral process, pluralism and civil liberties, comparable to that of top Western European countries (such as Germany). The functioning of government scored much lower – it has been at the level of Italy, Portugal and Cyprus in recent years. **The aspects that keep Poland low in the ranking are: political culture**, and to a lesser extent also political participation. The Democracy Index shows changes taking place in the year 2006–2012 in a way that allows following them using indices absent from other studies. It provides an opportunity to reflect on the situation in Poland with reference to analogous dimensions of democracy in a number of countries.

Like other comparisons of complex political issues, the DI has certain theoretical and methodological flaws which need to be considered when interpreting its results. They concern the years it covers (no data past 2012) and primarily creation of democracy indices based on hard data, such as parliamentary election outcomes, subjective opinions from public opinion surveys, such as the World Values Survey, and expert opinions. Aggregating such data into indices using Anglo-Saxon political development criteria leads, in some cases, to doubtful conclusions (especially when comparing countries from different cultures). For example, Democracy Index 2012 ranks South Korea (22nd) higher than France (29th) or Botswana (33rd) higher than Poland (45th). Such approach ignores the historical cultural models and the institutional framework, which creates path dependencies that are difficult to

⁷ Democracy Index methodology includes a characterisation of dimensions of democracy and measurement indicators grouped into five categories, a description of establishing the value of the indexes and a scoring system that allows including individual states into the four regime types. It also includes all questions with suggestions of possible sources of information to determine the answers, *inter alia* in the form of election data, public opinion survey results and expert opinions.

⁸ In Democracy Index 2012 Poland ranked 44th, together with Brazil. This was also the case with DI 2011, the only difference being that Poland and Brazil ranked 45th. In 2010 Poland ranked 48th, in 2008: 45th, and in 2007 it was 46th.

compare using quantitative methods. The paths largely determine the extent of possible choices, as well as future political, legal and social solutions, etc. (North, Thomas 1973; Putnam et al. 1993).

Researchers into citizenship emphasise that this is the *longue durée* phenomenon with multiple and simultaneous determinants. The farm relationships, subordination culture of peasants and exclusive civil culture of the gentry that formed in the 16th century, Poland's loss of independence at a time when nations and modern state citizenship formed at the end of the 18th century, the short period of independence between 1918 and 1939, and the Communist rule after World War II were not conducive to moulding 'high quality citizens'. The circumstances produced citizens who were imperfect in some aspects, but decent according to other criteria (for example withdrawn from the public sphere, but resourceful and helpful to each other in difficult situations). From this perspective, the deficit of civic practices past 1989 should not lead to particularly pessimistic conclusions. Poland has not been any better before (Raciborski 2011: 155).

Despite the above concerns, Democracy Index results can be considered a useful comparative tool in the discussion on civic dialogue in Poland, especially as there are no other rankings or comparisons concerning participation and political culture. Yet, using the results requires a large measure of scepticism. This is due to dissimilarity of meanings of citizenship in various societies, and awareness that many issues treated as participation determinants (e.g. extent of involvement in politics) lag far behind Western countries in Poland. The political, cultural and social changes that started in Poland after the collapse of the Communist regime took place much earlier in the West, from the 1960s on. Changes in Poland can be perceived against a wider background of political changes taking place in the world in recent years. The authors of Democracy Index 2012 point out that the third wave of democratisation, discussed by Huntington, has stopped. They highlight the erosion and regression of democracy in Europe, where the 2008+ crisis became a catalyst for negative trends in political development of the majority of EU Member States and for countries close by such as Russia and Turkey. This trend is also reflected by political participation, which constitutes the basis for civic dialogue (see: Table 1).

