

The New Dialogue

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Abstract

The paper describes a problem of collision between the concept of solidarity which is based on concern for the others interests of others with the liberal concept of implementing particular goals. Institutional solutions adopted in Poland, as well as the theories and tools and methods for their description and interpretation, still have imitative character. The result is a hybrid conglomerate of institutional arrangements that are created along the lines of the existing organizational structure of the EU countries. The structure and the way of functioning of those institutions are most commonly analyzed by using borrowed theoretical solutions present in the European or American sociological literature. Social dialogue and civic dialogue do not work so as to bring the expected results which causes permanent institutional and intellectual crisis. The paper postulates to use the new dialogue for the reflection about intellectual mechanisms that create the world better suited to people's expectations.

Keywords: participatory democracy, social dialogue, civic dialogue, civil society

The idea of self-organization has got a long tradition in Poland. It was shaped under an oppressive state, thanks to the activity of the opposing community with diverse ideological roots, but sharing the system of values created in the totalitarian reality. The history of self-organization fits into a centuries-old tradition explaining the emergence of reactionary movements within the totalitarian society that has accompanied the Mediterranean civilization since its beginnings. It gives us

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a seldom-used opportunity to cover all historical events, including intellectual ones, with an interpretative scheme. This can be a nation (Germany under Hitler) or a selected class (the working class in the Polish People's Republic). The political reality in the Polish People's Republic could be described as a form of collectivism, where a dominating role of a certain group an individual cannot do without was emphasized. The socio-political system based on the Marxist theory was supposed to lead to the materialization of the ideal state. The programme of the leftist intelligence provided for a strong centralized government based on the dictatorship of the proletariat. When applied in practice, the utopian method led to a dogmatic adherence to schematic solutions that entailed gigantic costs as a result of refusing to learn from mistakes. Therefore, any criticism that was aimed at improving the state of affairs was perceived as an action against the system and critics/reformers were treated as enemies. We were dealing with a utopian social engineering, the main weakness of which was the impossibility to state, whether adopted measures were adequate to the implementation of an unchangeable, ideal objective, since any criticism of these solutions was unacceptable and suppressed at all cost (Popper 2006: 203–214). Ultimately, the actions aimed at building an ideal society ended up with a defeat of the governing party and their successors needed to start from scratch, which finally led to the exhaustion of all resources and possibilities to materialize the social utopia (Popper 2006)¹. This interpretative scheme includes the following consideration:

The achievements of the oppositional ideas elaborated in the decades of Polish People's Republic result mainly from the comparability of a situation among communities. The civil society of the 1970s was a mirror of the situation it had to act in. Its emergence was not positioned parallel to the state, but against the state – balancing the most strenuous symptoms of the communist system.

This period saw the creation and acceptance of the term 'common good' that set the logic of actions for the entire opposition and the agreement on the significance of the shared idea of common good was reached. Owing to this, it was possible to create an own concept of the civil society that reflected the Western republican and democratic tradition – the community of citizens that establishes freedom – the civil society. Definition of the essence of communism in the language of a battle between good and bad became a basis for a solidarity-based, anti-political utopia in which

¹ I have based my statement on a forecast formulated after World War II by Karl Popper, largely compliant with the diagnosis formulated by Jadwiga Staniszkis in *Ontologia socjalizmu*. In the introduction to this publication she writes, among others: 'I have shown communism as a trap for communist elites themselves, when nominal, unlimited, arbitrary power did not necessarily mean the actual control of the reality' (Staniszki 2006).

both the state and the society were supposed to function according to a single system of values, without the need for politicking. This system was shaped in August 1980 as a result of taking the risk in the name of moral values. Then the jubilant atmosphere petered out, alongside with the possibility of experiencing the self as a moral subject and an ensuing right to judge (Staniszki, 2006: introduction).

