

# Social Councils and Committees as (Not Quite) Present Actors in Local Decision-Making Processes

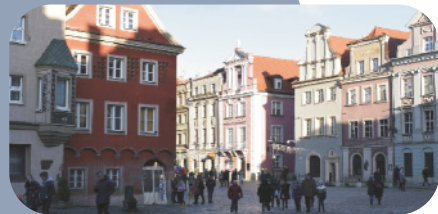
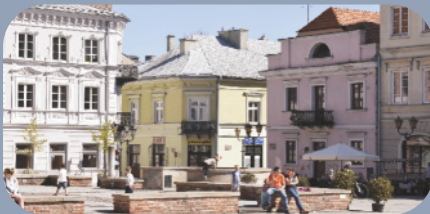
Agnieszka Pawłowska

Robert Kmiecik

Anna Kołomycew

Katarzyna Radzik-Maruszak

Paweł Antkowiak



Ministry of Science  
and Higher Education  
Republic of Poland



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as (Not Quite) Present Actors  
in Local Decision-Making Processes**

*In memory of Paweł,  
our dear friend and the co-author of this book,  
who tragically passed away*



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and Higher Education  
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Agnieszka Pawłowska

Robert Kmiecik

Anna Kołomycew

Katarzyna Radzik-Maruszak

Paweł Antkowiak

Translated by  
Bartosz Wójcik

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Reviewers:  
*Prof. dr hab. Jacek Sroka*  
*Prof. dr hab. Jacek Wojnicki*

Editing:  
*Marta Olasik*

Translation:  
*Bartosz Wójcik*

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*Katarzyna Juras*

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## Introduction

Social councils and committees (SCs)<sup>1</sup>, the topic of this volume, cannot yet be called a well-researched matter, and – whether in Poland or internationally – very few analyses have focused on them, or have done so in a more than fragmentary fashion (Fobé et al., 2013; Font et al., 2019; Schiffbeck, 2019). Although they constitute a challenging subject, among other things due to their sometimes non-obligatory character, term limits, the availability of members, and diversity, we believe they deserve academic interest as well as the attention of the public and the third sector. SCs have the potential to become an important actor of the local decision-making process. This thread was the crucial element of our research, whose aim was primarily to define the impact of SCs on decision-making, as well as to describe the character of these entities, which in our view show features of participatory and deliberative solutions. Another major objective of our research was to identify the advantages of the participation of these bodies in the local decision-making process as well as to indicate the factors that hinder or prevent their potential as the participants of this process.

The paucity of social-sciences scholarship examining councils and committees is reflected in the absence of commonly accepted terminology or concepts concerning these bodies. So far, scholarly interest has focused on the legal and institutional dimensions of the various SCs. In contrast, our intention is to induce these entities into academic discourse on grounds other than legal. What mattered to us was reaching beyond descriptions of the formal basis of the entities' formation and tasks, i.e. presenting their role in the local decision-making as well as outlining their role as stakeholders of this process. The absence of a firm reference point that would be provided by the existing research on social councils and committees in political science has, in fact, enabled us to stake out a new research area and propose new categories, which we hope will provide a foundation and a starting point for further research in this field in Poland.

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<sup>1</sup> With regard to the English literature on the subject in question, the commonly used terms for social councils and committees are: advisory councils, advisory committees, and advisory boards. In this book, we have decided to follow the original name of collegial bodies – *społeczne rady i komisje* (Pol.) – which were investigated by the authors in the course of their research.

The pioneering character of this study was a major challenge and as such it came in the form of mapping the SCs in Poland. In assigning them to a shared category of 'social councils and committees', we were motivated by the wish to avoid having to always list all eight types of entities analysed, as well as the desire to flag the differences between them. The entities we examined comprise youth councils, senior citizen councils, public benefit activities councils (councils of NGOs), labour market councils, councils for residents with disabilities, sports councils, order and security committees, and urban planning committees. Despite their shared features, all these bodies show much diversity in their number, composition, recruitment of members, scope of activities, mode of work, or relation to local authorities.

Terms such as 'non-public entities' [Pol. *podmioty niepubliczne*] or 'advisory bodies' [Pol. *cięża doradcze*] do not fully reflect the essence. The 'non-public entities' term would imply that these bodies are part of the social and/or private sectors, or are made up of representatives of these sectors. In fact, SCs we examine all function on the grounds of public law (they are all provided for by statute law, regardless of whether they are obligatory or optional under such law), are affiliated to public organs, and are formally established by these organs. Further, public authorities and representatives of public administration are, in fact, part of some of these bodies. Their remit and mode of operation is also overwhelmingly of a public character. Nonetheless, their members can represent various local stakeholders: public institutions, NGOs, private entities, social groups, residents. It should also be noted that, with the exception of urban planning committees<sup>2</sup>, participation in these entities is on a non-remunerated, non-professional basis. Therefore, when considering the membership of social councils and committees and the character of the work their members perform within them, one is at least partly justified to describe them as non-public.

We also believe that the description of the entities we examine as 'advisory bodies' is not entirely precise. Although the literature in English tends to describe similar bodies as advisory councils or advisory boards, these terms do not fully reflect the essence of social councils and committees. This notion implies that their activity is limited to providing opinions and advice, and while these functions are indeed crucial, there are other important elements, such as representation, initiative, developing civic

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<sup>2</sup> The remuneration of the members of urban-planning committees is defined in the regulations that provide the basis for the functioning of these bodies. Because they consist of experts, and because such a commission can be established for several units of local government, the remuneration is considered to be a compensation for the expenses incurred by having to physically travel to a meeting. As such, it does not constitute remuneration for proper work. Some rules of urban-planning committees provide for a separate remuneration for members preparing expert opinions, reports, studies, etc.

skills, or mediation between municipal authorities and the local community (transmitting knowledge, conveying needs or expectations).

The key criterion we used in the selection of social councils and committees was their basis in statute law, regardless of whether they are obligatory or optional under such law. We omitted councils and committees established on the basis of local law or a decision of local authorities (e.g. women's councils, economic councils), as this would have effectively precluded comparative research. The choice of social councils and committees was also influenced by the scope of their activities. We chose to focus exclusively on the entities that participate in the process of making decisions concerning the matters of the local community. We thus excluded those bodies which participate or take decisions solely or largely in individual matters, such as committees for alcohol-related problems or housing committees. Due to the large diversity of the entities examined – and, consequently, the vast array of issues within their remit – we chose to analyse activities such as initiating the decisions of local authorities, consulting drafts of local laws and planning or strategic documents, as well as other decisions concerning local communities, issuing opinions on planned actions by the authorities, or evaluating reports on actions already completed.

Another factor we considered in selecting SCs for examination was the decision-making level at which they are established. Some of these entities can function at all territorial levels, while others are restricted to specific levels of public administration defined by statute; further, establishing such entities in some territorial units is obligatory, while in others it is optional and depends on public authorities. The territorial unit where a given SC is established determines the scope of its activities as defined by the statute law. The greatest number of opportunities to form such bodies exists at the levels of the municipality (Pol. *gmina*) and the county (Pol. *powiat*); for this reason, we decided to focus on entities functioning in cities with county rights. This choice was motivated by the remit of these local governments (the tasks of the municipality and the county), the relatively large number of residents that translates into a higher likelihood of organisations and groups acting in the interests of residents, the number and variety of issues that need decisions of local authorities, and, finally, the economic and expert potential of cities of such a size.

The focus on social councils and committees is not only of an academic, but also of a practical nature. The presence of non-state actors in decision-making is now standard in local governance, and the various forms of civic participation are now part and parcel of local politics. Social councils and committees, thus far overlooked, require more attention from the academia as well as from practitioners. Our intention was to show the potential of these bodies, as they appear to be underestimated, even though they have been increasingly popular over the recent years when compared to other forms

of civic engagement. In fact, those apparently less attractive entities have been designed to last and are much better regulated by the provisions of law than the currently fashionable participatory solutions, which do not always lend themselves as useful in a given situation. Further, the fact that they are occasional in character turns them into a social (and often promotional) feature rather than a functional instrument useful in influencing public matters.

In terms of praxis, our research is intended to highlight the essence of social councils and committees as potential forms of civic engagement, which could turn out to be a useful instrument of influencing the decisions of local authorities, of articulating and representing the interests of local communities, and as a potential form of social control. Though underestimated, social councils and committees have the potential to become an important source of information for public authorities and a barometer of social opinions, allowing local decision-makers to adjust the direction of planned actions to the needs and expectations of local communities.

This volume presents the outcome of our research into social councils and committees, and we hope it will serve as a trigger and a reference point for further studies, including comparative research in an international perspective. Our objective is to outline selected aspects of social councils and committees, which, as we believe, afford an insight into the specificity of these entities. Chapter One presents the theoretical framework of our research. Social councils and committees show features typical of the mechanisms of participative democracy as well as – with regard to the mode of operations – those of deliberative democracy. The presence of these bodies in the processes of public governance and their relations with the public authorities justify the recourse to the theoretical models of participatory governance and deliberative governance. Social councils and committees should be treated as a distinctive form of civic engagement, a ‘democratic space’, whose construction evinces features characteristic of both these models of democracy (Cornwall, 2004; Cornwall & Coelho, 2007).

The paucity of research into the functioning of social councils and committees in European countries – and the presence of methodological disparities from the existing research – largely precludes comparative conclusions in our study. Nonetheless, Chapter Two refers to selected examples of states where there are entities similar to those we analyse. The choice of Belgium, Finland, and Spain was deliberate and motivated by our desire to show the universality of social councils, as they function in diverse systems of local governments. Indeed, these bodies are universal, although they differ in the circumstances in which they were established, their status as obligatory or optional, the modes of foundation, their relations with the decision-makers, or the scope of their competences.

In Chapter Three, we present the legal foundations of the eight kinds of social councils and committees we analyse. We outline the conditions

in which these entities were introduced into the legal order, as well as their remits. While all of the ACs that we examine are grounded in statutes, the legislation does not always specify how they ought to function. To present the differences between ACs of the same type, we draw on the provisions of the local law and bylaws regulating their functioning.

Chapter Four contains an extensive description of the methodology of our research. We believe that the novelty of the research needs more in-depth presentation, especially since social research is determined by unexpected events that are beyond the researchers' control and yet crucial to the research proceedings.

The three subsequent chapters present the results of the empirical research. Chapter Five expounds on the issue of the representation of local interests by social councils and committees. The analysis of these functions of social councils and committees appears all the more important as these functions are not directly prescribed by the statutes that regulate their activity. In Chapter Six, we examine the procedures of social councils and committees with recourse to the theoretical principles of deliberation, and we seek to verify their deliberative potential. To that end, we focus on selected aspects of social councils and committees, e.g. access to information and dissemination of information, the frequency of meetings, the allocation of time for discussion, the way of taking decisions, and the relations between the members.

In the final chapter, we attempt to gauge the impact of social councils and committees on the local decision-making. Although we were unable to reach an unambiguous conclusion, such as the one which our colleagues studying social councils and committees in Belgium or Spain drew (Alarcón & Rico Motos, 2019; Fobé et al., 2017; Font et al., 2014, 2019), we were able to identify the roles social councils and committees play in the different stages of the decision-making.

Our research has been part of the project titled *From Dialogue to Deliberation: Non-Public Actors as (Not Quite) Present Participants in the Local Decision-Making*, carried out within the 'Dialogue' programme of the Ministry of Science and Higher Education in Poland. The project also involved the dissemination of research outside the academia, the cooperation between academics, representatives of the public sector, and NGOs, as well as educating young people in the forms of civic engagement. Three academic centres have been involved in the project: the Institute of Political Science of the University of Rzeszów, the Faculty of Political Science and Journalism of the Adam Mickiewicz University in Poznań, and the Faculty of Political Science (currently the Faculty of Political Science and Journalism) of the Marie Curie-Skłodowska University in Lublin. The cooperation of these three academic centres from different parts of Poland has been crucial to the success of the research and dissemination of its outcomes, as well

as to the achievement of our practical goals, which include: spreading the knowledge on SCs among the general public; indicating the potential of these bodies; improving the effectiveness of the decision-making procedures where non-public actors are involved; educating young people about the mechanisms of civic engagement; and making the research available to decision-makers in the hope that they might come to appreciate its value and usefulness in the processes of public governance.

The results of our research were disseminated by means of workshops that we conducted between May and October 2019. The workshops were addressed to high-school and university students, representatives of local administration, SCs' members, representatives of informal social groups, and local residents. The workshops were conducted by academic staff from the three institutions involved in the projects, and were held in their home cities (Rzeszów, Poznań, Lublin) as well as their surrounding areas. Altogether, 300 students and pupils as well as 90 representatives of local government, NGOs, and local residents took place in the workshops. A detailed account of the workshops is available on the project Website (<http://www.dialog.ur.edu.pl/>), which also contains information on the research itself as well as other academic and non-academic events where the results were presented.

We hope that this volume, as well as other publications concerning the activity of social councils and committees, will be of use not only to academics, but also to representatives of local government and administration, informal groups, NGOs, as well as local communities. We set out with the intention to present social councils and committees to a broad audience, to awaken public interest in these institutions, and to show their potential. We would like this study to map out a new research area to explore, to define a point of departure for comparative research and criticism, but also to contribute to the inclusion of social councils and committees in the mainstream debate on the mechanisms of civic engagement.

*The Authors*

# The Theoretical Assumptions Behind Participatory and Deliberative Democracy

*Anna Kołomycew*

'Active citizenship', understood as the direct participation of citizens in shaping the political order, is – according to Held – an ideal that was long forgotten. Although at present the category of 'the citizen' has departed from the ancient model, as have the forms of participation in the public life, 'the rule by the people' remains the essence of democracy (Held, 2010, p. 1, 37). Nonetheless, the quest for the best model of democracy continues. Considering the research presented in this volume, it is essential to refer to the assumptions of participatory and deliberative democracy, as well as the principles of participatory and deliberative governance. Social councils, which we analyse, are a particular form of civic engagement, a specific 'democratic space', whose structure evinces the characteristics of both these models of democracy (see Cornwall, 2004; Cornwall & Coelho, 2007).

The literature on the theory of participatory and deliberative democracy, which has emerged in recent years, is so extensive and diverse as to render a comprehensive overview near-impossible. The existing scholarship notwithstanding, a growing interest in both the theory and practice of democracy is in evidence. Over the recent years, deliberative democracy has been a particular favourite among researchers, especially in the West. Our reference in this volume, limited to selected concepts elucidating those aspects that are relevant to the object of research, is, therefore, to be interpreted in the spirit of maximal brevity and the wish to avoid unnecessary repetitions.

## 1. Participation and the participatory turn

'Participation' is a term which can cover an array of phenomena and processes, and for this reason almost always needs to be specified, in particular with regard to the sphere and the forms in which it occurs (Florida, 2013). Nabatchi and Leighninger see public participation as encompassing a wide range of activities that allow the needs, interests, and values to be incorporated into the decision-making process and into

actions in the public sphere (Nabatchi, Ertinger, & Leighninger, 2015, pp. 6, 14; Nabatchi & Leighninger, 2015, p. 36; Vráblíková, 2016, pp. 1–2).

Participation is the complex idea of engaging citizens in public affairs in various forms and on various decision-making levels. Its forms range from those less involving, where citizens are solely recipients of information, to those that are more engaging and need preparation, such as active participation in a debate, expressing an opinion in a survey, taking part in focus groups, participating in the decision-making through representatives delegated to advisory bodies, and the direct involvement of individuals in the decision-making (using forms of direct democracy)<sup>1</sup> (Arnstein, 1969; Rowe & Frewer, 2004, p. 515).