Table 1. Political participation in EU Member States between 2006 and 2012

Country	2006	2008	2010	2011	2012
Sweden	10.00	10.00	8.89	8.89	9.44
Netherlands	9.44	9.44	8.89	8.89	8.89
Denmark	8.89	8.89	8.89	8.89	8.89

Country	2006	2008	2010	2011	2012
Austria	7.78	7.78	7.78	7.78	7.78
Ireland	7.78	7.78	7.78	7.22	7.22
Finland	7.78	7.78	7.22	7.22	7.22
Germany	7.78	7.78	7.22	6.67	6.67
Luxembourg	7.78	7.78	6.67	6.67	6.67
Slovenia	6.67	6.67	6.67	6.67	7.22
Czech Republic	7.22	6.67	6.67	6.67	6.67
Greece	6.67	6.67	6.67	6.67	6.67
France	6.67	6.67	6.11	6.11	6.67
Italy	6.11	6.67	6.11	6.67	6.67
Cyprus	6.67	6.67	6.11	6.11	6.11
Bulgaria	6.67	6.11	6.11	6.11	6.11
Portugal	6.11	5.56	6.11	6.11	6.67
Spain	6.11	6.67	6.11	6.11	6.11
Poland	6.11	6.11	6.11	6.11	6.11
United Kingdom	5.00	5.00	6.11	6.11	6.11
Belgium	6.67	6.11	5.56	5.56	5.56
Lithuania	6.67	6.11	5.56	5.56	5.56
Malta	6.11	6.11	5.56	5.56	5.56
Slovakia	6.11	6.11	5.56	5.56	5.56
Croatia	6.11	6.11	5.56	5.56	5.56
Latvia	6.11	6.11	5.56	5.56	5.56
Estonia	5.00	5.00	5.00	5.00	5.00
Romania	6.11	6.11	5.00	4.44	4.44
Hungary	5.00	5.56	5.00	4.44	4.44

* The political participation index was built on the basis of answers to questions concerning: voter participation/turn-out for national election; degree of autonomy and voice of ethnic, religious and other minorities in the political process; percentage of members of parliament who are women; membership of political parties and political non-governmental organisations; citizens' engagement with politics; the preparedness of the population to take part in lawful demonstrations; adult literacy; percentage of the population that follows politics in the news media and the authorities' effort to promote political participation.

Source: Own study on the basis of the Democracy Index.

In the period under analysis the political participation index lowered in 17 EU countries, including in the most stable Northern democracies (Sweden, Finland, Germany, Benelux countries), in euro area countries affected by the debt crisis (Ireland, Cyprus) and in the majority of Member States from Central and Eastern Europe. In some of the latter countries, the situation is far from EU standards due to the historical heritage and post-authoritarian models of civil behaviour, as well as

new political problems. Examples of such situations include the controversy about the rights of ethnic minorities in Baltic States⁹ and building an illiberal state by Viktor Orbán's government in Hungary¹⁰.

Against this background, Democracy Index 2012 places Poland much higher than the majority of former Communist states, comparably with Spain and the United Kingdom, in terms of political participation. Such a place suggests we should perceive the condition of civic dialogue in Poland in a more favourable light than what results from the national perspective, presented in the previous paragraph¹¹. Although the ranking gives rise to some concerns (due to the above-mentioned limitations), it nonetheless allows relating the discussed democracy dimensions to other countries, which contributes to drawing more balanced conclusions on the phenomena under analysis. In this context, the Democracy Index results concerning political culture, presented in Table 2, are of particular importance. They are the more meaningful as they highlight unfavourable phenomena that define the nature of civic dialogue in Poland to a significant extent and affect its subjects, form and efficiency of action in the public sphere.

Although participation or political culture are not identical as civic dialogue, their indices indirectly prove its relative weakness in Poland. Without improving political culture and participation, improvement of the condition of civic dialogue is unlikely. Democracy Index results also suggest a need for improving the effectiveness of the government that sets up a political and institutional framework for the development of civil attitudes and behaviour, including culture and participation models.

⁹ In Baltic States restrictive laws excluded the majority of citizens of Russian origin, who settled on their territories after inclusion into the Soviet Union, from citizenship. Once independent again, the republics deprived the Russian minority of the possibility of political participation, which was criticised on the international forum and gave rise to accusations of violating human rights. One of the effects of such policy was that Russian-speaking citizens of the countries took on Russian Federation citizenship. In 2014, after Russia annexed Crimea and invaded Ukraine under the pretence of defending the rights of the Russian minority in Donbas, concerns were voiced that Russia may act in the same way towards Baltic States.