The idea of self-organization, laid at the foundations of the civil society of the 1980s, gave hope for building a new democratic order after the 1989 transformation. During the sessions of the Round Table, the 'Solidarność' delegates were identified with the term 'social side' or 'civil side', in contrast to the 'party-government side', while candidates to the June elections of 1989 were selected by the 'civil committees'. Even in the first half of 1990 the popular conviction assumed that in the 'post-June' Poland there would be no need for political parties, for the society would create the new model of democratic order based on the idea of a self-organizing civil society stemming from the 1980s.

The form the civil society of the 1980s took on was a response to conditions it had to act under. It aimed at leveling out the most troublesome aspects of the system, limiting the omnipotence of the state exercised on the society and individuals. It emerged as an opposition to the state in order to help citizens survive, just like in the past (Osiałyński, 1996). It was a '... civil society at the minimum, with a purpose of protecting individuals from the communist state' (Smolar 2010: 99–106). It turned out quickly though, that both the model of the civil society and the knowledge used in the utopian engineering system were of little use when it came to continuing civil activities, describing and explaining the reality that guaranteed freedom of association and expressing opinions in the public sphere by law. Paradoxically, the end of repressions and the democratic opening became the end of the civil society in the form discussed above. The civil society, built as a radical opposition towards the communist state, was at the same time tightly related to it and had to collapse along with this state state' (Smolar 2010). The idea of solidarity that advocates care for other people's interests clashed with the liberal idea of fulfilling vested interests of individuals or groups. Freedom that opened the possibility of a free choice resulted in divergence and new lines of division: axiological, ideological and political. The republican model of social utopia in the form of a civil society lost its relevance. The term 'common good' and the previous ability to act collectively faded away and the community that had once been based on strong solidarity bonds was replaced by a neutral term 'association.' In 1989 it turned out there were plenty of different, often contradictory, needs and objectives and the task of politics was to make choices and

reach compromises – our civil society failed to find a mechanism of revealing and negotiating interests in itself (Osiatyński 1996).

Most civil society theories argue that its essence lies not in opposition to the state but in independence. Self-organization means creating political, economic, commercial or cultural bonds and institutions or mechanisms aimed at protecting the society from a potential threat from the state. Organizations strive to fulfill their market or social interest with a view to the common good. In post-1989 Poland the idea of “common good” vanished. In return, the intellectual and political elites reached out for institutional solutions applied in free market democracies and the theory and description of the civil society. The Polish society had to learn self-organization again under the free market democracy. Institutional patterns, such as a third sector, governance rule, theoretical concepts aimed at describing and explaining citizen actions were adopted in good faith as proven solutions. The import of ready-made solutions, accepted and implemented with support from Western non-governmental organizations, seemed indispensable in the process of accelerated democratization. All in all, the importance of civil society was secondary compared to the need for introducing free market reforms that were to initiate the economic restructuring process. As a result, the model of civil society based on the activity of non-governmental organizations subject to scrupulous control performed by state institutions (courts and tax offices) was implemented with a delay. To a great extent, this process had a spontaneous, if not vigorous, character. In consequence, various modules of solutions appeared and were selectively adapted to the needs of civil society development. The emerging form of civil society was not an effect of solutions elaborated in the Polish environment, taking account of the imponderables of the Polish social reality, but largely took a form of a conglomerate of incompatible solutions and inadequate normative descriptions and explanations. A fundamental problem resulted from the fact that conservative, liberal and socialist notions present in the intellectual tradition of the Western democracies and institutional solutions based on them turned out to be inadequate components to build the civil society in Poland. Therefore, its rebuilding seems to be a homework that each society must do on its own. Then it transforms itself from a utopia into a reality free of idealized representations. To this end, we need a social and civic dialogue.