The rule by the people, and the power of citizens to take decisions, was crucial in Arnstein's concept of citizen participation, as formulated in the late 1960s. For Arnstein, participation with no power-sharing between the decision-makers and the citizens was not real (Arnstein, 1969, pp. 216–217; see Roberts, 2004, p. 320). Arnstein's typology of political participation has become a classic of sorts which, over the decades, scholars have referred to and occasionally taken issue with (Connor, 1988), adding something or modifying it, depending on the research purpose (Burns et al., 1994; Collins & Ison, 2009, p. 36; Tritter & McCallum, 2006; see Wilcox, 1995). However, at present, Arnstein's understanding of participation, as well as her typology, has increasingly diverged from the reality on the ground. The more recent and broader understanding of participation notes the numerous values about civic engagement which are not connected to a direct access to power. These are, among others, informative, educational, integrational, and legitimating values. Further, participation fosters conditions conducive to the articulation of citizens' needs and allows solutions to social problems that utilise the potential of those involved (Collins & Ison, 2006; Nabatchi & Leighninger, 2015, pp. 31–36). The availability of solutions that enable citizen participation

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<sup>1</sup> The literature on the forms of participation includes a number of opinions on the impact of the various forms of participation on the decision-making process. Some scholars assert that the essence of participation is the involvement of citizens in deciding about public matters with results that are binding for the decision-makers (Nabatchi, 2012). It is this element that distinguishes participatory forms of engagement from deliberative ones (Florida, 2017; Gastil & Black, 2008; Lafont, 2015). Yet, in the broad sense of public participation, there is a wide array of forms of engagement which are not binding for the authorities but constitute an important source of information about social needs and expectations. Uziębło and Glejt-Uziębło (2018) describe these as semi-direct forms of democracy and distinguish between them and direct forms of democracy, which in turn include the participation of citizens in elections and referenda. As the authors further state, the former are forms that 'do not bestow on the local "sovereign" the right to take final decisions, but merely enable residents or groups to express their opinion while leaving the right to take binding decisions to public organs' (Glejt-Uziębło & Uziębło, 2018, p. 12).



in public matters (participatory infrastructure<sup>2</sup>) is a condition of the durability of public participation (Nabatchi & Leighninger, 2015, pp. 6, 14; see Vrábliková, 2016, pp. 1–2). The diversity of contemporary forms of participation necessitates their analysis as separate entities. It is difficult to use the umbrella term of ‘public participation’ when each instrument is typified by a distinct degree of involving citizens, and its use brings a different outcome. Among the numerous typologies of instruments of participation, it is worth highlighting the classification proposed by Nabatchi and Leighninger, who distinguish as follows: (a) thick participation, closest to deliberation in that it is based on small-group discussion and dialogue, and its limitation consists in the exclusive character of its mechanisms, which hinder some citizens from participating in public matters; (b) thin participation, individual in character, which is typically carried out over the Internet and requires much less involvement than forms of strong democracy; and (c) conventional participation, covering what the authors term ‘older’ forms of civic engagement, which are, in fact, forms of direct democracy, but also other, ‘non-electoral’ forms, such as meetings or hearings, which are structured, have an agenda, and usually serve to spread information on the actions by the authorities (Nabatchi & Leighninger, 2015, pp. 14–25; see Vrábliková, 2016, p. 2).

Any form of participation can be effective, but this is contingent on a number of variables, including: the character of participants, the way stakeholders communicate, the stage of the decision-making process at which the citizens are becoming involved, as well as the will of the decision-makers to involve the public opinion in the final version of their decisions (Fung, 2006, p. 66; see Rowe & Frewer, 2004). Of particular importance for the durability and efficiency of participatory solutions is the stance of the decision-makers and their treatment of citizens. Real participation, which is a means of strengthening democracy, requires citizens to be treated seriously by the authorities and relies on the principles of partnership, respect, and equality being preserved in the relations between these groups (Leighninger, 2006, pp. 1–2; Nabatchi & Leighninger, 2015, p. 26; Weymouth & Hartz-Karp, 2019, pp. 5–6). Nabatchi and Leighninger consider the public authorities to be responsible for preparing citizens for public participation, as they should provide essential information in a way that is accessible to the community, educate the community as to the methods and means of participation that are available, create an environment conducive to

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<sup>2</sup> Nabatchi and Leighninger use the term ‘participatory infrastructure’, but this is not limited to instruments of participation. Rather, it constitutes a much broader category, encompassing normative and procedural solutions as well as institutions, processes, and various forms of cooperation between stakeholders that support different opportunities for citizens to become involved in public matters and take part in problem-solving (Nabatchi & Leighninger, 2015, p. 6).

the citizens expressing their own opinions, ensure the freedom of choice, take into account the opinions of citizens in their decisions and thus ensure that these opinions matter, and encourage citizens to become involved by making forms of participation more attractive (Nabatchi & Leighninger, 2015, pp. 25–27).

The inclusion of participation instruments into the practice of public life creates an additional burden both for citizens and for the authorities. It cannot, however, be implemented solely in a top-down manner, since this could lead to citizens assuming it is a formal element of the decision-making, one which goes on independently of their participation. The essence of participatory democracy is to provide solutions that make it possible for citizens to be the main actors in the decision-making (Creighton, 2005, p. 27; Leighninger, 2006, pp. 45–47). The question over whether it is worth involving them has continually been asked by scholars, typically in the context of evaluating the effectiveness of participation (Bobbio, 2019; Irvin & Stansbury, 2004). Let us, therefore, look at the advantages of implementing participatory solutions.

In identifying some of the expected (positive) outcomes of citizen involvement in public affairs, one ought to consider the diversity of the forms of public participation (Bherer & Breux, 2012). According to Nabatchi and Leighninger, positive outcomes of participation include the strengthening of relations between members of local communities and an enhanced sense of community. These, in turn, can translate into the greater attachment of citizens to the local community and territorial unit, engender a greater sense of security, and have a positive impact on social relations formed in the course of joint activities related to public matters (Leighninger, 2006, p. 41; Nabatchi & Leighninger, 2015, pp. 30–31; van Empel, 2008). The practice of public engagement allows citizens to better understand the essence of public matters and to acquire the competences essential to taking part in the public life, such as the ability to argue a point, express opinions, or analyse data and information (Irvin & Stansbury, 2004, p. 3). Participation is conducive to exchanging information and combining the knowledge of various stakeholders involved (Poppe et al., 2018, pp. 437–438). Involving citizens in the public life enhances people's empowerment and ability to make a real impact. It can also limit or even eliminate social conflicts and support authorities in the process of creating public policies, especially of the kind that involve a range of problems, often unsolvable ones, or of the kind that the authorities have incomplete knowledge about (Fagotto & Fung, 2009; Irvin & Stansbury, 2004, pp. 5–6; Leighninger, 2006; Uittenbroek et al., 2019, p. 2531). Other potential advantages of implementing participatory approaches include, according to Nabatchi and Leighninger, compromise arrangements for controversial public matters, encouraging the local community to resolve problems independently, triggering the creativity

of citizens, the emerging social leaders, and establishing and strengthening cooperation between non-public actors, all of which can subsequently facilitate the local problem resolution (Creighton, 2005, pp. 18–20; Nabatchi & Leighninger, 2015, pp. 33–36).

For a number of years, there was essentially no critique of participation. The affirmation of participatory mechanisms was evident, according to Irvin and Stansbury, not only in the US, the home of participatory democracy, but also worldwide (see Bobbio, 2019, pp. 41–42; Irvin & Stansbury, 2004, p. 2). This was because it was difficult to criticise citizen participation in public matters without running the risk of criticising the very idea of democracy<sup>3</sup>, for participation is crucial for the growth and strength of democracy (see e.g. Bullock, 2014, p. 25; Carreira et al., 2016; A. Michels & De Graaf, 2010; A.M.B. Michels, 2006).

The idea of participatory democracy was born out of social activities in the early 1960s. In the years that followed, the concept that grew out of the praxis of public life was supplemented with a theoretical basis, while the subsequent decades led to the institutionalisation of the various forms of participatory democracy (Florida, 2017, p. 15; Mansbridge, 1983; Pateman, 1970). Much of the groundwork of the theory of participatory democracy was laid by Pateman, who is considered its precursor<sup>4</sup> (see J. Mansbridge, 2008, p. 20; Phillips et al., 2010, p. 815; A. Ryan, 2008, p. 165). Her concept of participatory democracy was rooted in the critique of the elitist approach which was dominant at the time, in which citizen participation led to the instability of government or even constituted a threat to the durability of democracy (Pateman, 1970, pp. 2, 10–11).

In Pateman's approach, the crucial elements of participation include the involvement of citizens in taking binding decisions as well as the assumption about the equality of the actors involved in the decision-making. In retrospect, both presumptions appear idealistic. An important weakness of Pateman's approach was the dearth of precisely described instruments, mechanisms, and other forms of citizen involvement (Florida, 2017, pp. 36–38)<sup>5</sup>.

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<sup>3</sup> Various ideas of citizen participation in the public sphere are increasingly coming under criticism, to the extent that some scholars refer to the tyranny of participation (e.g. Cooke & Kothari, 2001; Osmani, 2008; see Pollock & Sharp, 2012; Williams, 2004).

<sup>4</sup> Two of Pateman's publications on participatory democracy are crucial here. One is *Participation and Democratic Theory*, in which the author presents the theoretical assumptions of the new model of democracy. The other one is *Participatory Democracy Revisited*, published in 2012, in which she refers to the growing popularity of deliberative democracy (with participatory democracy often absent from mainstream research), pointing to its convergences with participatory democracy as well as to their limitations, similar for both these models (Pateman, 2012).

<sup>5</sup> When revising principles of participatory democracy in the light of the increasing popularity of deliberative democracy, Pateman herself stated that her concept was an attempt to find a 'realistic' theory of democracy (Pateman, 2012, p. 7). At the same time,

Criticised from the outset and considered utopian by some academics, the concept of participatory democracy largely defined the direction of democracy studies for the four subsequent decades, giving rise to various experiments and solutions grounded in citizen participation, as well as becoming an important element of good governance (Bherer et al., 2016, p. 225; EU, 2001; Poto & Fornabaio, 2017, pp. 145–148; United Nations, 2009).

## **2. *Participatory governance* – a new model of governance with the participation of citizens**

With the increasing number of public tasks, the growing complexity of the needs expressed by the local communities, and the multifaceted character of the public domain, searching new ideas for effective public governance and the provision of the public services were becoming necessary. Citizen involvement in the public sphere became a matter of interest for those in power, who advocated for some top-down participatory solutions (Irvin & Stansbury, 2004). The growing awareness of citizens and willingness to influence the decisions made or to co-decide about the ways of implementing public tasks was also significant (Bevir, 2010; Fischer, 2006; Salamon et al., 2003; Verhoeven & Duyvendak, 2017). Although the desire to influence the shape of the public sphere does not necessarily mean that citizens are directly involved in public affairs, they did, nonetheless, want their voice to be heard (Geissel, 2009; Irvin & Stansbury, 2004). The need to have an impact on the decisions being taken stemmed also from a lack of trust in representative democracy. Citizens increasingly felt deceived and unable to exercise control over decision-makers or influence issues that affect their lives (Wampler, 2012).

Participatory governance, which has gained popularity in recent decades, is based on the theory of participatory democracy (Fischer, 2012, p. 457). As with other models of governance, the proliferation of participatory governance has been supported by the international institutions such as the World Bank, the United Nations' agencies, and the European Union,

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not giving in to the 'deliberative democracy trend', Pateman, unlike some other scholars, opposed the equating of the two models. She saw the need to distinguish between them, since 'deliberation, discussion and debate are crucial for any form of democracy, including participatory democracy, but if deliberation is necessary for democracy, it is not sufficient' (Pateman, 2012, p. 8). She believed the imprecisely defined objective of action to be an important limitation of deliberation when compared to participation. In participation, the objective was to take part in the decision-making, while deliberation, in Pateman's view, could have other goals: consensus, participation in decision-making, or changing the decision of an individual under the influence of other participants of the deliberation.

which saw the approach as a mechanism that worked to mitigate the deficits of representative democracy (Bevir, 2010, pp. 93–94; Holland, 2013; United Nations, 2006; Wetzel, 2011). An important factor of participatory governance is the active participation of various actors (individual and collective, both formalised and informal) in decision-making. But, as Fischer points out, the approach goes beyond the role of a voter or an activist gathered within a watchdog organisation. Also, civic participation must not be limited to obtaining information on the activities of public authorities or to consulting matters directly relevant to citizens (Chhotray & Stoker, 2009; Fischer, 2012, p. 458).

Wampler points out that participatory governance is a unique state-sanctioned approach in which citizens take part both by contributing their opinions and by taking part in decision-making (i.e. ‘voice and vote’). Their involvement results in shaping public policies that have a significant impact on citizens’ lives (Wampler, 2012; Wampler & McNulty, 2011, p. 6). The participation of citizens at all stages of the decision-making distinguishes participatory governance from other forms of governance based on direct or deliberative democracy. It is not limited to an occasional voting, nor to participation in a debate which is not necessarily reflected in the final decision of the appointed representatives. Beyond the possibility to participate and provide their opinion on a given matter, participatory governance imposes a duty on citizens to take responsibility for the decisions they have taken (see Bowler & Donovan, 2002; Fishkin, 1991; Wampler, 2012).

In turn, Vasudha Chhotray and Gerry Stoker consider participatory governance to be a practical approach to a new dimension of public governance, shifting from inefficient government towards greater participation of social and private sector in decision-making. Chhotray and Stoker define this approach as a system of institutions and processes, whether formal or informal, which fosters the cooperation between the state and a wide range of stakeholders who may be affected by public decisions (Chhotray & Stoker, 2009, p. 165).

The popularity of participatory governance, in particular in Latin America and in Eastern Europe, resulted from the disappointment of societies with the decentralisation processes of the last decades of the 20th century (a consequence of the so-called third wave of democratisation). The support for this approach by academics, politicians, and social activists alike was supposed to heal the “lame-duck” representative democracy. It was believed that new mechanisms based on dialogue and consensus-building, allowing for direct involvement of citizens in decision-making, will address the existing problems and improve the system of public service delivery, as well as introduce greater transparency and allocate resources at the disposal of stakeholders (Nickson, 2011; Smoke, 2015; Wampler & McNulty, 2011, p. 7).

In practice, the implementation of participatory governance necessitates a host of changes, including new relations between authorities and non-public actors, agreeing on areas of participation, and defining the rules of cooperation, as well as creating the conditions for citizen involvement (Cornwall, 2002). The approach also alters the roles of public and non-public actors, and modifies the nature of local leadership (Gaventa, 2004; Taylor, 2003). In theory, civic participation means that public authorities at least partly lose their dominant position as the decision-maker. It also enforces the transparency of actions. Public authorities become the organiser of the entire decision-making rather than being the only decision-maker. In turn, for non-public actors, participation in decision-making – according to the participatory governance assumptions – also implies responsibility and even involvement in the implementation of the adopted decisions (Radzik-Maruszak & Pawłowska, 2017; Torfing et al., 2012).

The growing popularity of participatory governance over the last decades does not mean that the approach has no shortcomings, though. It has come under increasing criticism from academics who have cast doubt on whether it indeed contributes to the strengthening of democracy (Geissel, 2009; Papadopoulos, 2003). It is worth emphasising that the effectiveness of participatory governance, as well as of the individual instruments of participation, depends on the local conditions (Fung, 2006). The adaptation of specific solutions under conditions that appear similar may not prove effective, since the results of participatory instruments implementation depend on: (a) the political interests of government officials; (b) the condition of civic society; (c) the institutionalised rules of cooperation; (d) the resources available; (e) the local political system; and (f) interactions between public authorities (Wampler & McNulty, 2011, p. 9).

The effectiveness of participatory governance may also be diminished, as both Geissel and Papadopoulos point out, by the domination of decision-making by specific groups or elites (Geissel, 2009; Papadopoulos, 2003). Another shortcoming of the approach might be about citizens being uninformed or not conversant with public matters, and a lack of experience in using various forms of direct democracy. These prevent engagement and participation in deciding about public matters (Fischer, 2012, p. 459; Fung, 2015, p. 521). Another factor, brought up by Wälti, Kübler, and Papadopoulos alike, is the 'extraction' of certain issues from the public sphere, leaving them to be decided via technocratic decision-making, which results in both the authorities and ordinary citizens losing control over such issues (see Hunold, 2001; Wälti et al., 2004). A disadvantage of participatory governance is also the weak applicability of certain solutions due to their contingency on local conditions. The posited inclusive character of this type of governance is also doubtful. Archon Fung claims that public participation – particularly representatives of excluded or marginalised groups – depends on the

political setting more than on the design of participatory instruments. In the author's opinion, also other models of governance created conditions for citizens' participation, albeit to a lesser extent (Denters & Klok, 2010; Fung, 2004, 2015).

### 3. Shifting from participation to deliberation. Did the nature of participation actually change?

The lack of trust in representative democracy as well as a low degree of interest in the forms of participatory democracy led academics, politicians, and social activists to search for new solutions. According to Pateman, the gradual loss of the popularity of participatory mechanisms did not mean completely abandoning the ideals of participatory democracy. Instead, deliberation-based solutions came to be considered as more pragmatic and better-suited to the challenges of the late 20th century, though elements of participatory democracy were preserved (Pateman, 2012, pp. 7–8). Some academics clearly distinguish between deliberation and participation (Bessette, 1980; Cohen, 2009, pp. 256–259; Grygieńć, 2017; Mutz, 2006), while some find them equal (Gutmann & Thompson, 2009). However, a growing number of scholars distinguish between these categories depending on the research purpose, topic, and the research context (Johnson & Gastil, 2015, p. 2). Aware of the differences between participation and deliberation, some scholars choose a 'compromise' solution, using the compound adjective 'participatory-deliberative' to refer to processes (Bua & Escobar, 2018), institutions, practices, norms (Cini & Felicetti, 2018), or the governance model (Czepczyński, 2016; Pietrzyk-Reeves, 2006, pp. 43–45), assuming the engagement of citizens in the public sphere.

The distinction between participation and deliberation has been elucidated by Bobbio, who points out that in general both approaches rely on the involvement of citizens in public matters. However, the choice of the approach depends on the specific qualities of the problem to be solved and on the expected results. According to Bobbio, participation is more firmly grounded in politics. Citizen participation implies pressure on decision-makers and the relations take place between two parties, i.e. those who govern and those who are governed. In turn, deliberation is, according to Bobbio, 'more philosophical'. Public choice is the result of rational discussion, whose participants are representatives of diverse groups and milieus, often in conflict with one another. The final solution results from a rational discussion among representatives of various groups and communities. At the same time, although the two approaches have much in common, mass participation excludes deliberation, and effective deliberation imposes limitations on people's participation, since it cannot be universal (Bobbio, 2019).