¹⁰ In Hungary the government has been centralising power in a way that triggered criticism from the EU, the US government and human rights organisations. Among other things, new regulations expand government control of the media and curb the autonomy of higher education in the name of consolidating the 'national approach' to public policies. The control of the NGO sector is also becoming more stringent, especially of organisations financed from the West; the Police seize their computers and records (*The Economist* 2014).

¹¹ It is surprising that countries such as Greece and Bulgaria, rather not associated with high political participation, rank so high. Yet in the overall ranking, aggregating all of the indices, these countries are classified as flawed democracies like Poland.

Table 2. Democratic political culture in EU Member States between 2006 and 2012*

Country	2006	2008	2010	2011	2012
Sweden	9.38	9.38	9.38	9.38	10.00
Denmark	9.38	9.38	9.38	9.38	9.38
Finland	8.75	8.75	9.38	8.75	8.75
Luxembourg	8.75	8.75	8.75	8.75	8.75
Malta	8.75	8.75	8.75	8.75	8.75
Netherlands	10.00	10.00	8.13	8.13	8.13
Ireland	8.75	8.75	8.75	8.13	8.13
United Kingdom	8.13	8.75	8.13	8.13	8.75
Germany	8.75	8.75	8.13	8.13	8.13
Austria	8.75	8.13	8.13	8.13	8.13
Czech Republic	8.13	8.13	8.13	8.13	8.13
Spain	8.75	8.75	7.50	7.50	7.50
Italy	8.13	8.13	8.13	7.50	7.50
France	7.50	7.50	7.50	7.50	7.50
Greece	8.13	7.50	7.50	6.88	6.88
Portugal	7.50	7.50	7.50	7.50	7.50
Estonia	7.50	7.50	7.50	7.50	7.50
Belgium	6.88	7.50	7.50	7.50	7.50
Hungary	6.88	6.88	6.88	6.88	6.88
Slovenia	6.88	6.88	6.25	6.25	6.25
Lithuania	5.63	6.25	6.25	6.25	6.25
Cyprus	6.25	7.50	5.63	5.63	5.63
Latvia	5.63	5.63	5.63	5.63	5.63
Croatia	5.63	5.63	5.00	5.00	5.63
Slovakia	5.00	5.00	5.00	5.00	5.00
Poland	5.63	5.63	4.38	4.38	4.38
Bulgaria	5.00	5.63	4.38	4.38	4.38
Romania	5.00	5.00	3.75	4.38	4.38

* The democratic political culture index was built on the basis of answers to questions concerning: degree of societal consensus and cohesion to underpin a stable, functioning democracy; proportion of the population that desires a strong leader who bypasses parliament and elections; perceptions of military rule; perceptions of rule by experts or technocratic government; proportion of the population that believes that democracies are not good at maintaining public order; proportion of the population that believes that democracy benefits economic performance; degree of popular support for democracy and strong tradition of the separation of church and state.

Source: Own study on the basis of the Democracy Index.

Final Remarks

If, after Sartori, we consider democracy 'governance by discussion', the development of civic dialogue can be considered one of the aspects of its maturity. Contrary to social dialogue on collective labour agreements, in Poland civic dialogue, considered mainly as relations between the public administration and third sector organisations (NGOs), is a relatively new and poorly institutionalised phenomenon. A commonly approved definition thereof has not been worked out yet. Civic dialogue is also very diversified in terms of the issues it covers. It is distinguished by relatively low involvement of social participants and their considerable dispersion.

With the current political and institutional set-up, civic dialogue in Poland is in crisis. The main reasons behind the situation is the above-mentioned absence of political willingness on the part of the government to support civic dialogue, dominance of short-sighted state policy, reducing the dialogue to side issues, its low status in the political system, as well as weakness of social organisations and problems with their representativeness. The top-down way of introducing political reforms in Poland post 1989 and their neoliberal nature that gave preference to establishing market economy resulted in institutionalisation of negative feedback logic in this area.