Further considerations could be concluded in the form of two anecdotes. The first one concerns the period immediately after 4 June 1989. It reflects the democratic transition and the feeling of forming a new reality. During a theatrical rehearsal break a fireman approached a well-known actress who was smoking a cigarette, telling her it was not allowed to smoke in the room. In response she told him to buzz

off... Frustrated by this humiliating treatment, he returned to the scene after some time and told the actress she was an old ... Only this was her double ... Offended and deeply disturbed by this insult, the woman rushed crying to a theatre's director to complain. The director, furious at the fireman, dashed to the room where they normally came together and told him he was an old ... But this was another fireman ... So, it was clear that the division of duties remained, but the actors, the situation and the context had changed. However, long-standing clichés stayed put. We could say that citizens started acting alike in the new, democratic and free market reality. However, the old scheme began to reproduce slowly: the civil society was supposed to level out the consequences of agonizing reforms and mitigate symptoms resulting from accumulating social problems, such as care for the unemployed, excluded and permanently unable to provide for themselves.

After twenty five years of transformation and unremitting reforms the reality is still beyond the capabilities of public sphere creators and actors. It is reflected in an anecdote – in fact an account from an authentic meeting that took place in a commune head's office in one of the eastern Poland's communes. It is widely known that this macro-region is characterized by high level of unemployment. Thus, this event seems all the weirder. So, during the office hours one of the unemployed residents of the commune darted into the office of the commune head, fell on his knees just beyond the threshold and shouted: 'My Sweet Voyt, Save Me!!' A concerned commune head rushed to the wretch trying to pull him up and started asking what reason had led him to such a desperate behaviour. After a while everything was clear. It turned out that the desperate resident had received a job offer from a labour office... As he explained later, this very fact had made him behave in such a dramatic way². We could wonder why. Had a long period of inaction triggered a change in his personality so he became unable to present any sort of professional activity? Or was it an effect of structural unemployment leading to permanent consequences in the form of marginalization and self-exclusion from the social life? Not at all! The reason for such behaviour was totally different – this man worked all the time. However, he worked on a black market. According to unconfirmed data, the black market in the Lubelskie region covers between 40 and 60% of all employed persons (Osiatyński 1996)³. Thus, the 'threat' of 'official' employment was his greatest misery because it would destroy

² Author's participant-observation during social consultations as part of the implementation of the project 'Intellectual Capital of Lubelszczyzna, 2010–2013'.

³ This piece of information has been confirmed on several occasions by labour office workers and representatives of employee and employer organizations.

his household budget. He received all necessary benefits from the labour office and at the same time he earned an additional PLN 2,000 working on the black market. His financial situation was quite stable and the world seemed familiar, well-arranged and unwavering. An employment contract would mean a drastic decline in his income (he would lose about PLN 1,000 in consequence).

This incident attests the fact that we are dealing with permanent indications of an individual adaptive strategy within the existing institutional solutions on the Polish labour market. These institutions were created as a result of complex conditions: social dialogue, public debate and model solutions applied in free market democracies of countries allied in the International Labour Organization, but their effects in Poland are often peculiar, though: people fear employment... Poland seems to be an example of a negative verification of these institutional solutions that work well in other countries. Why does something that works perfectly somewhere else fail to do so in the Polish reality? It is hard to counter the statement that dialogue (both social and civil) creates a chance for building an original, unique way leading to appropriate solutions that would serve Polish citizens best. Which ones? Has it already happened? The abovementioned example of one of the many employees unveils a complete incapability of the existing institutional solutions to cope with this reality. There is a need to start perceiving dialogue in a new way, to search for new solutions that would be able to meet the requirements posed by the socio-economic reality in Poland. The previous models of institutional solutions have fallen short of expectations and seem to have lost touch with the growing challenges of the present day. Therefore, further considerations need to be treated as a justification of a claim that calls for the building of new dialogue. We need to reset the previous accomplishments and discuss the new shape of labour relationships and relationships between the state and citizens. We also need a theoretical reflection on a model of dialogue that would best respond to Polish conditions.