The popularity of deliberative democracy, both as a field of research and as a practice of public life, have several justifications (Dryzek, 2010; Fishkin & Mansbridge, 2017; Setälä, 2017; Metze 2010). The deliberative arrangements responded to the shortcomings of representative democracy, in which citizens gradually lost trust, believing that their voices were not heard. Compared to the mechanisms of participatory democracy, deliberation appeared 'easier' and less burdensome for citizens, who are not always willing to directly engage in public matters or participate in making and implementing decisions. Deliberation created conditions for being heard, better informed, and aware of activities concerning the public sphere, though it required specific competences. Thus, it combined the advantages of direct forms of engagement with those of a representative nature (Pötz, 2010, p. 110). The concepts of deliberation overlooked two important and often contentious elements of participation, namely equality and division of power. Deliberation was reduced to a matter-of-fact debate between equal actors, which concerned the common good and which sought to achieve consensus (Abelson et al., 2003, p. 241). Deliberation spaces also reduced the distance between governments and citizens, assuming an open debate with the intention to improve the processes of governance (Antlöv & Wetterberg, 2011, p. 2; Hendriks, 2009).

The popularity of deliberative democracy, according to Pateman, results not only from its usefulness and accessibility, but primarily from the emphasis on research in this area – evident since the 1990s – and the promotion of various deliberative formats. Pateman is critical of the theoretical potential of deliberative democracy, considering it to be a strand, an approach, or a political theory-led enterprise rather than a fully-fledged political theory (Elstub et al., 2016, p. 140; Neblo, 2007, p. 530; Pateman, 2012, p. 8; Pietrzyk-Reeves, 2006, p. 45). Pateman is not critical of deliberation itself, or the principles of deliberative democracy, but, rather, the "opportunism" of the academic community and the following of "fashionable" themes, which is evidenced by the number of publications in this field (Elstub et al., 2016; Gastil, 2000; Neblo et al., 2010, pp. 1–2; Parkinson, 2004, p. 149; Pateman, 2012). In Chambers' view, the popularity of the theoretical principles of deliberative democracy encouraged academics to pay heed to the practical dimension of its application in the form of what is collectively known as 'mini-publics' and other arrangements based on deliberation and debate. At the same time, the trend turned scholarly attention away from traditional forms of civic participation, such as voting (Chambers, 2012; Grönlund et al., 2014, p. 3).

Compared to participatory democracy, which was developing for over four decades, deliberative democracy grew popular over a much shorter time (Dryzek, 2010, p. 4; Fishkin & Mansbridge, 2017; Hendriks, 2009, p. 175). One charge against deliberative democracy, put forward by Pateman and other authors (cf. Chappell, 2008), is its artificial promotion without a clearly



signalled social need. This is in contrast to participatory democracy, which arose from bottom-up initiatives and social movements, later institutionalised (Fung & Wright, 2001, 2003; Landry & Angeles, 2011; Pateman, 2012, p. 10).

#### 4. *Deliberative governance* – deliberation as an instrument of governance

The deliberative governance model assumes the existence of space in which various actors, including representatives of public institutions, social groups, activists, social organisations, and individual citizens can meet and discuss important public issues that require the implementation of the right activities (Hendriks, 2009, p. 173; Nabatchi & Amsler, 2014). As Dryzek points out, deliberation does not consist in aggregating the opinions of all participants in a debate. Instead, deliberation is the process of formulating judgments and preferences under the influence of other persons; these judgments and preferences can then be altered in the course of substantial dialogue grounded in information and the mutual respect of the participants (Dryzek, 2010, p. 3). It is a process that assumes the ‘weighing’ of opposing, contradictory, and competing fact-based arguments and information (Fishkin & Mansbridge, 2017). The essence of deliberative governance is removing the arbitrariness and the domination of the public sector from decision-making processes in favour of decisions taken jointly by the concerned subjects (Cohen & Rogers, 1992, p. 242). This approach aims to ensure the rationality and fairness of decisions, prevent groups from focusing on their own interests, and facilitate civic and social competences of non-public actors involved in the process (Bohman, 1996; Curato et al., 2017; Hendriks, 2009, p. 175).

Such deliberative space can come in various forms: from loose networks initiated by citizens to long-lasting agreements, such as collaborative dialogues, neighbourhood councils or partnerships (Fung & Wright, 2001, p. 7; Hajer, 2003), or highly structured and formalised solutions such as citizens’ juries or consensus conferences (see Escobar & Elstub, 2017; Gastil, 2008; Hendriks, 2005). An important issue in the research on deliberative democracy is deliberative forms created on the local level (micro-level), such as the microcosm or mini-publics (Chambers, 2012; M. Ryan & Smith, 2014; Warren, 2007). The existing arrangements are strongly differentiated depending on the context. Yet, they share the feature of assembling citizens (recruited in diverse ways to ensure the representation of particular social groups) to discuss public issues in accordance with the principles for each deliberative form (Escobar & Elstub, 2017; Fung, 2003b, 2015; Nabatchi & Amsler, 2014; M. Ryan & Smith, 2014; Setälä, 2011).

At present, theoreticians of deliberative democracy (the so-called fourth generation of deliberative democracy theory<sup>6</sup>) emphasise the systemic character of deliberation (Bohman, 2012; Elstub et al., 2016; Papadopoulos, 2012; Parkinson & Mansbridge, 2012), gradually departing from a focus on the institutional dimension of the specific deliberative spaces (forms), incapable of meeting the overarching goal of deliberation, which is the improvement of democracy (Parkinson, 2012, p. 170). Deliberation cannot be a one-off project or a social event. Each form of deliberation constitutes an element of the political system, which is primarily based on a network of various actors (Dryzek, 2010; Elstub et al., 2016, p. 139).

On the one hand, the objectives of deliberative governance coincide with that of traditional participatory mechanisms (e.g. ensuring legitimacy). On the other hand, for deliberative government, it is essential to merge the knowledge of public authorities and administration ('governing elites') with the citizens' knowledge. Furthermore, deliberative procedures involving representatives of various social groups provide access to the knowledge and information of the community. (Hendriks, 2009, p. 173). The additional advantage of deliberative governance is the possibility of raising mutual awareness of participants, sharing and revising information, reasoning, and persuading (Gastil, 2008; Metze, 2010, p. 25).

## 5. Participatory or deliberative? Searching for the nature of social councils and committees (SCs)

SCs, which have an advisory function in local authorities, have been a scarcely recognised research area to date. Some publications concerning SCs were published by Joan Font and his team in respect of the selected territorial units in Spain and Italy (Alarcón & Font, 2014; Font et al., 2019). Occasionally emerging publications focused on particular types of councils, e.g. dealing with the medical issues, spatial planning (Scales, 1997; Schroeder, 2017; Silverman, 2003) or education (Rhodes et al., 2018). Limited and fragmented studies on SCs make the results hard to compare, especially

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<sup>6</sup> First-generation deliberative democracy theories focused on the normative dimension of deliberation (e.g. Habermas, Cohen, Dryzek). Second-generation theories examined consensus as the result of a rational debate of diverse actors, and analysed the communicative dimension of deliberation (Dryzek, 2000; Young, 1996). The third generation focused on institutional solutions that create conditions conducive to the participation of citizens in public life and for deliberation. This strand devised the principles for the formation and functioning of such deliberative practices as citizens' juries, planning cells, consensus conferences or participatory budgets, which should at present be regarded as collective categories/umbrella terms rather than individual forms of deliberation. Representatives of this strand include Fishkin, Fung, Elstub, Setälä, Bächtiger et al. (for more, see Elstub et al., 2016, pp. 141–143).

since they operate on different decision-making levels and in different social, political, and legal contexts. An important problem is also grounding these entities in a specific theoretical framework, as they are typically analysed as part of case studies with no reference to such frameworks.

We believe that the theoretical assumptions of participatory and deliberate democracy – and of participatory and deliberative governance – presented in this chapter constitute an appropriate theoretical framework for the analysis of SCs. Nonetheless, some clarifying remarks are necessary, given that the theories of both participatory and deliberative democracy are not uniform; on the contrary, they feature a strong divergence and emphasise distinct aspects of civic involvement in the public life (Florida, 2013, pp. 4–6). Further, especially in the case of deliberative democracy, there are doubts as to its status as a fully-fledged scientific theory (see Elstub et al., 2016, p. 140; Neblo, 2007, p. 530; Pateman, 2012, p. 8; Pietrzyk-Reeves, 2006, p. 45).

Font and Alarcón, who investigated social councils in Europe, seeking to place them within a relevant theoretical framework, saw limitations that did not allow them to anchor the councils directly in either the participatory or the deliberative approach. The authors argue that a significant problem is the difference in understanding participation and deliberation between (Southern<sup>7</sup>) Europe on the one hand and the United States and other Anglo-Saxon countries on the other. They point out that the recent decades have been marked by the domination of deliberation research as well as by the practice of public life, influenced by deliberative arrangements (Alarcón & Font, 2014; Min, 2014). In Europe, however, deliberation is considered part of broadly defined participation and, in fact, is one of the forms of citizen involvement in the public life. Font and Alarcón themselves concede that public deliberation is not a term that fully reflects the reality of practices existing in European countries. Nonetheless, for the sake of sustaining common academic discourse, they retain the term ‘deliberative practices’ (Alarcón & Font, 2014, p. 1). They postulate that specific assumptions concerning both the terminology and the subject of deliberation should be made for the sake of the international academic discourse. Even though, according to Font and Alarcón, deliberative research is now carried out in many of scientific centres across Europe, the influence of the English-speaking world remains strong<sup>8</sup>. First and foremost, as Font and Alarcón point

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<sup>7</sup> Font and Alarcón analysed social councils in selected regions of Spain and Italy. Accordingly, they focused on the differences between the understanding of deliberation in the English-speaking world and its interpretation in the two Southern European countries (Alarcón & Font, 2014; Font et al., 2019; Font & Navarro, 2013).

<sup>8</sup> The authors point out that deliberation research is predominantly conducted in France, Denmark, Finland, and Iceland. In each of these countries, the development of deliberative practices has been contingent on other determinants (Alarcón & Font, 2014, p. 2). At present, deliberative research has increasingly analysed countries of East-Central

out, the idea of creating deliberative arrangements in (Southern) Europe had no bottom-up character, but was inspired by a top-down approach and was thus implemented by governing bodies (Alarcón & Font, 2014, p. 3).

Another difference is the attitude towards the equity and diversity of those involved in deliberative practices. Font and Alarcón refer to research by Lee, who finds equity and diversity to be the crucial and the most contentious elements of deliberation as emphasised today. At the same time, the practices being implemented – which seek to ensure that members of various marginalised communities have the possibility to participate in deliberative arrangements – lead to a greater diversity among the members of deliberative bodies than what is the case with average groups of voters (Lee, 2011, pp. 14–15). In the United States, the diversity of those who participate in deliberative practices appears to be tantamount to two key dimensions, namely gender and race. In contrast, the European approach to deliberation stresses the differences between participants resulting from the entity they represent, their material status, their social status, and their communicative competences (Bobbio, 2019, pp. 43–44).

Another aspect that, according to Font and Alarcón, distinguishes the European approaches from the American/Anglo-Saxon ones is the significance of deliberation in the decision-making. In American practices, the result of deliberation does not need to have a direct bearing on the decision-making (Goodin & Dryzek, 2006, p. 222; Solomon & Abelson, 2012). In contrast, in European countries there is an expectation that any forms of civic engagement will have an impact on public decisions. A lack of such a direct impact leads to lower levels of civic engagement and the gradual withdrawal of citizens from the public life (Alarcón & Font, 2014, p. 4; Nabatchi, 2012; Sintomer et al., 2016).

Taking into account the above-mentioned divergences, Font and Alarcón find out that ‘deliberative practices’ is a term that can describe any organised forms of including citizens in the public debate or local decision-making as long as they are acknowledged by public institutions. They accept the possibility of a bottom-up formation of deliberative bodies, but these are rare in Europe (especially in Southern Europe) due to the different conditions and practices of forming democratic systems, developing the non-governmental sector, and including citizens in public matters. Their description of advisory councils (which they analysed) as deliberative subjects also requires the acknowledgment of the (European) context, which determines both the way deliberation is defined and the practice of implementing the formats of deliberative democracy (Alarcón & Font, 2014, p. 5).

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Europe, including Poland. Yet, this research largely focuses on deliberation within political institutions, or in the context of innovation and social experiments (Gherghina et al., 2019; Krzewińska, 2016; Przybylska & Siu, 2015; Siu & Przybylska, 2010; Suteu, 2019; Sześciło, 2015).

The issue of grounding advisory councils in a specific theoretical framework, evident in Font and Alarcón, is a problem that we recognise. We consciously avoid an unequivocal description of social councils and committees as instruments typical of participatory or deliberative governance. Although the investigated SCs have features typical of participatory as well as deliberative solutions, it must be stressed that the two approaches show important differences, including those pertaining to crucial issues, such as the scale of participation (the number of members and the way they are recruited), the phase of social actors' involvement in decision-making, the way the SCs come to a decision, the possibility to influence decisions concerning public matters, and the relations between SCs and public authorities. Considering SCs as participatory and deliberative actors necessitates not only taking into account the context of the research, but also its aim. The present study focuses primarily on the organisation and functioning of the SCs, especially on aspects such as their establishment, the way their members are recruited, the course of their discussions, the methods in which they come to decisions and form opinions, and their relations with public authorities. In analysing these issues, we have been able to pinpoint a number of elements of SCs which are consistent with the principles of deliberative democracy (see Chapter Six). Nonetheless, these entities can also be treated as a form of public participation which involve – as they do – citizens who wish to impact the development processes of territorial units and shape public policies. This element cannot be overlooked, for both participation and civic engagement are the foundation of deliberation.

# Social Councils and Committees: The European Experience

Katarzyna Radzik-Maruszak

## 1. Introduction

The 20th century saw a transformation with regard to socio-political participation. In the early 1900s, citizens of many European countries, regardless of their gender, affluence, and education, were granted franchise. Thus, representative democracy organically became the foundation of the decision process. This state of affairs lasted till the mid-20th century, when the practice of political representation was becoming increasingly criticised (Urbinati & Warren, 2008), while the participatory framework was being steadily furnished with new tools (Font & Navarro, 2013).

The first tendency made its presence known in Europe, among others, in France and in the United Kingdom as well as outside of the European continent, e.g. in the United States of America (cf. Barber, 2003; Gould, 1988; Pateman, 1970, p. 1; Quick & Bryson, 2016, p. 159; cf. Radzik-Maruszak, 2019, p. 221). It was in the USA that the attention was drawn to the fact that real power was wielded by the elites, while numerous social groups were disenfranchised and absolutely excluded from decision-making. In the late 1960s, US researcher Sherry R. Arnstein posited her theory of eight-rung ladder of citizen participation, analysing the relationship between the authorities and citizens, including the range of influence of the former on the latter (Arnstein, 1969). Her typology distinguishes three principal levels of relationship: 1) *non-participation*, which lacks genuine civic engagement, despite the presence of some participatory tools; 2) *tokenism*, which is typified by a wider range of participatory tools, although these are still of superficial nature; and 3) *citizen power*, which involves the real-life devolution of power and inclusion of citizens into decision-making.

By contrast, the second tendency began to be widely noticed in the 1970s. With the rise in popularity of New Public Management (NPM), citizens started to be perceived as clients of public administration, including the local one. In numerous countries, the NPM paradigm not

only changed the mode of provision of public services, but it radically re-modelled the participatory toolkit as well. Following in the footsteps of private entities, local governments began to implement such methods and techniques of civic engagement that would enable them to better understand the needs and wishes of citizens, including complaints and suggestion schemes, service satisfaction surveys, and other opinion polls. As time marched on and technologies developed, many European administrations opted to implement more innovative methods, such as interactive websites, citizens' panels, and focus groups (Radzik-Maruszak, 2019, pp. 221–228). Importantly, however, the NPM impressed the importance of application of such methods of civic engagement that would yield maximum information, but that would also simultaneously leave key decisions in the hands of local authorities.

The 1990s saw yet another transformation of the relations between the authorities and citizens. Gradually, with a shift from the NPM template ensuing relatively traditional governing towards a more participatory-oriented governance, the idea of a wider inclusion of citizens in decision-making was also gaining currency. This also gave rise to a direct correlation between the functioning of public administration, including the local government. The participatory tools that were already in use at the local level ceased to be exclusively treated as a complement to national democracy; instead, they began to be perceived as a vital contribution to the development of civic society. In consequence, this led to the re-modelling of the relationship between central and local authorities, to the implementation of a series of practical activities, and, above all, to the introduction of new methods and tools of civic engagement, including such that either enable the citizens to have real-life influence on what is happening in their surroundings or treat them as "experts" whose voice is more than important in decision-making (Radzik-Maruszak, 2019, p. 225; see Smith, 2005; cf. Hartley & Torfing, 2016; Sørensen & Torfing, 2011). The former are exemplified by institutions such as participatory budgeting or local initiative, while examples of the latter include social councils and committees as well as citizens' panels, which are organised by local governments.