Following the logic, political elites declare support for civic dialogue, but in practice they limit its role to side issues. The marginalisation of active citizenship reduces readiness of the society to participate in politics (which is low in the first place) and increases idleness and apathy of Poles in the public sphere. The low status of civic dialogue discourages its participants from participation in the work of ineffective institutions. The authorities gain more and more arguments in favour of a proposition on 'bad quality citizens' who do not want or do not know how to exercise their rights. Compared to the situation in Western EU countries, Poland stands out significantly in terms of two issues.

Firstly, Poland is at an early stage of civic dialogue development like the majority of former communist states in the EU. The circumstances and methods of introducing political reforms post 1989, contrary to the aspirations of a vast majority of the society, resulted in erosion and marginalisation of employee representations, which was not counterbalanced by other forms of social self-organisation. The situation has significant political implications, as the 'Solidarity' movement that dismantled the communist regime aroused high hopes for civil participation. Yet the new system

delivered on the hopes only partially, and the wide gap between aspirations and practice explain, to some extent, the scale of Poles' disappointment, in line with the saying 'it was supposed to be democracy, but it is capitalism.' The disappointment is used for political purposes by populist and rightist parties (Ost 2005).

According to some researchers, Poland saw the emergence of a new variant of 'dual democracy'. It consisted in selective mainstreaming of selected social strata into transformation, with simultaneous exclusion of circles that defy the policy of the elites in power by disarticulation and neutralisation of the capacity for collective action, which was the case with trade unions (Bohle, Greskovits 2007). Such approach marginalises the concepts of deliberative democracy and gives preference to anachronistic forms of governance, where citizens can exercise their voting rights once in a few years. One of its effects is poor active citizenship and its niche and exclusive nature¹².

Secondly, Democracy Index results lead to a conclusion that Poland ranks close to Spain and the United Kingdom (in the EU) in terms of political participation (which lies at the foundations of civic dialogue). Compared to other former communist states, the result suggests better conditions for such dialogue than those resulting from the critical perception of the practices in Poland by Poles themselves. Perhaps one of the factors behind such take on the condition of civic dialogue is poor (and deteriorating) political culture, which affects Poland's rank to the greatest extent. Poland is placed among the lowest-ranking EU Member States. This rank is *inter alia* the result of evaluation of tradition of the degree of societal consensus and separation of church and state, which are the weaknesses of the Polish political culture. Its models can nonetheless be improved, as evidenced by changes in election laws and the rules of political party financing, which stabilised the party scene by the end of the 1990s.

Although recently there were no new stimuli from the government in the area of civic dialogue, many diagnoses and practical recommendations were formulated by academic circles and NGOs (usually co-funded by the EU). An example of such initiative is the project 'Decydujmy razem' [Let's make decisions together] of the Institute of Public Affairs, which yielded the *Zielona Księga [Green Paper]* (2013), and later also the *Biała Księga wsparcia partycypacji publicznej w Polsce [White Paper on Support for Public Participation in Poland]* (2014). The papers highlight the need to organise a system for supporting public participation, including legal, institutional and educational changes at the level of the central and local government.

¹² For more information on 'dual democracy' (see: Jasiiecki 2013: 174–180).

The sphere of social dialogue is in a similar crisis situation. The joint withdrawal of trade unions from the Trilateral Committee in 2013 as a protest against its role that was only apparent was a symbolic indication of the end of a development stage of civic dialogue in Poland. Trade union headquarters and employer organisations have suggested changes to the dialogue's formula as an attempt to overcome the deadlock. The proposed changes were, *inter alia*, to: replace the Trilateral Committee with the Social Dialogue Council, ensure the Trilateral Committee's independence from the Ministry of Labour and Social Policy, make the Trilateral Committee financially independent, grant rights to a legislative initiative (to the Trilateral Committee or the Social Dialogue Council), change the rules of social partner representation and change the rules of hiring and financing experts (Zalewski 2014). Similar to the postulates of NGOs in the area of civic dialogue, introduction of the above changes could pave the way to taking institutionalisation of political participation in Poland to the next level. Yet it all depends on political decisions. Due to the current line-up of power structures and the election schedule, the chances for introducing the changes in the nearest future are slim. Perhaps they would re-emerge on the political agenda after the presidential and parliamentary elections in 2015.

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