In Poland, the social and civic dialogue began in the period of collectively experienced events that shaped the collective identity of generations. Therefore, the founding myth of the Polish civil society was the August of 1980 and the half-year period of 'Solidarność' social movement's activity. With each month of the Solidarity Carnival the Polish society became more and more citizen-oriented, same as the public sphere. The activity of the Solidarity movement resulted in working out the programme of self-governing Poland. It could be brought to life only a decade later, when dismantling of communism began in 1989. Has this programme come into fruition after the elections of 4 June 1989 preceded by the Round Table agreement? A multidimensional social transformation consisted in, among others, building the civil

society's infrastructure through guaranteeing freedom of association (establishing non-governmental organizations), freedom of speech (abolition of censorship) and creating social dialogue mechanisms (Rymsza 2014).

In the same period of the second half of the XX century socio-political and economic systems of numerous Western European countries started undergoing radical changes (Staniszki 2004). Their main features were decentralization and deconcentration of the public authority. The reorientation of the entire state apparatus began. Deficiencies of extensive bureaucratic structures began to come into sight, which made the state authorities become more aware of the difficulties in fulfilling the citizens' needs and expectations. Forging closer relationships with the society was deemed a remedy. Therefore, the state initiated the process of sharing competences with the local governments and social organizations. This led to the establishment of ties and cooperation between the three previously separate spheres, i.e. the state, the society and the economy, through social dialogue. Therefore, the process of conducting dialogue, which reflects the framework of the concept of participatory democracy, was initiated. Historically, social dialogue in Poland constitutes a primary and basic form of dialogue between organized citizens and the public authority. It is worth reminding that its main objective is to amicably settle collective disputes in the area of labour relationships. With time the content and scope of dialogue have undergone changes and extensions. 'The social dialogue is a term that includes the entirety of mutual relations between trade unions and employer organizations. This is a systemic rule of democracy, a special form of debate about social interests. Its participants are partners that act according to the principle of equal status and interests. Differences in opinions are removed through consultations, negotiations and mutual concessions leading to the conclusion of a social contract/agreement. In a broader sense, the social dialogue refers to all forms of communication between the public authority (at various levels of territorial governance) and social partners representing interests of different social groups that occupy a given territory: citizen organizations, citizen associations or groups voicing a social protest. Social dialogue is an instrument of governance and a method of agreeing upon common objectives, instruments and strategies of implementing the public policy by the authorities and social partners (Ministry of Labour 2010).

Let us remember that the social and civic dialogue aimed at concluding pacts-agreements dates back to the year 1980. As part of the Round Table agreements, among others, the institution that brought together government, trade unions and other signatories' representatives was established. It aimed at monitoring the

implementation of the agreements. However, the intense transformation process that changed the entire system made the institution impotent, since the basic political transformation could not have been subject to negotiations with previous interest groups. It was about the undermining of the role of these groups, which finally led to an accusation of arbitrarily constructing the new social order (Gardawski 2008: 25; Gąciarz, Pańków 2001: 107). For these reasons the social dialogue, and later the civic dialogue, reflects the framework of a 'tender democracy', where a well-organized minority decides on a situation of the majority and the dominating role is played by success-oriented actors and actions, which is typical for the political sphere (Kaczocha 2004: 32). Only when the only pact in the history of the Third Republic – the so-called 'Pact on Enterprises' – was concluded due to the ongoing privatization process, did trade unions become fully fledged partners to the dialogue. Owing to trade unions' stance, the workers of privatized enterprises were promised a high share in their assets in return for a permission to sell these enterprises. Another consequence was the establishment of the Social Dialogue Forum – a trilateral council to monitor the implementation of provisions included in the Pact in 1994 – by way of an Ordinance of the Council of Ministers.