Social councils and committees are bodies that gather representatives of citizens, but they also represent social, organisational, and institutional interests in decision-making. To a considerable degree, members of such bodies are selected out of residents who are typified by distinct features, such as age (adolescents, the elderly), special needs (people with disabilities, the unwaged), or by kinds of activities they undertake (athletes, entrepreneurs). The activities of councils and committees are tightly fused with the activities of public administration bodies (central, regional, local) as well as with their tasks and competences (Pawłowska & Kołomycew, 2019). Councils and committees are already present in numerous European countries, e.g. the

Czech Republic<sup>1</sup>, Denmark (Boon, 2000; Schulte, 1999), France<sup>2</sup>, Ireland (Forde & Martin, 2016; Keeley, 2002), and Norway (Andersen, 2016).

The aim of the chapter herein is to analyse the functioning of councils and committees in selected European countries, namely Finland, Belgium, and Spain, whose activities present contrasting examples. Finland is an example of a unitary state whose functioning is based on a welfare state model. There, the establishment of councils, which are sometimes labelled “user councils/boards”, takes place primarily on the initiative of central or local authorities. Increasing the quality of the public services provided constitutes the core role of such councils, whose establishment is often obligatory, while their mode of functioning is fairly uniform.

Belgium is an instance of a federal state, where councils and committees are established on many levels of administration, ranging from the federal to the local (provinces, municipalities). On the one hand, the establishment of advisory bodies constitutes the result of a drive towards a more consensual mode of policymaking, while on the other it is an expression of strong neo-corporatist tendencies (Fobé et al., 2017, p. 151) and a wish to better coordinate the functioning of public policies. Due to the federal structure of the state and the diversity of administrative traditions, the activities of councils are governed by a set of disparate regulations. Nevertheless, councils are regarded as a permanent, institutionalised element of the functioning of the state.

Finally, Spain is an example of a semi-federal state, where advisory bodies began to be established in the late 1970s and in the early 1980s as part of the democratic reforms implemented after the authoritarian regime of General Franco (Rico Motos et al., 2017). At present, Spain – not unlike Belgium – is characterised by the presence of advisory bodies on three levels: central, regional (autonomous communities), and municipal. Although advisory bodies are relatively common all over Spain, there are no cohesive, broad rules regulating their functioning. In consequence, depending on a given region, province, or municipality, the mode of their establishment, composition, and competences differ.

The chapter is structured as follows: the first part features an overview of motives underlying the establishment of such bodies in selected European countries; the second part offers an in-depth analysis of the functioning of councils in Finland, Belgium, and Spain. The chapter then culminates in a conclusion.

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<sup>1</sup> Czech Republic, “Youth representation bodies” (2020): <https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/53-youth-representation-bodies-czech-republic> (accessed: January 2, 2020).

<sup>2</sup> Conseil National de la Jeunesse, 2008, Dossier de presse, Mars 2008, Le Conseil National de la Jeunesse, Paris.



## 2. Social councils and committees in Europe – characteristics, motives of establishment, roles played

Social councils and committees are established in many countries on the central (federal), supralocal, and local levels. Despite the fact that the status of advisory bodies of this kind is diversified, one can justifiably pinpoint several traits that they all share:

1. Public administration bodies consider them a rightful partner;
2. They are of stable character, as they are established to function as permanent bodies, not merely as a means of solving an urgent, pressing matter;
3. They are a manifestation of individual or associated civic activity;
4. For that reason alone, they are comprised of ordinary citizens, sometimes supported by experts and politicians (Rico Motos et al., 2017);
5. They often integrate marginalised social groups, such as the elderly or persons with disabilities, including them into public policymaking.

One can distinguish between two fundamental reasons for the establishment of bodies of this kind. The first one is related to the growing criticism of the principles underlying representative democracy (Urbinati & Warren, 2008), to a search for new solutions enabling a more democratic rule, as well as to the increasingly more prominent shift from government towards governance in many countries (John, 2001). In this context, the empowerment of entities originating in the social sector constitutes to be a key task of social councils and committees. Furthermore, many countries make use of these bodies to engage specific social groups, e.g. young people, senior citizens, or persons with disabilities. As pointed out by Peters and Barker, establishing advisory bodies helps governments become more open and democratic as well as make better decisions (Peters & Barker, 1993).

The other type of rationales behind the formation of advisory bodies is related to attempts to streamline the decision-making process. It is worth directing attention to several issues at this point. Firstly, advisory bodies positioned at various operating levels of administration can improve the analytical capabilities of governments (Howlett, 2008; Painter & Pierre, 2005) and can, among other things, facilitate the solving of the so-called 'wicked problems' of administration (Rittel & Webber, 1973). Secondly, unlike an array of other advisory bodies – think tanks, expert groups, research institutes (Halligan, 1995, p. 138) – social councils and committees provide political decision-makers not only with theoretical knowledge, but primarily with practical expertise in specific social issues (Street, 1993; Topf, 1993). This is of particular importance to public policies such as education, welfare, or health, which are traditionally dominated by a handful of key stakeholders (Schmitter, 1984; Scholten, 1987; Waarden & Lehbruch, 2004).

At the same time, it should be noted that a more 'interactive' governance might create tensions of its own, for the outcome of an objective political analysis is confronted with the subjective views of citizens. Further, as noted by Fobé et al., any evaluation of the rationales for the creation – and the methods of operation – of bodies of this type in specific countries must be careful and critical (Fobé et al., 2013). Oftentimes, a noble, democratic motivation provides a disguise for the desire to create tools and instruments typical of merely symbolic participation, especially of the kind that legitimises decisions already taken (cf. Boswell, 2009; Sabatier, 1978; Weiss, 1986).

Advisory bodies which in Poland are described as social councils and committees are variously termed in other countries. The terminology deployed across countries is the outcome of the rationales behind the establishment of these bodies as well as of the distinct administrative traditions of the countries. As noted by Rico Motos et al., countries with strong traditions of corporatism and neo-corporatism, typically connected to the functioning of trade unions and industry or business, describe bodies of this type as a 'representation of interests' (Rico Motos et al., 2017; cf. Schmitter, 1992). Additionally, countries in which reforms of public administration were inspired by the New Public Governance frequently refer to these bodies as 'user groups'/'user councils'. In turn, in countries with traditions of associative democracy (Cohen & Rogers, 1993; cf. Hirst, 1994), they are typically termed 'councils' or 'associative organs'. It appears that similar nomenclatures have been adopted in countries that were motivated to establish bodies of this type by the changes inspired by participatory and deliberative democracy (Rico Motos et al., 2017).

Moreover, it should be emphasised that, depending on the given model of public administration and the (local) participation culture, councils and committees are formed in a top-down or bottom-up manner (see Loughlin et al., 2011). Thus, in Northern European and Anglo-Saxon countries, and those where the Germanic tradition prevails, the bodies usually arise as a result of state actions. In Southern Europe and those countries which underwent a democratic transformation in the 1990s, they are often created as a result of joint activities of public authorities and the social sector. Finally, it ought to be stressed that, depending on the state, advisory bodies play various and diversified roles in the decision-making process, and their impact on the ultimate solutions also varies. Bekkers et al. (2004 cited in Fobé et al., 2017, p. 161) describe four types of recommendations produced by such bodies:

1. Instrumental – recommendations of this type have an immediate impact on the behaviour/actions of the individual actors;
2. Conceptual – recommendations that affect the state of knowledge, opinions, or argumentation deployed by stakeholders or their organisations;
3. Agenda-setting in character – the consultation process makes a new issue or a problem visible;

4. Political-strategic – as a result of these recommendations, the position of the individual actors involved in the decision-making process is strengthened or, on the contrary, weakened.

### 3. Finland – (social) councils as a means of improving the effectiveness of public administration

The Nordic countries have a long tradition of including citizens into decision-making. Of clear importance to this tradition is the idea of free common people, which provided the impulse for the creation and development of autonomous municipalities (Haveri, 2015, pp. 139–140). It is worth noting that in Sweden peasants were granted the right to participate in the parliament as early as in the beginnings of the 17th century, to the astonishment of other European countries (Ylikangas, 1990 cited in Haveri, 2015, p. 140). At the time, an early form of the local self-government was the parish community, which bore collective responsibility for caring for the poor and the sick, ensured that the needs of the community were met, and taught the skill of reading (Svenska kommunförbundet, 1995; Wetterberg, 2004 cited in Haveri, 2015).

In the Nordic countries, three other phenomena have been conducive to the inclusion of stakeholders from other sectors into decision-making. These phenomena comprise, firstly, a strong concept of collegiality, which translates into the unwillingness to established monocratic organs on the one hand and a clear need to take decisions collectively in a broader community on the other. Secondly, they include the idea of the welfare state, which satisfies a broad array of the citizens' needs. The final phenomenon is the New Public Management paradigm, broadly implemented in the North in the 1980s, which stressed the best possible provision of public services (see, e.g., Greve et al., 2016; Temmes, 1998).

As for the functioning of (social) councils in the Nordic countries, it must be emphasised that the establishment of such entities is primarily the initiative of central or local organs of public administration, and is therefore top-down in nature. In some Nordic countries, e.g. in Norway, the establishment of councils is the statutory duty of most public agencies and entities providing services in the welfare sector (Andersen, 2016, p. 285).

Andersen describes two types of rationales behind the creation of such entities in the Nordic states: (1) democratic and (2) instrumental. Of much importance to the former group is the concept of involving all sides as well as the right to be heard and to participate. These ensure that all people, including marginalised persons and groups, have an impact on the decision-making process. At the same time, what matters is that the councils and committees function as a 'school of democracy' of sorts, demonstrating the ways in which

citizens can become involved in – and shape – decision-making processes. This mode of functioning is consistent with the traditional pluralist corporation model which exists in the Nordic welfare states (Pierre & Peters, 2000).

In turn, the instrumental rationales highlight making better decisions and a more effective service provision. On the one hand, this is regarded as an opportunity to improve the legality of decisions, while on the other it gives a chance to improve the capacity of public administration bodies to ‘react’ and possibly correct the way they provide services (Barnes et al., 2004, p. 93 cited in Andersen, 2016, p. 286). In this context, of high importance is the inclusion in the decision-making processes of the users of specific services – such as the elderly or persons with disabilities – who can contribute knowledge based on their lived experience.

Councils and commissions in the Nordic countries are variously termed. In Denmark and Sweden, entities of such kind are typically known as ‘user boards’. In both these countries, they function primarily in education and healthcare (Anker, 2007; Pettersson, 2007, p. 168; for a more in-depth analysis, see Blom-Hansen & Heeager, 2012, p. 232) and are often associated with the concept of the co-production of services (Pestoff, 2009). In Norway, they are termed ‘user councils’ (Andersen, 2016). Here, they function in the welfare sector (working with hospitals, psychiatric care, or the rehabilitation and care of persons with disabilities) (Andersen, 2016, pp. 287–288). In Finland, they are usually known simply as ‘councils’. Entities of this kind function in the Finnish healthcare (Torjesen et al., 2017). At the municipal level, they can also be created to facilitate the contacts with – and provision of – services for specific groups, often those which are excluded from decision-making. Three types of social councils are obligatory in Finnish municipalities: youth councils (Fin. *Nuorisovaltuusto*), older people’s councils (Fin. *Vanhusneuvosto*), and disability councils (Fin. *Vammaisneuvosto*).

Youth councils (or similar groups representing the interests of young people) are formed by the municipal executive organ in order to secure the opportunity of young people to participate in – and impact – the local decision-making. Their objectives include fostering the social development of children and young people and providing them with opportunities to express their views. One youth council may be formed for two or more municipalities. The council must be provided with opportunities to influence the process of planning, preparation, execution, and monitoring of the municipality’s activities in matters connected with the general well-being of its young residents, their health, education, living and dwelling conditions, mobility, as well as other issues that the council deems important from the point of view of the interests of children and young people<sup>3</sup>. For instance, in the Finnish

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<sup>3</sup> Section 26, Chapter V, Local Government (Finland) Act (410/2015), <https://www.finlex.fi/en/laki/kaannokset/2015/en20150410.pdf> (accessed: January 2, 2020).

city of Turku, the youth council comprises representatives of secondary and upper-secondary school students, students at vocational schools, as well as the Turku Steiner School, the Turku Normal School, and the Turku International School. The council is formed for two-year terms. In the 2018–2019 term, the council had twenty-four ‘ordinary’ members and eighteen deputies<sup>4</sup>.

As is the case with youth councils, older people’s councils are formed to ensure that older citizens have the opportunity to participate in – and impact – decision-making. They, too, are established by the municipal executive. Their creation has been obligatory since 2014, when the Act on Supporting the Functional Capacity of the Older Population and on Social and Healthcare Services for Older Persons came into force<sup>5</sup>. A single council can be shared by two or more municipalities. The council’s task is to ensure the participation of senior citizens in the planning, preparation, and monitoring of the municipality’s activities concerning issues such as the general well-being of older people, their health, inclusion, living environment, housing, mobility, and other everyday activities, as well as the provision of the services they need<sup>6</sup>. In Tampere, a council of this kind has been functioning since 1999. It comprises representatives of senior citizen organisations. The council has a full-time secretary, who is financed by the city<sup>7</sup>.

Pursuant to Section 28, Chapter V of the Local Self-Government Act, the councils representing the interests of persons with disabilities are – similarly to the above-mentioned ones – created to safeguard the opportunity of those persons to participate in – and to have an influence on – the decision-making process. Beyond the establishment of such a council, the municipal executive is obliged to ensure the conditions for its effective operation. Persons with disabilities, their relatives, and organisations advocating for this community must be adequately represented in the council. Here, too, one council may be formed for two or more municipalities. As is the case with the councils for older people, these councils are tasked with ensuring the participation of this social group in the planning, preparation, and monitoring of the municipality’s activities concerning the general well-being of persons with disabilities, their health, inclusion, living environment, housing, mobility, other everyday activities, and their use of services<sup>8</sup> (Radzik-Maruszak, 2019, pp. 242–243).

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<sup>4</sup> Turku. Youth Council (2020). <http://www.turku.fi/en/decision-making/participate-and-influence/influential-groups/youth-council> (accessed: January 2, 2020).

<sup>5</sup> Section 11, Chapter 2, Act on Supporting the Functional Capacity of the Older Population and on Social and Health Care Services for Older Persons (980/2012), [https://www.finlex.fi/fi/laki/kaannokset/2012/en20120980\\_20120980.pdf](https://www.finlex.fi/fi/laki/kaannokset/2012/en20120980_20120980.pdf) (accessed: January 2, 2020).

<sup>6</sup> Section 27, Chapter V, Local Government (Finland) Act (410/2015).

<sup>7</sup> It is *de facto* a prototype of a council established as early as in 1988. See “Tampere. Older People’s Council” (2020), <https://www.tampere.fi/en/social-and-health-services/services-for-the-elderly/council.html> (accessed: January 2, 2020).

<sup>8</sup> Section 28, Chapter V, Local Government (Finland) Act (410/2015).

As an example, in the Finnish city of Rovaniemi, the Disability Council has eighteen members and each of them – as is common practice in Finland – has their deputy. The council comprises persons with disabilities, relatives of such persons, representatives of organisations for persons with disabilities that are active in Rovaniemi, as well as representatives of the city and the parish. The Council is regarded as a body through which the city cooperates with organisations for persons with disabilities and public health. As per their communication policies, the Rovaniemi authorities are under an obligation to keep the members of the Council appropriately informed so that they can actively participate in the shaping of the city policies regarding persons with disabilities. The term served by the Council is the same as that of the City Council. The tasks of the Council include:

- shaping civic attitudes so that persons with disabilities can have the right to participate in – and influence – the preparation and taking of decisions that concern issues relevant to them;
- taking initiatives and consulting on proposed decisions of the city council;
- influencing the accessibility of services for persons with disabilities;
- promoting the social inclusion and equality of persons with disabilities<sup>9</sup>.

#### 4. Belgium – social councils and committees as institutionalised advisory bodies

The social councils and committees established in Belgium are among the more interesting, but also complex, cases in Europe. This results primarily from the complex structure of the state, which comprises (1) the federal level; (2) the regional level – three regions; (3) the community level – three linguistic communities; (4) the level of the province – ten provinces; and (5) 581 municipalities. On the one hand, the establishment of consulting bodies is the result of the strong desire to reach consensus, which is evident in Belgium, but also stems from the neo-corporatist traditions which persist in the country (Fobé et al., 2017, p. 151). Finally, the implementation of broad public consultations is also clearly geared at achieving a better coordination of public policies.

Advisory bodies in Belgium can be established on all the levels of the state: federal, regional, community, and local. They evince the following features:

- They are formally established and funded by the state. The state also regulates their operation;

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<sup>9</sup> "Rovaniemen vammaisneuvosto", October 14, 2020, <https://www.rovaniemi.fi/fi/Palvelut/Perhe--ja-sosiaalipalvelut/Vammaisneuvosto> (accessed: January 2, 2020).