We should note that only after five years from the beginning of a democratic and free market transformation the institutionalization of the social dialogue took place at the national level. The dialogue institution comprised the signatories of the Pact on Enterprises – members of trade unions: NSZZ 'Solidarność' and the All-Poland Alliance of Trade Unions (OPZZ) as well as an employer organization bringing together directors of state-owned and private companies allied in the Employers of Poland. In the initial period of the Commission's operation, trade unions, mainly NSZZ 'Solidarność' and OPZZ, sidelined on the government or the opposition's side. This enabled the organization to work to satisfy the interests of employees directly in the power structures, without the need to participate in the Trilateral Commission. However, the union remaining in opposition boycotted the work of the Commission, which made the agreement in any aspect impossible in the initial period (Gardawski 2008: 25–28). Neither did the trilateral dialogue serve the purpose of legitimizing the actions of the government, nor the purpose of eliciting social consent to undertaken reforms. Here was where the most important weaknesses of the social dialogue in an institutionalized shape oozed out.

A turning point came after the passing of an Act on the Trilateral Commission for Social and Economic Affairs and Voivodeship Social Dialogue Commissions, owing to which social dialogue conducted at the central level was extended to the local level. The Commission became fully representative through the use of quantitative criteria.

Its composition was broadened by the inclusion of private employers organizations: Business Centre Club and Polish Confederation Lewiatan as well as Polish Craft Association and on the employees' part by Trade Unions Forum. Competences of the Commission were extended and its main objectives became: to strive to achieve and maintain the social peace, to conduct dialogue in the areas devoted to the issues of remuneration, social benefits as well as to provide an opinion on the Budget Act.

In Poland the trilateral social dialogue, concentrating on the representatives of trade and employer unions, is the main form of practice. It is becoming clearer that this formula has become insufficient to regulate numerous fundamental social problems. Since 2013 the social dialogue has practically been suspended after the declaration of NSZZ 'Solidarność' and OPZZ leaders of suspending their participation in the Trilateral Commission. Therefore, some authors treat the popularization of the social dialogue as a positive and necessary phenomenon. Growing challenges in many areas of the social life go beyond labour relationships and require a definitely broader character of dialogue (Frieske 2005: 42–48). It is argued for the extension of dialogue to a growing number of public life's areas. A previously underrated civic dialogue was finally noticed, owing to which the emergence of various forms of social participation appeared possible: depending on consensus and participation in the public debate. Appropriate institutional solutions introduced in 2010 serve this purpose⁴.

Similarly as other contemporary welfare states, Poland is gradually rejecting the role of the guarantor of social order. In practice, the subsidiarity rule boils down to financially supporting entities that assist the state in its social duties. The national welfare state has lost its exclusive regulative capabilities and prefers participatory democracy as a form of power – to a certain extent – the signs of which include institutionalized social consulting, social dialogue, referendums, public debate, etc. We can observe a process of withdrawal of the state and delegation of duties and responsibilities concerning the social order, based on citizen's capabilities of self-organization and resourcefulness, to other entities. An apolitical type of a citizen, creating the post-civil society, is being crafted. This process is also strengthened by the tradition of civic disobedience reinforced in the communist era. For economic purposes and due to conflicts of interests, a general social interest and a common basis for participation in the public sphere have vanished. The authenticity of the public opinion has disappeared due to the divergence between the idea of democracy and the reality. The feeling of being a citizen has been brought to the point of making

⁴ Amended Act on public benefit activity and volunteerism of 12 March 2010.

partners aware of the need to give up their conflicting interests. Therefore, a dialogue leading to the reduction of unsatisfied frustrations is a civic action.

We can say that the introduction of the European model of consultation and negotiation democracy, triggered by the accession to the UE in 2004, assumed a proper direction. Unfortunately, its execution in practice has not lived up to the devised ideal. The civic dialogue in Poland has not been clearly defined. There are at least several theories that determine the ways it should be comprehended. It can be understood in a broad and narrow sense. In the former one, it is reinforced in a democratically shaped public sphere as one of the basic forms of public discourse. Its inclusive character allows involved citizens to participate in the public debate and express opinions concerning important (in their view) problems that exist in the common social space. In this way citizens are granted possibility to influence the public opinion and the character of decisions.