- They function as part of the central system of the provision of public services and at the same time are formally included in the official cycle of shaping policies;
- Their operation is primarily grounded in the experience-based knowledge and expertise of social stakeholders rather than ‘regular’ academic knowledge;
- Their scope of influence is contingent on the extent to which they are capable of providing various entities with resources (Fobé et al., 2017, p. 152).

As noted by Fobé et al., although the exact number of such bodies is impossible to estimate, they are much more numerous than in the neighbouring countries, i.e. Germany, France, and the Netherlands (Fobé et al., 2017, p. 153)<sup>10</sup>. At the federal level, the potential of councils and committees is utilised, among other things, in the justice system, healthcare, economy, and foreign policy. Moreover, many advisory bodies, such as the High Council of Finance<sup>11</sup>, have functioned for decades. At the regional level, their activity includes social and economic matters (e.g. the Socio-Economic Council of Flanders and Wallonia), science and innovation (e.g. the Industrial Council in Flanders), mobility (the Mobility Council in Flanders), education (the Flemish Education Council/Council for Education and Formation of French-Speaking Community), or social planning (e.g. the Regional Commission of Spatial Planning in Wallonia), and environment (the Environmental Council in Flanders/Walloon Council for Environment and Sustainable Development) (Fobé et al., 2017, p. 154). At the community and municipal levels, a good example is youth councils (see Pudar et al., 2013).

Regardless of the level – federal, regional, community, or local – the structure and role of the advisory bodies is similar. Several issues are worth pointing out in this context. Firstly, as noted above, the creation of such bodies is largely the result of a wish to better coordinate public policies, to tackle complex social problems, and to strengthen the role of public stakeholders in the decision-making process. As pointed out by Fobé et al. (2017), the stakeholders who sit in advisory bodies essentially represent two milieux: (1) lay and (2) academic. In both cases, they are involved in the operations of the councils and committees on the basis of (1) delegation or (2) self-representation. Typical of the federal level are bodies comprising representatives of academics, while in the regional-level bodies lay representatives prevail (Figure 1).

<sup>10</sup> According to the 2010 OECD data, there were 250 federal advisory bodies and 46 regional councils (OECD, 2010 cited in Fobé et al., 2013, p. 228).

<sup>11</sup> De Hoge Raad van Financiën (NL), Le Conseil Supérieur des Finances (FR), Der Hoher Rat für Finanzen (DE). For a more in-depth analysis, see <https://www.highcounciloffinance.be/en> (accessed: December 14, 2019).

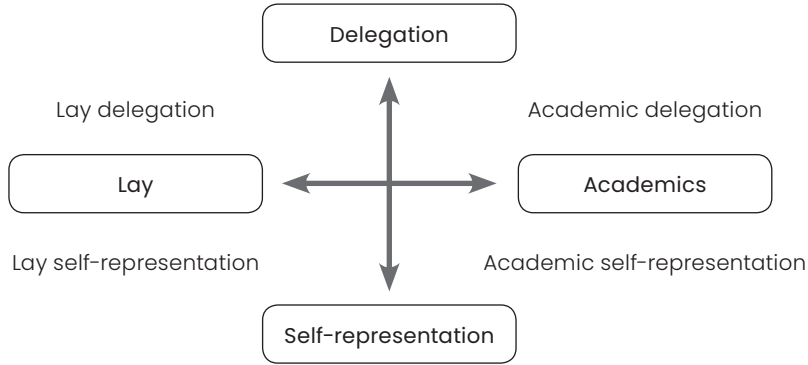


Figure 2.1. Membership of advisory bodies in Belgium

Source: Own work based on Fobé et al., 2017, p. 160.

Secondly, the work of the advisory body is grounded in dialogue, and the recommendation it produces is the outcome of consensus. The literature emphasises that the added value of this mode of operation is deliberation and, accordingly, a change in the perception of a given issue by the stakeholders involved in the work of a given body.

An example of advisory bodies in Belgium is provided by youth councils. They operate at various levels of the state – community, regional, and local (municipal). Accordingly, depending on the specific area, the role and functioning of such councils can vary (Pudar et al., 2013, p. 19).

In Flanders, youth policies are primarily shaped by the joint community and regional authorities, although many activities are undertaken at the local level (Pudar et al., 2013) (see Figure 2). At the community level, the interests of young people are represented by the Flemish Youth Council (Flemish *Vlaamse Jeugdraad*). The members of the Council are elected every three years at a public congress, and recruitment for the Council is publicly announced. The Council has between 16 and 24 members, and at least one-third of them must be below 25 years of age. No more than two-thirds of its membership may be of the same gender<sup>12</sup>. Members of the Council largely come from youth organisations (50%). The Council is an official advisory body of the Flemish government, which means that the government must seek its opinion whenever it makes a decision that concerns young people. Importantly, the Council is free to undertake its own initiatives. It is estimated that, by 2013, the Flemish Youth Council had taken its own initiative in matters concerning youth policies in over 50%

<sup>12</sup> Belgium Flemish Community. Youth representation bodies (2019): <https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/53-youth-representation-bodies-belgium-flemish-community> (accessed: December 28, 2019).



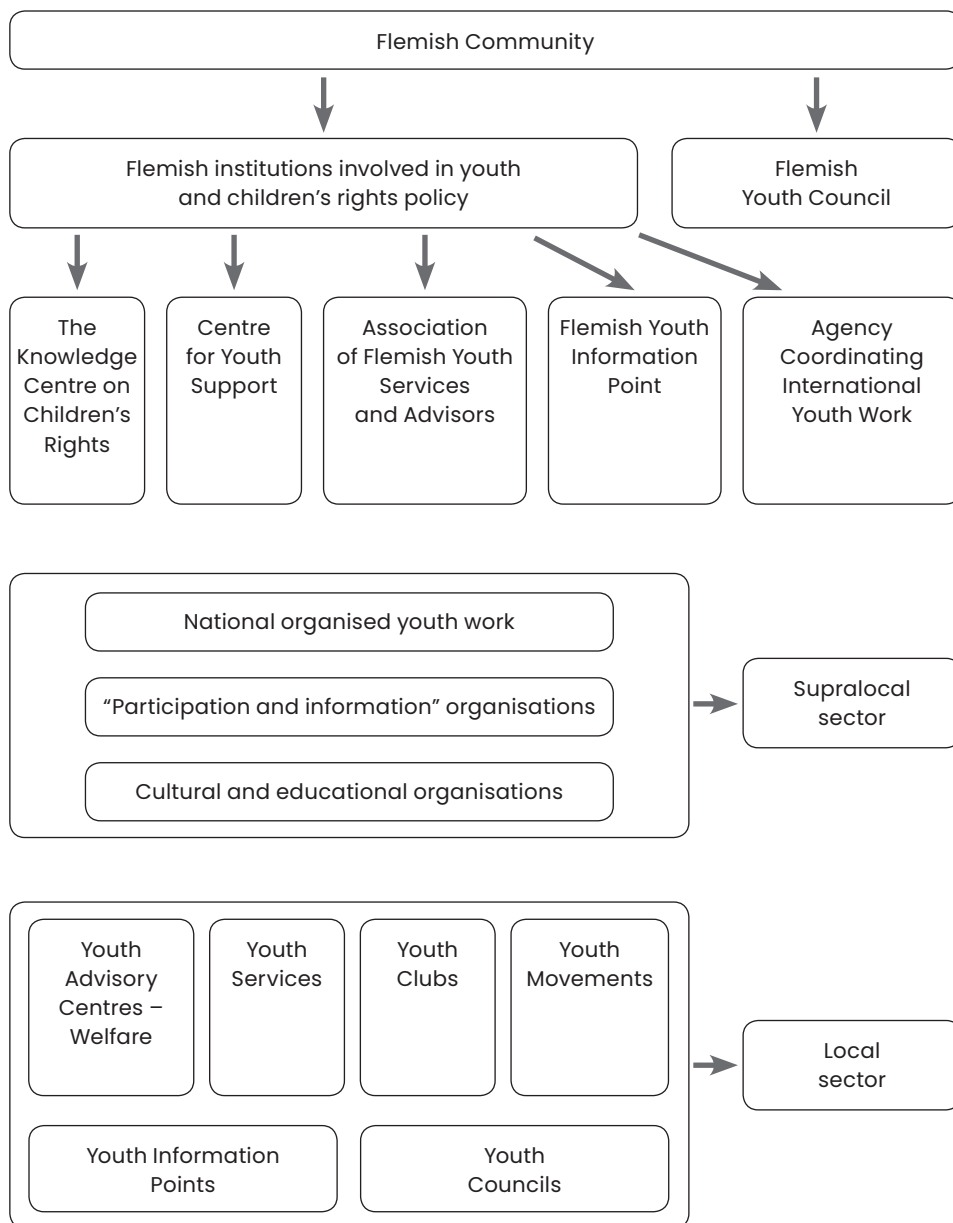


Figure 2.2. The institutional structure of youth policy in the Flemish Community

Source: Own work based on Pudar et al., 2013, p. 27.

of cases. There is, however, no information as to how many of the Council's recommendations were actually accepted and implemented by the government (Pudar et al., 2013, p. 28).

In turn, the operation of Youth Councils at the municipal level is determined by the Act on Municipal, Inter-municipal and Provincial Youth and Youth Work Policy (see Figure 2). The councils have an advisory voice in all matters related to policies concerning young people, and they participate in the creation of a long-term plan of actions related to young people. The councils comprise: (1) a representative of the interested local youth organisations; (2) interested children and young people from the given municipality/province, co-opted by the Youth Council. On average, the councils have twenty-two members and meet seven times a year<sup>13</sup>. It needs to be emphasised that while local politicians may not become voting members of the Council, they may participate in its meetings as observers and external experts. Importantly, provincial and municipal authorities are obliged to create Youth Councils if they want their youth policies to be financed by the Flemish government. In practice, however, there is no data on the practical role and contribution of these bodies to youth policies, or their cooperation with the Flemish Youth Council (Pudar et al., 2013, pp. 29, 46).

In the Walloon Region, general policy concerning young people is in the remit of the government of the French Community, especially the Minister for Youth and Child Care, supported by various departments and services (Pudar et al., 2013, p. 49). At the same time, it must be stressed that the patchwork of institutions and organisations responsible for implementing youth policy at the sub-ministerial level in the Walloon Region is significantly more complicated than in Flanders (for a more in-depth analysis, see Pudar et al., 2013, pp. 49–51). There are numerous organisations representing the interests of young people and children. One of them is the Youth Parliament for Wallonia-Brussels and the Youth Forum (*Fr. Forum des jeunes*), established with the decree of 3rd May 2019<sup>14</sup>. Youth Councils also operate at the local (provincial) level, but their organisation and operation is much less formal when compared to Flanders (Pudar et al., 2013).

In turn, in the German-speaking Community of Belgium, the organ responsible for general youth policy is the Ministry for Culture, Media, and Tourism (Pudar et al., 2013, p. 76). The foremost body that represents the interests of young people is the Youth Council of the German-speaking

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<sup>13</sup> Belgium Flemish Community. Youth representation bodies (2019): <https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/53-youth-representation-bodies-belgium-flemish-community> (accessed: December 28, 2019).

<sup>14</sup> The decree came into force on January 1, 2020. For more, see *Belgium French Community. Youth representation bodies 2019*: <https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/53-youth-representation-bodies-belgium-french-community> (accessed: December 28, 2019).

Community (Ger. *Rat der deutschsprachigen Jugend – RdJ*). The Council was established in 1983 with a royal act and is an independent association of young people, youth centres, youth organisations, local youth councils, political parties, and organisations providing services to young people in this Community. The Council is regarded as a platform providing young people with an opportunity to participate in shaping youth policy and related projects<sup>15</sup>.

At the local level, only one municipality in the German-speaking Community – namely Eupen – has established a Youth Council (Ger. *Jugendbeirat der Stadt Eupen*). The Council acts as an intermediary between the municipality, youth organisations and centres, and young residents of Eupen and the surrounding area. The Council's tasks include advocating for the interests of young people and consulting on municipal projects concerning young people at regular intervals. On request by the municipal authorities, the Council may present its opinion on moral, educational, and legal problems that young people face. Further, the Council may seek the opinion and help of competent experts. Additionally, two municipalities in the German-speaking Community – namely Raeren and Lontzen – have established children's councils (Pudar et al., 2013).

## 5. Spain – advisory bodies as one of the elements of the process of state decentralisation

In Spain, social councils and committees can be justifiably subsumed under the umbrella term of advisory bodies, although the original, source language terminology remains more complex and advanced<sup>16</sup>. Bodies of this kind began to be established as part of the wave of democratic changes in the late 1970s and the early 1980s, i.e. after the transition from the authoritarian regime of General Franco towards the democratic rule of law (Cano Bueso, 2009 cited in Rico Motos et al., 2017). A decade later, in the 1990s, advisory bodies were part of central, regional (autonomous communities), and municipal administration. At that point, they started to be perceived as a permanent element of the Spanish public administration, responsible for

<sup>15</sup> “Belgium German-Speaking Community Youth Representation Bodies” (2019): <https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/53-youth-representation-bodies-belgium-german-speaking-community> (accessed: December 28, 2019).

<sup>16</sup> They are classified as councils of participation (Sp. *consejos de participación*), committees of participation (Sp. *consejos de participación*), advisory councils (Sp. *consejos asesores*), forums of deliberation (Sp. *foros deliberativos*), committees (Sp. *comités*), roundtables of participation (Sp. *mesas de participación*), collegial organs of associated participation (Sp. *órganos colegiados de participación asociativa*), or collegial organs of civic participation (Sp. *órganos colegiados de participación ciudadana*).

relations and for the inclusion of, e.g., adolescents, women, and educational and sports activists into decision-making (Rico Motos et al., 2017, p. 3).

One of the most commonly used typologies of advisory bodies in Spain is their range of activities. In this regard, two types of entities can be justifiably differentiated: 1) territorial and 2) sectorial. The former are responsible for the entirety of public policies on a given territory, most frequently within the limits of a medium or a large city<sup>17</sup>. They are usually politically neutral and are comprised of residents of a given district. By contrast, the latter focus on sectorial policies addressed at, e.g., adolescents, the elderly, and immigrants. Their composition is more coherent.

Overall, Spanish advisory bodies can also be divided in terms of the traditions under which they had developed. In this regard, there are two types: 1) traditional councils, established in accordance with the idea of corporatism and class conflict; and 2) modern councils – established on the basis of the idea of pluralism – whose activities reflect a diversity of social interests (Rico Motos et al., 2017, p. 4; Schmitter, 1992, p. 436).

A different, equally viable typology involves the division of advisory bodies in terms of the form of their establishment (see Alarcón & Font, 2014, pp. 8–9). In this regard, there are two types: 1) “bottom-up” entities, e.g. those established on the citizens’ own initiative or by associations on behalf of the citizens; 2) “top-down” entities, established on the central government’s initiative, often in response to the EU’s directives.

Finally, the fourth typology that pertains to the Spanish advisory bodies focuses on their composition. To that effect there are: 1) associative-based councils; and 2) councils including also individual citizens. The selection of said citizens is based on chance or on inclusion of their specific traits, influence, prestige, etc. (Bherer et al., 2016, p. 349).

The outcome of the research conducted by Font<sup>18</sup> indicates that advisory bodies are presently functioning in every domain of the Spanish public administration. They are almost exclusively comprised of politicians and representatives of central, regional, and local administration as well as representatives of associations. It is relatively common for them to include experts and representatives of particular offices. Interestingly, ordinary citizens are rarely invited to join such bodies. Spanish advisory bodies usually consist of between twenty and seventy members (thirty-eight members on average)<sup>19</sup>.

<sup>17</sup> In accordance with the current Spanish legislation, social city councils (Sp. *Consejo Social de la ciudad*) are established in each populous municipality as a participatory tool of an advisory nature (cf. Font et al., 2014).

<sup>18</sup> See Assodem. “What is an AC?” (2020): <https://associativedemocracy.wordpress.com/the-project-2/what-is-an-ac/> (accessed: January 1, 2020).

<sup>19</sup> Assodem. “What is an AC?” (2020): <https://associativedemocracy.wordpress.com/the-project-2/what-is-an-ac/> (accessed: January 1, 2020).

Most frequently, Spanish advisory bodies are composed of: 1) the Plenary Assembly, comprised of all the members; and 2) the Permanent Committee or Working Groups. Depending on their type, these entities can include a president (most commonly a politician), a secretary (often a representative of administration), and a vice-president (different types of officials, depending on the profile of a given advisory body). Oftentimes, advisory bodies have an independent budget at their disposal and as such employ their own personnel. They usually convene their meetings thrice a year. Spanish advisory bodies take their decisions in multiple ways, e.g. through voting (e.g. during plenary sessions) or the articulation of passive consent (during meetings of working groups).

Spanish advisory bodies are typified by two basic functions: 1) they give voice to the civic society, also including their representatives into a debate on the topic of public policies; and 2) they provide public administration entities with advice. Advisory bodies provide advice both upon request and of their own accord. However, what ought to be highlighted at this juncture is that although the carrying out of public consultation may in specific cases be obligatory, the acceptance and implementation of the solutions suggested by advisory councils remains optional<sup>20</sup>.

As in the cases of the previously discussed countries – i.e. Finland and Belgium – in Spain the evaluation of the real-life impact of advisory bodies on decision-making poses considerable difficulty as well. They may submit for consideration concrete proposals concerning changes of particular policies and hand in annual reports, but – as emphasised by Font – their activities fall under the radar<sup>21</sup>. The Socio-Economic Council and the Education Council are vested with the widest powers and it is their influence that is the most significant; the activities of other advisory bodies are significantly less visible to the general public (see Font et al., 2014, p. 28). This likely derives from the fact that despite the relatively developed system of advisory bodies in Spain, there is a scarcity of uniform solutions. In consequence, particular units, e.g. regions or municipalities, keep on implementing dissimilar solutions. A case in point is Vella, a district of Barcelona, where the Citizens' Council (Sp. *Consejo Ciudadano*) is considered to be the highest advisory and participatory body<sup>22</sup>. It is composed of representatives of associations, professional councils, neighbourhood councils (Sp. *barrios*), and ordinary citizens. The Citizens' Council performs three principal functions:

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<sup>20</sup> Assodem. "What is an AC?" (2020): <https://associativedemocracy.wordpress.com/the-project-2/what-is-an-ac/> (accessed: January 1, 2020).

<sup>21</sup> Font estimates that approximately 40% of advisory bodies disseminate their reports and minutes online. See: Font, Della Porta, & Sintomer, 2014.

<sup>22</sup> Barcelona is divided into 10 boroughs: Ciutat Vella, Eixample, Sants-Montjuïc, Les Corts, Sarrià-Sant Gervasi, Gràcia, Horta-Guinardó, Nou Barris, San Andreu, and Sant Martí. Additionally, the city is divided into 73 neighbourhoods / quarters (Sp. *barrios*).

- it provides the District Council with advice concerning the main goals of district policies and district management so as to ensure that the policies undertaken are of consensual nature;
- it promotes the activities of the district, informs the general public of common regulations, financial factors, as well as indexes related to district management and conducted projects;
- it supports professional and neighbourhood councils<sup>23</sup>.

## 6. Conclusion

Undoubtedly, advisory bodies, such as social councils and committees, are a permanent fixture on the European participatory landscape. Their appointment constitutes a direct response to numerous pressing social issues and as such it primarily stems from the wish to create more efficient, custom-built public policies that cater to the social needs, as well as from the desire for a wider inclusion of citizens into decision-making. It seems that their activities are of a predominantly conceptual dimension and that the recommendations put forward by them are likely to affect the degree of knowledge available, the opinions, and the argumentation implemented by the stakeholders involved in decision-making (Bekkers et al., 2004; Fobé et al., 2017).

Simultaneously, one ought to remember that the recommendations put forward by the advisory bodies under discussion are not binding. They may – but they do not necessarily have to – be taken into account by key decision-makers. Much depends on the context, i.e. primarily on the willingness, on the quality of a given recommendation, and on the personal involvement on the part of politicians, bureaucrats, and citizens. However, the functioning of advisory bodies is beset with other different obstacles. In this context, one ought to recognise at least two major issues.

The analysis conducted in the chapter herein unanimously indicates that although the number of advisory bodies is on the rise, cohesive templates of their functioning are few and far between. Even within the administrative territory of a single country – as explicitly attested to by the case of Belgium – there are few (legislative) solutions obliging public administration bodies to appoint social councils and committees that would function in accordance with similar principles. As a result, entities of this kind, even within the boundaries of the same governmental body, are typified by dissimilar competences and duties. As far as all the countries

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<sup>23</sup> Ciutat Vella. Consejo Ciudadano (2020): <https://ajuntament.barcelona.cat/ciutatvella/es/el-ayuntamiento/participacion/consejo-ciudadano> (accessed: January 2, 2020).

under discussion are concerned, Finland seems to have implemented the most coherent solutions of all.

What ensues, and what is shrewdly noted by Rico Motos et al., is that – unlike other democratic innovations, such as participatory budgeting – the effects of activities undertaken by advisory bodies are not palpable (Rico Motos et al., 2017). This is conducive to tokenism (cf. Arnstein, 1969) and to their ritualistic role. At the same time, the fact that these bodies are a common offshoot of other social organisations – whose activities focus, among other things, on adolescents, the elderly, entrepreneurs, etc. – makes their political role rather limited and thus their public image less than appealing. For that reason alone, they can be justifiably labelled ‘the ugly ducklings of participation’: although they rightfully belong to the practice of participatory democracy, the results of their activities are hardly groundbreaking and transformative, as is indeed the case with other democratic tools (Rico Motos et al., 2017).

# The Legal and Institutional Foundations of the Functioning of Social Councils and Committees in Poland

*Paweł Antkowiak, Robert Kmiecik*

## 1. Introduction

Three decades of the functioning of local government in Poland prompts reflection on its role in the political system of our country and also encourages us to ask questions relating to the potential directions of decentralisation. Progress in this matter is important for maintaining the democratic character of the state, as local government – acting for the benefit of corporate-organised groups of citizens – contributes to an increase in the effectiveness of the functioning of public authority. It should be remembered that in a democratic system government bodies that report directly to a central authority and remain in a hierarchical relationship to them are accompanied by other structures which are not dependent on the central authority and which have autonomy in the implementation of administrative matters delegated to them. The sphere of operation of local government should be the focus of any political power that is interested in having its citizens involved in the mechanisms of governing the state. Such were the motives behind actions taken in Poland at the beginning of the 1990s. The idea of local governance was considered one of the systemic foundations of the new Poland. This process was seen as a specific antithesis to the authoritarian system, operating up until 1989, which restricted the freedom and the public rights of its citizens. Local government was meant to be a natural form of protection against the bureaucracy of the centralised state.

Local government, like many other spheres of public life, undergoes intensive changes due to processes such as globalisation, urbanisation, European integration, participatory democracy, and technological progress. There is an inclination towards a multilevel governing system, one based on the rules of *governance*, which results in complex standards of vertical and horizontal relationships between different environments, social groups,



and organisational forms of local government. It results in the blurring of boundaries and the creation of new economic and political spaces (Rajca, 2010, p. 23).

Therefore, local government should be considered from a slightly different perspective, i.e. not only from its administrative and institutional context, but also from the point of view of the implementation of interests of organised social groups, namely in the category of *governance*. The asymmetry in research on the multilevel governance system in Poland and other countries provokes an in-depth consideration of this topic. It is particularly important in the context of searching for new and effective forms of cooperation at the local level between local authorities and social partners.

When talking about the concept of *governance*, it should be remembered that it is a function of managing complex communities by coordinating the activities of actors belonging to various sectors. It is a network of relationships between interdependence, cooperation, and partnership, resulting from the reversal of the monopolisation of state power. *Governance* is characterised by an innovative approach to the political decision-making, but at the same time it is a new method of dispersed governance, i.e. one which is different from the old, hierarchical model where state authorities exercise sovereign control over people and groups that make up civil society (Ruszkowski, 2013, p. 16). It is particularly important at the local level, whose main role is to take actions aimed at satisfying the municipal and cultural needs of a given community as well as ensuring its well-being.

As Rajca emphasises, in Western Europe for years there has been a clear shift from local government to local governance, i.e. a departure from hierarchical to network structures, which began to play the main role in community management (Rajca, 2008, p. 65).

Literature on governance implies that the traditional mechanisms of representative democracy ended. Currently, not only is the responsibility for local politics the remit of politicians engaged in political parties, but it also includes other actors and other social milieus as well as – more and more often – alternative forms of participation. The very essence of governance is forming a coalition at the level of a given administrative unit by developing a cooperative network among all interested parties (Radzik-Maruszak, 2012, p. 11).

In this context, it is fundamental to unequivocally define new areas of cooperation between local government and the social environment within the concept of governance. It is worth invoking this governance, despite some theoretical weaknesses emphasised by researchers who indicate the political, and not academic, provenance of the concept of multilevel governance, or what others call local governance or co-governance. Pawłowska, who treats governance as a not-so-successful attempt to describe a hyper-pluralist environment, admits that at the same time it is an

attractive paradigm of interpretation of relationships present in the public sphere (Pawłowska, 2016, p. 15).

A similar approach is shared by Radzik-Maruszak, who asserts that the notion of governance requires further enhancements and, above all, a systematisation of concepts it covers. The 'quality' of democracy proposed in the concept of local governance also requires a second look. What is more, as the author observes, even though there are more entities involved in governance, it does not mean that society has a greater impact on decisions taken. Civic participation, which is discussed in the context of local governance, still remains an unresolved issue (Radzik-Maruszak, 2012, p. 65). Therefore, it is worth considering empowering specific groups of people, organised in more or less formal structures, which may be of fundamental importance for the local socio-economic development. It is crucial both for improving civic participation in the functioning of public authorities and for introducing new forms of local governance based on mutual trust.

Such activities should be intensified in the context of the urban agglomeration processes taking place in Poland and, in the future, the expected formation of national metropolitan areas, which will become centres of power, innovation, economic activity, communication, and culture on the national and even supranational level.

Let us remember that the metropolisation process is one of the most important factors in the development of modern democratic states. It should be recognised that modern metropolitan areas are the main engines of growth, as they have all the elements necessary to build a competitive economy, namely a qualified workforce, financial institutions, research and development centres, and technical and social infrastructure. As Tomasz Kaczmarek notes – big cities and their surroundings are not only places providing high quality of life and generating a high level of management, but they are also centres of change impacting the entire region (2008, p. 15).

When looking at the local system of exercising power, the importance of local government in the process of developing cities and metropolitan areas should be taken into consideration. In this situation, it seems vital to strengthen the effective forms and directions of cooperation between local government and the social environment in the framework of the above-mentioned governance. The acceleration of this type of cooperation has a fundamental impact on the local development. It obviously also concerns the implementation of horizontally-oriented urban policy. The multilevel system of governance can be effective in particular via the implementation of *metropolitan governance*. As Barber emphasised, these are cities in which creativity is stimulated, communities are solidified; it is here where the idea of citizenship is accomplished (2014, p. 18).

There is no doubt that local government in its broad meaning should be more involved in the implementation of public policies, which has traditionally

been perceived rather as a role of the central government which takes actions that affect the lives of citizens. The consequence of their implementation is the top-down allocation of resources and responsibilities. In this approach, public policies are centralised and often only symbolically take into account the aspirations of social stakeholders. Such an approach, stemming from the classic understanding of public policies, should be considered anachronistic. At present, these policies are increasingly becoming a means for cooperation between various groups that come from non-governmental circles. It is predominantly a result of decentralisation, leading to a self-organisation of local communities, the development of self-governance, and a greater social and economic integrity. Such tendencies naturally promote the development of civil society and the creation of social capital, and hence facilitate increased participation in solving problems at the local level.

Zybała highlights that the government no longer has a dominant influence on the management of public policies. Central powers do not have expert, operational, or even financial advantages over other actors, as they once did. A significant portion of essential resources is often located outside of the public sector (Zybała, 2012, p. 65). It is natural, then, that public policies should be treated as systemic, with ordered activities by both the state and its citizens, resulting in objectified knowledge being generated and undertaken in order to solve principal collective problems (Zybała, 2013, p. 9). In other words, the authorities engaged in the execution of public policies include central and local government – which constitute an integral part of the public administration system – and also, as stressed by Anioł, two other sectors, i.e. the private sector and the social sector (2018, p. 21). This is an important observation, as increasing the participation of social groups operating in the local environment seems to be essential for improving the effectiveness of decision-making.

Therefore, appropriate mechanisms should be developed and conditions for effective debate should be created; Sroka (2018, p. 22) considers them the foundation of the concept of governance, which he understands as multifaceted public management based on autonomous and self-organising complex systems, such as networks bonded by the exchange of social, economic, and political resources.

In this context, it is worth paying special attention to social councils and committees – which are the subject of an in-depth analysis in this publication – that are created by a resolution of the municipal council or by an order of an executive body, and yet anchored in normative acts of statutory rank.

When analysing the legal and institutional foundations of the functioning of SCs in Poland, we focused on eight types, namely: the council of NGOs, youth council, senior citizen council, county labour market council, sports council, security and order committee, urban planning committee, and the

Table 3.1. Councils and committees in the examined cities with district rights in Poland

	Councils of NGOs	Youth Councils	Senior Citizen Councils	County Labour Market Councils	Sports Councils	Security and order committees	Urban planning committees	Councils for residents with disabilities
Gdynia	X	X	X	X	X	X	X	X
Gliwice	X	X	X	X	X	X	X	X
Gorzów Wielkopolski	X	X	X	X		X	X	X
Jaworzno	X	X	X	X		X	X	X
Jelenia Góra	X	X		X	X	X	X	X
Konin	X	X	X	X		X	X	X
Lublin	X	X	X	X	X	X	X	X
Łomża	X	X	X	X	X	X	X	X
Opole	X	X	X	X	X	X	X	X
Piotrków Trybunalski		X		X		X	X	X
Poznań	X	X	X	X		X	X	X
Płock	X	X	X	X	X	X	X	X
Rzeszów	X	X	X	X		X	X	X
Słupsk	X	X	X	X	X	X	X	X
Tarnobrzeg		X	X	X		X	X	X
Tarnów		X	X	X	X	X	X	X

Source: own work based on the institutional and legal analysis.

council for residents with disabilities. Extended analyses were performed on the example of sixteen towns with county rights. These included: Gdynia, Gliwice, Gorzów Wielkopolski, Jaworzno, Jelenia Góra, Konin, Lublin, Łomża, Opole, Piotrków Trybunalski, Poznań, Płock, Rzeszów, Słupsk, Tarnobrzeg, and Tarnów. In the course of the research it turned out that not all of the above-mentioned councils exist in the cities under scrutiny, as illustrated in Table 3.1. As seen in the breakdown below: youth councils, county labour market councils, security and order committees, urban planning committees, and councils for residents with disabilities were active in all the examined cities, while senior citizen councils were present in fifteen of them, councils for public benefit activities could be found in thirteen of them, and sports councils were identified in only nine cities.

## 2. The councils of NGOs

The councils of NGOs (Pol. *radę działalności pożytku publicznego* – council for public benefit activities<sup>1</sup>) act under Art. 5 (2) of the Public Benefit and Volunteer Work Act of April 24, 2003<sup>2</sup>. Pursuant to Art. 41e of this Act, upon a joint request of at least five NGOs or entities operating in a given area and within two months from the date of receipt of the request, the executive body of the local government unit appoints a county council of NGOs (Pol. *powiatowa rada działalności pożytku publicznego*) as an advisory and opinion-giving body. Under Art. 41f of the Act, the council consists of the representatives of legislative (municipal council) and executive bodies as well as NGOs and stakeholders operating in a given area (at least half of the members must be from a non-public sector). Pursuant to Art. 41g of the Act, the local council determines, by resolution, the procedure for appointing members and the manner in which a given council of NGOs is organised, and in which it operates. It should also ensure the representativeness of NGOs and relevant stakeholders, determine the time and a procedure for submitting candidates for the members of the council, and determine the needs to guarantee the efficient functioning of the council<sup>3</sup>.

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<sup>1</sup> For foreign readers of this book, we have adopted the conventional name of 'the councils of NGOs'. Nevertheless, we have retained the original titles of the normative acts, i.e. they are literally translated from the Polish language.

<sup>2</sup> The Polish Journal of Laws of 2019, item 688 as amended.