The ways of understanding and defining dialogue refer to the principle of governance. They focus on its institutionalized character (citizen organizations, procedural framework) and prioritize citizens' interests and participation in power. They emphasize its role in the shaping of the public opinion, consultation, negotiation and agreement to a lesser extent. They do not indicate by what means the agreement should be reached. Maybe the lack of reflection on the methods of reaching consensus as well as the fact that the civic dialogue – as a form of participatory democracy – does not necessarily need to lead to consensus among partners to the dialogue is one of the popularly neglected reasons of fundamental significance to its successful development.

Civic dialogue mechanisms in Poland do function and constitute its integral component. The civic dialogue is often referred to as a slogan by interested parties in social dialogue institutions well-rooted in the Polish reality. It constitutes a certain façade, but it remains absent in practice. Political and non-governmental elites do not have enough knowledge or experience when it comes to using mechanisms of dialogue. It seems that the government is more to blame, since it hosts the civic dialogue. Political and non-governmental elites are incapable of or unwilling to elaborate a coherent vision of the role and place of dialogue in the social reality, which makes it chaotic and weak (Schimaneck 2007: 44–52). The dialogue is treated superficially and instrumentally. There are not enough legal solutions and the existing ones are largely dependent on political and economic factors. The existing legal status is highly deficient, whereas proposed ethical solutions concerning dialogue management are not observed. Both civic dialogue institutions and civic dialogue in social dialogue institutions are poorly supported by legal regulations. The existing

legislation in this area is too vague, imprecise and at times unclear, which highly weakens dialogue and its institutions in the eyes of the government, civic partners and public opinion. Vagueness of regulations directly leads to arbitrary interpretation, sometimes completely disregarding the spirit of lawfulness, albeit in accordance with its letter, however blurred by the government. To a great extent these imperfections of the law result from the lack of a clear and precise vision of how civic dialogue institutions should function in Poland (Schimanek 2007: 50).

In practice, civic dialogue is hardly helpful in the implementation of public policies. It is an inefficient public governance instrument from the point of view of the improvement of the efficiency of public policy, accelerating the legislative process or enriching the public debate with postulates that are important for social partners (Falkowski, Grosse, Napiontek 2006: 99). The advantage of an inclusive social capital leads to a situation where the superficiality of dialogue is accompanied by the creation of networks of informal contacts between dialogue participants (Putnam 2009: 36). Currently, the dialogue depends highly on personal motivation and involvement of civic officers and members of civic organizations. Dialogue participants are convinced that they are necessary and morally right, despite the fact that they collide with procedures specifying the rules of participating in the dialogue⁵. It is a specific reaction to the excessive institutionalization of the third sector and the fortification of a bureaucratic style of collaboration (Schimanek 2007: 44–52). Such actions can be interpreted as a use of a defensive mechanism against a certain dehumanization of mutual relations. In small towns unofficial cooperation results from private contacts between members of non-governmental organizations and the public administration. Nevertheless, such relations are deemed beneficial for the collaboration itself (Niewiadomska-Guentzel 2008: 65; Makowski 2008: 36). On the other hand, though, they facilitate unfair competition and abuse, for example in the form of organizing competitions the results of which are known before they are announced. We are dealing with a similar phenomenon in the area of social dialogue. Juliusz Gardawski compared them to ‘by-passes’, manifesting themselves in the

⁵ Tomasz Schimanek writes about the existence of an alternative, non-institutional platform of civic dialogue, which took place in the form of meetings of the Parliamentary Team for cooperation with non-governmental organizations, initiated by the President of the Team, Marshal of the Senate, Bogdan Borusewicz. The author concludes: ‘Dialogue under the patronage of the Marshal Bogdan Borusewicz was highly necessary and is certainly worth continuing, although it breaks fossilized conventions and exceeds adopted definitions of civic dialogue, usually hosted by the executive authority’ (Schimanek 2007: 48). We can see a conflict here: the author undermines the validity of criteria for dialogue evaluation he uses himself.

failure to observe procedures and direct communication between representatives of the parties, breaking the rules of cooperation (Gardawski 2005: 246; Schimanek 2007: 20).

The dialogue has been extremely burdened with negative stereotypes and prejudices. Actual conditions and limited solutions of the initial problem cease to count and the dispute concentrates on finding those who are ‘guilty’ of the situation, transferring the responsibility onto a moral level. The culture of dialogue is characterized by a tendency to enter into a negative dialogue, conducted for the sake of social protest instead of looking for a compromise. The existing institutions and procedures do not facilitate looking for agreement and are often used to obstruct negotiations in a vested way (Fałkowski, Grosse, Napiontek 2006: 110). This results in the reinforcement of a negotiation strategy taken over from the area of political battle, consisting in striving to discredit dialogue partners. A conflict of interests transforms into a conflict of values. The battle is conducted to exclude partners from the public sphere and make them socially negligible (Hausner, Marody 2001: 114–144).

One of the reasons that hinders dialogue is the lack of basic knowledge on the forms and techniques of dialogue, which influences the attitude of partners and the results of talks. Parties lack expertise in conducting dialogue with authorities (Schimanek 2007: 51–56). Anchoring the civic dialogue in a political sphere, similarly as in the case of the social dialogue, influences the whole process (Fałkowski, Grosse, Napiontek 2006: 106). It is accompanied by the subordination of civic dialogue institutions by the government and manipulation of partners in order to legitimize own decisions (Schimanek 2007: 44–45). The government does not show any traces of a habit or tradition of cooperating with non-governmental organizations⁶. The case is similar with the local-government. Few organizations employ professionalists who are familiar with the processes of creating public policies. Such specialists are highly demanded in Poland. Oftentimes, when the government wishes to become familiar with non-governmental organizations’ opinions, the latter can barely afford full participation in consultations. Most non-governmental organizations are young structures with modest (or without any) resources, where the following opinions prevail: ‘changes in governments and the policy are constantly introduced from the

⁶ This view on civic dialogue in Poland was formulated by the authors of a report on the state of European dialogue in selected European Union Member States (Poland, Italy, Latvia, the Czech Republic, England and the Netherlands). See: Fazi, Smith 2006.

beginning, ... we have so much to do, therefore we will focus on domestic issues, but we will try to apply EU standards during the lobbying⁷.

Civic organizations do not receive appropriate support from the public administration. Moreover, they cannot successfully protect themselves from manipulation, thus react with mistrust or criticism or easily accept governmental proposals. This is a result of the lack of a sustainable strategy for constructive operation of non-governmental organizations that would be reflected in their ability to voice their own opinions independently of the government (Schimanek 2007: 46). The lack of experience in communicating with the public authority among non-governmental organizations is tightly related to their susceptibility to manipulation from the governmental administration. It consists in limiting access to reliable information or a complete lack thereof, which effectively obstructs the operation of non-governmental organizations. This situation is additionally made more acute by the financial dependence of the third sector on governmental subsidies. It seems that the government tries to take advantage of this relationship and the non-governmental organizations are inclined to accept it, bearing in mind their long-standing collaboration with the governmental administration where they have never been treated as an equal partner. Therefore, it is hard for them to criticize or disagree with governmental decisions (Schimanek 2007).

The social and civic dialogue use a corporate or neocorporate dialoguing model⁸. It facilitates articulating and protecting vested interests instead of looking for consensus and giving up certain postulates in the name of agreement for the common good. This is a corporate model of fighting for own interests, not a way to reach an agreement. In the case of civic partners, the battle of interests takes on gigantic proportions due to the abovementioned diversity of the non-governmental environment and the weakness of its mechanisms of selecting representatives. These experiences are not exclusively Polish; plenty of European Union Member States

⁷ Ibidem.