<sup>3</sup> Such resolutions, but also ordinances, were adopted in thirteen out of the sixteen cities selected for qualitative research (see Chapter 4): Resolution No. LIV/606/2013 of the Gorzów Wielkopolski City Council of August 28, 2013, on the adoption of the procedure for appointing members and the organisation and procedure of the operation of the Gorzów Council for Public Benefit Activities; Ordinance No. 144/2014 of the Łomża City Mayor of June 11, 2014, on the appointment of the Łomża Council for Public Benefit Activities; Resolution No. XIII/273/2011 of the Gliwice City Council of November 17, 2011, on the adoption of the procedure for appointing members and the organisation and procedure of the operation of the City Council for Public Benefit Activities; Resolution No. 443 of the Konin City Council of September 26, 2012, on the adoption of the procedure for appointing members and the organisation and procedure of the operation of the Konin Council for Public Benefit Activities; Resolution No. IX/85/2015 of the Jaworzno City Council of May 28, 2015, on the organisation and procedure of the operation of the County Council for Public Benefit Activities in Jaworzno; Resolution No. 196/XIII/2011 of the Lublin City Council of September 8, 2011, on the organisation and procedure of the operation of the City of Lublin Council for Public Benefit Activities and the procedure for appointing its members; Resolution No. 7331/18/VII/R of the Gdynia City Mayor of January 16, 2018; Resolution No. 307.XXXI.2012 of the Jelenia Góra City Council of November 26, 2012, on the adoption of the procedure for appointing members of the Jelenia Góra Council for Public Benefit Activities as well as its organisation and procedure of operation; Resolution No. LXVII/999/14 of the Opole City Council of November 6, 2014, on the adoption of the procedure for appointing members and the organisation and procedure of the operation of the Opole Council for Public Benefit Activities; Resolution No. XII/100/15 of the Słupsk City Council of May 27, 2015, on the adoption of the procedure for appointing members and the organisation

In order to illustrate the scope of the council's competences, it is worth having a look at the solutions adopted in Łomża, where the council of NGOs operates under Regulation No. 89/17 of the Łomża City Mayor of March 6, 2017, on the Appointment of the Łomża Council for Public Benefit Activities for the second term of office. The competences of the council include expressing opinions and consulting drafts of legal acts and documents submitted by the mayor, in particular:

1. giving opinions on draft resolutions and bylaws relating to public tasks;
2. giving opinions on matters relating to the functioning of NGOs with other stakeholders specified in the Act as well as on the cooperation programme of the city and NGOs;
3. providing assistance and giving opinions in the event of disputes between the public administration and NGOs;
4. giving opinions on matters related to public tasks, including commissioning these tasks to be executed by NGOs and other stakeholders listed in the Act;
5. giving opinions on the project of a city development strategy;
6. giving opinions, proposing priorities and needs for the commissioning of public tasks to be executed by NGOs and other stakeholders, and regarding taking joint local initiatives in a given calendar year;
7. giving opinions on the selection of candidates to sit on competition committees, which assess offers for the execution of public tasks;
8. giving opinions on reports concerning the implementation of an annual cooperation programme;
9. creating working groups operating at the council of NGOs – composed of representatives of NGOs and experts – in order to consider matters arising from the competences of the council of NGOs and to develop and implement the best solutions;
10. monitoring and improving the rules of cooperation between local government and non-governmental sectors on a permanent basis;
11. promoting the achievements and presenting the accomplishments of NGOs;

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and procedure of the operation of the Słupsk Council for Public Benefit Activities, as well as the dates and the procedure for submitting proposals for candidates to become members of the Słupsk Council for Public Benefit Activities; Resolution No. XI/247/2011 of the Rzeszów City Council of May 31, 2011, on determining "the Procedure for appointing members, the organisation, and the procedure of the operation of the Rzeszów Council for Public Benefit Activities"; Ordinance No. 1025/2011 of the Płock City Mayor of November 3, 2011, on the appointment of the Płock Council for Public Benefit Activities; Ordinance No. 762/2003/P of the Poznań City Mayor of October 6, 2003, on the appointment of the Council for Public Benefit Activities for the integration of communities implementing social policy goals in the field of social assistance, matters relevant to people with disabilities, and counteracting social exclusion operating under the Office of the Mayor of Poznań.

12. giving opinions on strategy projects and programmes related to socially important matters;
13. cooperation with other councils of NGOs on the basis of partnership and independence of the parties, reflected especially in the sharing of information on the direction of actions;
14. initiating and undertaking other activities arising from current needs regarding the cooperation of local government with NGOs and other stakeholders.

Countrywide, councils of NGOs are appointed for terms of 2–4 years and the frequency of their meetings varies – from a meeting every two months to quarterly meetings. The council of NGOs takes decisions most often in the form of resolutions, expressing its stances and opinions generally by a simple majority of votes in the presence of half of its members. Internal structures also vary; there is usually a chairman and a deputy, and often a secretary. There are working groups as well.

For example, the Council of NGOs in Jelenia Góra was first appointed in 2012 under Resolution No. 307.XXXI.2012 of the Jelenia Góra City Council of November 26, 2012, on the adoption of the procedure for appointing members of the Jelenia Góra Council for Public Benefit Activities as well as its organisation and procedure of operation. At present, the Council of NGOs consists of fourteen members appointed by the Mayor of Jelenia Góra. The executive of the council of NGOs consists of a chairman, a deputy-chairman, and a secretary. The meetings are convened at least once every two months by the executive of the council of NGOs or at the request of at least one-third of the council members. The council of NGOs makes decisions in the form of resolutions, stances, opinions, and motions. They are passed by a simple majority of votes in an open vote with the presence of at least 50% of members. In the event of an equal number of votes, the chairman's vote is decisive. The council is serviced by the Department of Social Affairs, Health and NGOs in Jelenia Góra.

### 3. Youth councils

The functioning of youth councils in Poland is not obligatory, but it is now becoming a popular solution in Polish municipalities – especially in cities. It is worth noting that such institutions with a diversified scope of competences, appointment methods, and internal structures were present in all cities selected for the qualitative research. The functioning of youth councils is governed mainly by Art. 5b of the Act of March 8, 1990, on municipal local government<sup>4</sup>. Municipalities undertake actions aimed

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<sup>4</sup> The Polish Journal of Laws of 2019, item 506 as amended.

at supporting and propagating the idea of local governance among the citizens of the municipalities, in particular among young people. Therefore, the municipality council, at the request of interested parties, may consent to the appointment of a youth council that is advisory in nature. The municipality council provides such a newly appointed council with articles specifying the procedure for electing its members and the rules of operation. Because of this, the legal solutions adopted in Poland vary considerably in terms of the scope of competences – although they are all advisory – as well as with regard to the procedures for appointing councils and their internal organisation<sup>5</sup>.

For example, the Youth Council in Konin operates under Resolution No. 241 of the Konin City Council of February 27, 2008, on appointing the Youth Council in Konin and providing it with articles. As mentioned before, a youth council is advisory in nature and its main task is to support its own social environment and propagate the idea of local governance. Owing to this, young people can actively participate in the life of the city before entering adulthood. Representatives of the youth council are granted participation in the City Council sessions and sittings of other committees. The Youth Council in Konin can also give opinions on draft resolutions of the Konin City Council and initiate actions which directly concern the youth of Konin, such as cultural and sport events, workshops, and conferences. The council's

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<sup>5</sup> Resolution No. VI/114/2019 of the Gorzów Wielkopolski City Council of March 27, 2019, on appointing the Youth Council in Gorzów Wielkopolski and providing it with articles; Resolution No. 165/XXI/16 of Łomża City Council of January 25, 2016, on appointing the Youth Council in Łomża; Resolution No. XXXIX/926/2002 of the Gliwice City Council of July 10, 2002, on the establishment of the Youth Council in Gliwice; Resolution No. 241 of the Konin City Council of February 27, 2008, on appointing the Youth Council in Konin and providing it with articles; Resolution No. XLVIII/635/2014 of the Jaworzno City Council of June 26, 2014, on appointing the Youth Council in Jaworzno and providing it with articles; Resolution No. 998/XLI/2006 of the Lublin City Council of May 25, 2006, on appointing the Youth City Council in Lublin and providing it with articles; Resolution No. XII/223/11 of September 28, 2011, on appointing the Youth Council in Gdynia and providing it with articles; Resolution No. 307.XXXI.2012 of the Jelenia Góra City Council of November 26, 2012, on the adoption of the procedure for appointing members of the Jelenia Góra Council for Public Benefit Activities and its organisation and procedure of operation; Resolution No. XXXVII/369/04 of the Opole City Council of October 21, 2004, on consent to establish the Youth Council in Opole and provide it with articles; Resolution No. XVIII/245/12 of the Słupsk City Council of January 25, 2012, on the appointment of the Youth City Council and providing it with articles; Resolution No. 876/XLII/01 of the Płock City Council of June 26, 2001; Resolution No. XXIV/410/2000 of May 31, 2000, on the consent to appoint the 'Youth City Council' in Piotrków Trybunalski; Resolution No. LXIII/993/VI/2014 of the Poznań City Council of February 25, 2014, on the establishment of the Youth Council of Poznań; Resolution No. IX/94/2011 of the Tarnobrzeg City Council of March 31, 2011, on the consent to establish the Youth Council in Tarnobrzeg and provide it with articles; Resolution No. XLVII/876/2002 of the Tarnów City Council of January 17, 2002, on the consent to establish the Youth Council in Tarnów.



activity is also aimed at facilitating cooperation with other councils of this type in the country and abroad<sup>6</sup>.

The term of office of the youth council is two years and its members – numbering twenty – represent students of junior high schools and upper secondary schools (public and state-run) as well as other educational establishments from the city of Konin, provided they have established student councils. The executive of the youth council consists of a chairman, two deputies, a secretary, and thematic committees. The first session of the council is convened by the Konin City Mayor. The council meets at ordinary sessions – in the number necessary to perform the tasks of the council, but at least once every two quarters; and at extraordinary sessions in important and urgent matters – convened by a motion containing a proposal of the agenda submitted by the City Mayor, the Chairman of the City Council, the executive of the youth council, or a quarter of the youth council members. The Konin City Council is obliged, at least once a year, to hear information about the council's work reported by its chairman. The Konin City Mayor provides the council with access to technical and office supplies necessary for the tasks it performs, within the financial resources allocated for this purpose in the city budget.

In order to show the scope of competences of youth councils, it is worth examining the solutions adopted in Poznań, where the Youth Council started its operation in 2014 under Resolution No. LXIII/993/VI/2014 of the Poznań City Council of February 25, 2014, on the establishment of the Youth Council of Poznań. Its purpose is to cooperate with the Poznań City Council and the City Mayor in representing the interests of young people and activities aimed at disseminating the idea of local governance and increasing the participation of young people in the social life of Poznań. The integration and cooperation of local youth communities is also a significant challenge. The council achieves its objectives and tasks through:

1. representing the interests of the youth of Poznań before the national and local authorities, and NGOs;
2. issuing opinions on all matters related to young people, in particular on draft resolutions and bylaws;
3. cooperating with the Poznań City Council and the City Mayor in creating strategic documents related to the youth;
4. initiating actions concerning the youth, especially in citizen affairs, education, culture, and sports;
5. undertaking activities for the integration and cooperation of youth communities;
6. carrying out activities recounting the operations of the Youth Council<sup>7</sup>.

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<sup>6</sup> <http://www.konin.pl/index.php/mlodziezowa-rada-miasta.html> (accessed: December 8, 2019).

<sup>7</sup> <http://mrm.poznan.pl/> (accessed: December 8, 2019).

The scope of tasks listed above is basically the same as what is carried out in other investigated cities with county rights.

#### 4. Senior citizen councils

As is the case with youth councils, the functioning of senior citizen councils in Poland is not obligatory. There is no doubt, however, that the ongoing demographic processes which have resulted in the progressive ageing of the Polish society have increased the importance of the need for a rational senior policy as well as the need to institutionally regulate the right of senior people to participate in the process of making public decisions at the local level. Such a need was also recognised by the Polish legislator, and the foundations for the functioning of such institutions in Poland were laid out in Art. 5c of the Act of March 8, 1990, on the municipal government<sup>8</sup>.

Pursuant to this Article, the role of the municipality is to foster intergenerational solidarity and create conditions for stimulating civic activity by senior citizens in the local community. As a consequence, the city council may establish – on its own initiative or at the request of interested parties – a senior citizen council of a consultative, advisory, and initiatory character. It consists of representatives of senior citizens and representatives of stakeholders acting for the benefit of the elderly, in particular the representatives of NGOs and universities of the third age. Upon appointing the senior citizen council, the city council provides it with articles specifying the procedure for the election of members and the rules of operation, seeking to leverage senior citizens' organisations and stakeholders acting for the benefit of the elderly in ensuring an efficient method for electing members of the senior citizen council. In the articles of sub-municipal units, the city council can authorise them to establish their senior citizen council and, therefore, such organisations can be located in individual villages or the neighbourhoods or housing estates of a given city. As a result, their procedures of operation, operating mode, election procedures, and scope of competences are all regulated by bylaws<sup>9</sup>. Senior citizen councils were established in fourteen out of the sixteen examined cities with county rights in Poland.

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<sup>8</sup> The Polish Journal of Laws of 2019, item 506 as amended.

<sup>9</sup> Resolution No. XXXV/420/2016 of the Gorzów Wielkopolski City Council of November 29, 2016, on appointing Senior Citizen Council in Gorzów Wielkopolski and providing it with articles; Resolution No. 563/LX/18 of the Łomża City Council of October 17, 2018, on appointing the Senior Citizen Council in Łomża; Resolution No. XXXVII/808/2018 of the Gliwice City Council of 19 April, 2018, on appointing the Senior Citizen Council in Gliwice and providing it with articles; Resolution No. 67 of the Konin City Council of February 25, 2015, on appointing the Senior Citizen Council in Konin and providing it with articles; Resolution No. XXIII/343/2016 of the Jaworzno City Council of November 29, 2016, on the establishment of the Senior Citizen Council in Jaworzno and providing it with articles; Resolution No. 68/

In Tarnów, the senior citizen council started its operations under Resolution No. VII/56/2015 of the Tarnów City Council of March 5, 2015, on appointing the Senior Citizen Council in Tarnów and providing it with articles. The council has an initiatory, advisory, and consultative role towards Tarnów's local authorities, with which it cooperates in all areas concerning senior citizens, in particular regarding the following themes: support for various forms of senior activities, the creative use of their experience and potential, the development of intergenerational bonds, health promotion and sickness prevention, the breaking down of stereotypes about the lifestyle and needs of seniors, the creation of the image of active and creative senior citizens driven by passion, the support for – and propagation of – various initiatives accomplished for the benefit of senior citizens, the prevention of the social exclusion of senior citizens, the development of different forms of recreation, and, finally, the ensuring of access to education, culture, and sport<sup>10</sup>.

The scope of activity of the senior citizen council in Tarnobrzeg was outlined in a similar way. The council was established under Resolution No. XV/138/2015 of the Tarnobrzeg City Council of September 24, 2015, on appointing the Senior Citizen Council in Tarnobrzeg. Its objectives include:

1. cooperating with the city authorities in providing opinions and solving crucial problems relating to the needs and expectations of people in senior age;
2. providing comments and proposals to bylaws concerning elderly people which are submitted to the senior citizen council by the Mayor and the City Council of Tarnobrzeg;
3. initiating activities aimed at using the potential and time of senior citizens for initiatives on their environment, including those promoting culture, sport, recreation, and education among senior citizens;

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III/2015 of the Lublin City Council of January 29, 2015, on appointing the Senior Citizen Council in Lublin and providing it with articles; Ordinance no. 7522/18/VII/R of the Gdynia City Mayor of February 27, 2018, on appointing and determining the composition and procedure of the operation of the Senior Citizen Council in Gdynia; Resolution No. 20.III.2018 of the Jelenia Góra City Council of December 19, 2018, on appointing the Senior Citizen City Council in Jelenia Góra; Resolution No. LV/820/14 of Opole City Council of February 27, 2014, on the establishment of the Senior Citizen Council in Opole; Resolution No. XIII/120/15 of the Słupsk City Council of June 24, 2015, on appointing the Senior Citizen Council in Słupsk and providing it with articles; Resolution No. LXXXI/1495/2014 of the Rzeszów City Council of October 28, 2014, on appointing the Senior Citizen Council in Rzeszów and providing it with articles; Ordinance No. 2001/2012 of the Płock City Mayor of August 13, 2012, on appointing the Senior Citizen Council in Płock; Resolution of the Poznań City Council No. XXIV/228/V/2007 of October 25, 2007, on appointing the Senior Citizen Council; Resolution No. XV/138/2015 of the Tarnobrzeg City Council of September 24, 2015, on appointing the Senior Citizen Council in Tarnobrzeg and providing it with articles; Resolution No. VII/56/2015 of the Tarnów City Council of March 5, 2015, on appointing the Senior Citizen Council in Tarnów and providing it with articles.

<sup>10</sup> <https://www.facebook.com/TarnowskaRadaSeniorow/> (accessed: December 8, 2019).

4. monitoring the needs of the elderly, counselling in the field of preventive healthcare, promoting health among people of older age, social assistance, and care services;
5. cooperating with organisations and institutions which deal with senior citizens' problems;
6. seeking to create and strengthen intergenerational social bonds;
7. promoting a partnership between the local government and social organisations working for the benefit of elderly people;
8. disseminating information about activities for the benefit of senior citizens, undertaken in the city and initiated by seniors;
9. providing social education about the needs, rights, and possibilities of people of senior age;
10. propagating different offers among senior citizens: medical (free medical examination, e.g. 'white Saturday'<sup>11</sup>, tests for osteoporosis, etc.), cultural, recreational, and educational<sup>12</sup>.

When discussing the appointment of members and the constitution of these types of bodies, we can examine the solutions applied by the senior citizen council in Słupsk, established under Resolution No. XIII/120/15 of the Słupsk City Council of June 24, 2015. The council consists of representatives appointed by stakeholders acting for the benefit of the elderly (including interested NGOs), universities of the third age, the Mayor of Słupsk, and the Słupsk City Council, all of whom nominate people engaged in activities for the benefit of the senior citizens. The first session is convened by the Słupsk City Mayor. Sessions of the council, chaired by the chairman and the deputy, are held at least once a quarter and resolutions are passed by a simple majority of votes in open voting in the presence of at least half of the members of the senior citizen council. Depending on the topics discussed, the council's operation obtains support from the relevant departments of the Municipal Office in Słupsk. The sessions are organised with the help of the City Council Service Department. The term of office is four years.

## 5. County labour market councils

County labour market councils in Poland function under Art. 22 (3) of the Act of April 20, 2004, on the promotion of employment and on labour market institutions,<sup>13</sup> as well as under the Ordinance of the Minister of Labour and Social Policy of May 14, 2014, on labour market councils<sup>14</sup>.