⁸ The Polish model of civic dialogue is often described as neocorporate. It fits into the framework of tender democracy where interests of various social groups are confronted to be later settled by the authority. Max Weber points at the representation of interest groups as one of the types of power. He describes them as representative bodies aimed at mitigating disputes through compromise. Nowadays, we are dealing with this phenomenon in the form of corporatism or neocorporatism as an intermediation of interests of particular groups that do not compete with one another but perform different functions. In democratic countries interest groups influence political decisions of the state and take part in the shaping of the public policy. Neocorporatism and social dialogue are tightly related to each other. Solutions used in neocorporatism are a vital component of social dialogue – a much broader institution.

and other countries where a corporate model is applied are in a similar situation. In all these countries similar problems related to representation, lengthy consultation processes and instrumental use of dialogue materialize, albeit with different force (Schimanek 2007: 44–56).

The civic dialogue at the central EU and Polish levels experiences comparable negative phenomena. Similarly as with the Community dialogue, the civic dialogue in Poland – apart from the institutional structure – includes numerous factors that limit the democratic form of the dialogue: both the EU and Poland lack a permanent (and previously formalized) dialogue structure; they lack sufficient legitimization of citizen organizations; both dialogue levels face unclarity of criteria for selecting hearing or consultation candidates. The Community and Polish civic dialogue is characterized by a meagre formalization and transparency level. Informal contacts between public officers and non-governmental organizations, which are perceived as a more efficient communication channel, take place. Phenomena fossilized in the European dialogue practice that hinder the efficient dialogue are also present in Polish civic dialogue. They are not an exclusive feature of civic dialogue in Poland. The phenomenon of ‘Europeanization’, as an import of Community ideology, brings about these unwanted features as well.

The Polish civic dialogue is dominated by actions oriented at meeting specific objectives, treated as a task to execute (Habermas 1999). Then individuals and communities treated as objects become manipulable. What counts in these actions is success. The space of dialogue is mostly a battlefield, instead of being a space for compromise and pact. In practice, there are numerous cases of manipulations, pretending or circumvention of unclear procedures. All these measures are there to enable each dialogue partners to gain individual profits. Communication in the form of a dialogue has lost its potential to democratically shape the public opinion.

It seems that as regards the social dialogue analysis, and in particular the civic dialogue, we are dealing with a situation where the emancipatory potential of criticism of human consciousness leads to sociological idealism (Gellner 1997: 85; Szczegółą 1999: 313). It assumes that the sources of limitations lie in the mind and systems of meanings that create the mind. The idea of consciousness emancipation contains a utopian pattern characteristic for the idea of false consciousness. So far we have not seen efficient solutions to the postmodern way of thinking, rooted in Hegelian philosophy (Szczegółą 1999: 313).

Institutional solutions adopted in Poland as well as theories, instruments and methods that describe and interpret them are usually imitative. As a result, we receive a hybrid conglomerate of institutional solutions imitating institutions that function

in the organizational structure of EU Member States. This structure and the way these institutions function are most often analysed by means of borrowed theoretical solutions present in the scientific writings of European or American sociologists. These considerations can be treated as one of the many examples of such inadequate answers. Both social and civic dialogue fail to bring about expected results. Since they do not meet their basic objectives, we can say that they permanently fuel a continuing institutional and intellectual crisis. So how are we supposed to reflect on intellectual mechanisms of shaping the reality, in order not to undermine socially binding versions and create the world that better suits human expectations and capabilities? It is hard to judge the reason (Szczegółą 1999). Are we dealing with a phenomenon of incommensurability of values in the Polish socio-economic, political and intellectual life? Incommensurability that causes a gigantic gap exemplified by the lack of a common measure, by simple incomparability, by impossibility to arrange, by tragic conflict and finally, the lack of a uniform decision-making scheme (Wojtczak 2010: 455). All told, there is an evident need to organize new dialogue.

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