<sup>11</sup> I.e. free medical examinations organised on Saturdays.

<sup>12</sup> <http://www.tarnobrzeg.pl/urad/rada-seniorow/> (accessed: December 8, 2019).

<sup>13</sup> The Polish Journal of Laws of 2017, item 1065 as amended.

<sup>14</sup> The Polish Journal of Laws of 2014, item 630.

County labour market councils are opinion-giving and advisory bodies – to the chairman of the county board (Pol. *starosta*)<sup>15</sup> – on issues related to labour market policy. In the case of a city with county rights – as those analysed in this research – it is an advisory body to the City Mayor. The scope of operation of labour market councils include in particular:

1. encouraging projects with the goal of a full and productive employment in the county;
2. assessing the rationality of the use of the Labour Fund resources;
3. giving opinions on the draft county action plan and delivering periodic reports on its implementation;
4. giving opinions on the criteria for the distribution of the Labour Fund resources earmarked for financing programmes related to the promotion of employment and the financing of other optional tasks; as well as expressing opinions on proposals for allocating the Labour Fund reserves that are at the disposal of the local government, and on reports about their use, prepared by county job centres;
5. submitting motions and issuing opinions on matters relating to the direction of education, vocational training, and employment in the county;
6. assessing periodic reports on county job centres;
7. delegating representatives to sit on a jury to select a candidate for the position of the director at a county job centre;
8. giving opinions on motions for the removal of the director at a county job centre from their position;
9. giving opinions on criteria applied to issuing job permits to foreigners;
10. cooperating with social dialogue councils<sup>16</sup>, in particular with regard to initiating programmes and partnerships for employment growth and labour market development.

Apart from the above, county labour market councils also offer opinions on:

1. the purposefulness of implementing special programmes, considering in particular the number of people covered by the programme and the criteria for selecting these people; the assumed results of the special programme, including the expected cost and employment effectiveness as well as the costs of implementing such a programme, with a breakdown into individual projects;

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<sup>15</sup> Local governments in Poland are placed on two levels: municipality and county (Pol. *powiat*). The organisation of the executive in the municipality and in the county differs. While in a municipality, the mayor – elected in general elections – is the executive, in a county, the executive body is the county board elected by the county council. The county board is headed by the chairman. In the case of the analysed cities, the mayor also performs the tasks of the chairman of the county board.

<sup>16</sup> Social-dialogue councils are established in voivodeships (regions) as a forum for dialogue between employers, employees, and public authorities.

2. changes to the implementation of special programmes proposed by a governor;
3. the purposefulness of implementing the Activation and Integration Programme, giving particular consideration to the criteria for selecting the unemployed as well as the projected results of the implementation of this programme.

The county labour market council consists of people appointed by the city mayor from each trade union with local structures operating in the county and from organisations of employers (as defined in the Act on the Council for Social Dialogue); organisations of farmers, including trade unions of individual farmers and agricultural chambers; and NGOs dealing with labour market issues. Detailed rules of the functioning of councils are defined by bylaws (with some exceptions where local authorities decided to regulate this otherwise)<sup>17</sup>.

For example, in the County Labour Market Council in Gliwice in the 2019–2023 term there are fourteen members, including two representatives of the Gliwice City Council and one representative of the Gliwice County Council. The term of office of the council is four years and its meetings are held at least once a quarter. In extraordinary circumstances, they may be convened at the request of at least half of the members of the council or the chairman. Resolutions are adopted by a simple majority of votes in the presence of at least half of the members and in an open vote (in the event of an equal number of votes, the decision is made by the chairman). Organisational support is provided by the Head of the Department of Health and Social Affairs of the City Hall as well as the County Job Centre in Gliwice<sup>18</sup>.

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<sup>17</sup> Ordinance of the Gliwice City Mayor No. PM-1247/19 of September 25, 2019, on appointing the County Labour Market Council in Gliwice for the term of 2019–2023; Ordinance No. 7/2017 of the Lublin Governor of January 19, 2017; Ordinance of Lublin Governor No. 11/2018 of December 17, 2018; Ordinance of the Gdynia City Mayor No. 5384/16/VII/M of November 29, 2016; Ordinance No. OR-1.0050.568.2017 of the Opole City Mayor of August 23, 2017, amending the ordinance on appointing the County Labour Market Council in Opole; Ordinance No. 9/2015 of the Słupsk Governor of February 18, 2015, on appointing the County Labour Market Council in Słupsk for the term of 2015–2019; Ordinance No. 11/10/2016 of the Rzeszów Governor of September 23, 2016, on the County Labour Market Council for the term of 2016–2020; Ordinance No. 52/2012 of the Piotrków County Governor of December 21, 2012, on appointing members of the County Employment Council in Piotrków Trybunalski for the term of 2012–2016; Ordinance No. 2/2015 of the Poznań Governor of January 13, 2015, on appointing the County Labour Market Council; Ordinance No. 24/2016 of the Tarnobrzeg Governor of December 16, 2016, on appointing the County Labour Market Council in Tarnobrzeg for the term of 2016–2019.

<sup>18</sup> [http://www.pup.gliwice.pl/urząd\\_pracy/Powiatowa\\_Rada\\_Rynku\\_Pracy.html](http://www.pup.gliwice.pl/urząd_pracy/Powiatowa_Rada_Rynku_Pracy.html) (accessed: December 7, 2019).

## 6. Sports councils

Sports councils, appointed by the mayors and consisting of representatives of organisations and institutions performing tasks related to physical education, may operate in municipalities. They operate under the provisions of Art. 30(1) of the Act of June 25, 2010, on sport<sup>19</sup>. The city mayor determines the composition and the rules for appointing members to the sports council as well as the regulations governing its operation. Sports councils give opinions on:

1. the development strategy of municipalities, counties, and voivodeships in the main area of physical activity;
2. draft budgets to the parts related to physical activities;
3. development programmes for sports facilities in a given area, and on local spatial development plans covering areas used for physical activities;
4. draft resolutions related to physical activities.

It is worth emphasising that the legislator assumed that members of sports councils would perform their functions for free. Detailed provisions are included in bylaws<sup>20</sup>. It should also be noted that sports councils operate in only nine of the sixteen selected cities with county rights.

One of them is the Sports Council in Słupsk, which operates under Ordinance No. 550/BPM/2015 of the Mayor of the City of Słupsk of August 12, 2015, on the appointment of Sports Council in Słupsk. Its tasks include:

1. giving opinions on strategic initiatives and the decisions of the Mayor of the City of Słupsk on sport and recreation as well as the promotion of physical activities;
2. giving opinions on draft strategic documents on planning and the development of programmes in the sports-and-recreation sector;

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<sup>19</sup> Polish Journal of Laws of 2019, item 1468 as amended.

<sup>20</sup> Ordinance No. 42/19 of the Łomża City Mayor of February 15, 2019, on appointing the Sports Council in Łomża and establishing the rules of its operation; Ordinance No. PM-659/07 of the Gliwice City Mayor of April 27, 2007, on establishing the composition and procedure of appointing members of the Sports Council in Gliwice as well as establishing the rules of its operation; Ordinance No. 32/3/2012 of the Lublin City Mayor of March 12, 2012, on appointing the Sports Council; Ordinance No. 7597/18/VII/P of the Gdynia City Mayor of March 14, 2018, on appointing the Sports Council and establishing the rules of its operation; Ordinance No. 0151-557/V/08 of the Jelenia Góra City Mayor of February 20, 2008, on appointing the Sports Council in Jelenia Góra; Ordinance No. OR-.10050.778.2017 of the Opole City Mayor of November 22, 2017, on appointing the members of the Sports Council; Ordinance No. 550/BPM/2015 of the Słupsk City Mayor of August 12, 2015, on establishing the Sports Council in Słupsk; Ordinance No. 503/2011 of the Płock City Mayor of June 9, 2011, on appointing the Sports Council in Płock as well as introducing the procedure of appointing its members and establishing the rules of its operations; Ordinance No. 51/2019 of the Tarnów City Mayor of February 8, 2019, on appointing members of the Sports Council in the Tarnów Municipality for the term of 2019–2023.

3. giving opinions on important investment projects concerning the improvement of sports infrastructure in Słupsk;
4. giving opinions on the sports-and-recreation development strategy for the city;
5. giving opinions on key draft resolutions relating to sports activities;
6. giving opinions on strategic sports projects and sports programmes;
7. giving opinions on draft budget plans of Słupsk to the parts concerning associations and sports clubs as well as other city expenditures on sports activities;
8. inspiring and supporting players, coaches, social movements, and NGOs that are active in the field of sport and recreation;
9. evaluating the accomplishment of actions undertaken by the Słupsk City Mayor, the associations and sports clubs subordinate to them, and recommending changes to the support and development of physical culture in Słupsk;
10. giving opinions and assessing the recovery plans initiated by the Słupsk City Mayor on sport and recreation in Słupsk;
11. initiating a dialogue on the development of sport and recreation, and encouraging research on physical activities;
12. supporting – and giving opinions on – initiatives promoting sports activities, as well as improving qualifications of staff involved in sports activities<sup>21</sup>.

With regard to appointing this type of council and establishing its rules of operation, we can refer to the solutions adopted in the Sports Council in Płock, which was appointed under Ordinance No. 503/2011 of the Płock City Mayor of June 9, 2011. The sports council, which consists of 15–23 members, is appointed for a four-year term of office. At present, it has twenty-three members; fifteen of them are representatives of organisations and institutions performing tasks relating to physical activities, while four of them are members designated by the Płock City Council and the remaining members are selected by the Płock City Mayor. The council meets in session at least once a quarter. However, the chairman is obliged to convene an extraordinary meeting of the Council at the request of the Płock City Mayor or of at least half of the members of the council. Decisions are made by a simple majority of votes in the presence of at least half of the council members. In the event of an equal number of votes, the chairman's vote prevails. The Department of Sport and Tourism of the City Hall in Płock is responsible for the organisation of the council's operation.

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<sup>21</sup> <https://www.opole.pl/rada-sportu-juz-dziala/> (accessed: December 7, 2019).



## 7. Security and order committees

Security and order committees are appointed under the Act of June 5, 1998, on county local government<sup>22</sup>. Art. 38a of the above-mentioned legal act states that a security and order committee should be established in order for the chairman of the county board to perform the tasks with regard to the supervision of county services, inspections, and guards, as well as tasks specified in the acts regarding the public order and the security of citizens. The committee's tasks include:

1. assessing threats to the public order and the security of citizens in the county;
2. giving opinions on the work of the Police and other county services, inspections, and guards as well as units performing tasks relating to the public order and the security of citizens in the county;
3. preparing drafts of the county programme for crime prevention and maintaining the public order and citizens' security;
4. giving opinions on projects of other cooperative programmes of the Police and other county services, inspections, and guards as well as units performing tasks related to the public order and the security of citizens in the county;
5. giving opinions on draft budgets of the county within the scope referred to in point 1;
6. giving opinions on drafts of bylaws and other documents in matters relating to the performance of tasks listed in points 1, 2, and 4.

The mayor of a city with county rights and the chairman of the county board of a county bordering such a city may establish, by agreement, a joint committee for the city with county rights and the county bordering such a city. In this case, the city mayor and the chairman of the county board co-chair the committee. The committee consists of:

1. the chairman of the county board as a chairman of the committee;
2. two councillors delegated by the county council;
3. three persons appointed by the chairman of the county board from among people distinguished by their expertise in a field relevant to the subject of the committee's work and having authority and public trust in the local community. These would be the representatives of the municipal government, NGOs, education workers, and workers in institutions engaged in fighting against social pathologies and preventing unemployment;
4. two representatives delegated by the chief police inspector of the county.

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<sup>22</sup> The Polish Journal of Laws No. 91 of 1998, item 578 as amended.

The local public prosecutor appointed by the regional public prosecutor participates in the work of the committee. The chairman of the county board can appoint officers and employees of county services, inspections, and guards other than the Police to take part in the works of the committee. Employees of other public administrative bodies performing tasks relating to public order and security of citizens in the county can be delegated to works conducted by the committee. The above-mentioned officers and employees participate in the work of the committee in the capacity of an advisory body.

The term of office for the committee is three years and the removal of members before the end of their term by the authority that had appointed or delegated them is possible, but for only important reasons, which must be given in writing. Membership of a councillor delegated by the county council always ends with the expiry of their mandate. In the event of death, removal, or resignation of a committee member before the end of their term of office, the body that had appointed or delegated them appoints or delegates a new committee member for the remainder of said term.

The provisions of Art. 38b stipulate that in order to execute the tasks of the committee, the chairman of the committee can request from the Police and other county services, inspections, and guards – and also from the county and municipal administrative units performing tasks relating to the public order and the security of citizens – documents and information about their work, except for personal files of employees and officers, operational intelligence, and investigation-related materials and files of individual administrative cases.

In performing its tasks, the committee may cooperate with the local authorities of municipalities from the county as well as with associations, foundations, churches, religious organisations, and other organisations and institutions.

No later than by the end of January of the following calendar year, the chairman of the county board submits to the county council a report on the committee's activity for the previous year. The governor's report is published in the voivodeship official journal.

Pursuant to the provisions of Art. 38c, the costs of the committee's activities are covered by the budgeted funds of the county. The rules for the reimbursement of expenses to the members of the committee and people appointed to participate in its work – where the expenses are incurred in connection with the committee's work – are defined by the county council. It does so by applying the relevant provisions for the reimbursement of business travel costs for county councillors. The county office provides administrative support to the committee.

Due to the statutory requirement to establish order and security committees, they were established in all of the examined cities. The committees

were constituted under normative acts such as ordinances by the city mayor or the chairman of the county board. In two cases, the cooperation was based on agreements made between the city mayor and the chairman of the county board. The tasks of the order and security committee were laid down in bylaws which directly refer to the statutory provisions described above. From the information gathered it is not clear how frequently the sessions of the committee are convened. The materials used in the institutional analysis indicate two to six meetings a year. The chairmen of the committees are the mayors of the cities or the chairman of the county board. In the case of Jelenia Góra and Gliwice, the formula of co-chairing by both of them has been adopted<sup>23</sup>.

## 8. Urban planning committees

City urban planning committee is an advisory body to the city mayor. It operates under the provisions of Art. 8 of the Act of March 27, 2003, on urban planning and spatial development<sup>24</sup>. It is appointed by the city

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<sup>23</sup> Taking into account the authorities issuing the relevant bylaws, the following documents constitute the basis for the activity of the order and security committees: Ordinance No. 413/14/VII/P of the Gdynia City Mayor of December 23, 2014, on appointing the City Order and Security Committee; Agreement of December 11, concluded between the Gliwice City Mayor and the Gliwice Governor on the Joint Order and Security Committee; Ordinance No. 23/2008 of the Gorzów Governor of April 7, 2008; Ordinance No. 5/2002 of the Jaworzno City Mayor of January 18, 2002; Agreement of December 4, 2001, concluded between the Governor of Jelenia Góra and the Jelenia Góra City Mayor on the Joint Order and Security Committee of the city of Jelenia Góra and the Jelenia Góra County; Ordinance No. 2/2002 of the Konin Governor of January 10, 2002, on the establishment of the Order and Security Committee; Ordinance No. 17/03/2012 of the Lublin City Mayor of March 5, 2012, on the establishment of the Public Order and Security Committee; Ordinance No. 1/2002 of the Łomża Governor of January 2, 2002, on appointing members of the County Order and Security Committee; Ordinance No. OR-I.0050.120.2015 of the Opole City Mayor of February 27, 2015, on the establishment and detailed rules of operating of the Public Order and Security Committee; Ordinance No. 42/17 of the Piotrków Trybunalski City Mayor of January 30 2017; Ordinance No. 4328/2014 of the Płock City Mayor of April 1, 2014, on appointing the Order and Security Committee; Ordinance No. 56/2011 of the Poznań Governor of January 22, 2011, on the establishing and appointing members of the County Order and Security Committee in the Poznań County; Ordinance No. 18/2008 of the Rzeszów City Mayor of March 25, 2008, on the establishment of the Order and Security Committee for the city of Rzeszów; Ordinance No. 16/2007 of the Słupsk Governor of March 29, 2007, on the establishment of the Public Order and Security Committee; Ordinance No. 14/2001 of the Tarnobrzeg City Mayor of November 19, 2001, on the establishment of the City Order and Security Committee; Ordinance No. 170/2017 of the Tarnów City Mayor of March 29, 2017, on appointing the Order and Security Committee for the city of Tarnów; Ordinance No. 46/2019 of the Rzeszów City Mayor of July 1, 2019, on the establishment of the Order and Security Committee for the term of 2019–2022.

<sup>24</sup> The Polish Journal of Laws of 2003, No. 80, item 717 as amended.

mayor in order for it to issue opinions on the studies of the conditions and directions of spatial development as well as to draft spatial development plans. The Committee is also an advisory body in other matters relating to planning and spatial development in the scope specified by the mayor.

Chairmen of the county boards may appoint county urban planning committees as advisory bodies to the chairman of the county board and – under relevant agreements – as advisory bodies to mayors of the municipalities situated in those counties which have not appointed municipal committees or have not entrusted the function of an advisory body in this regard to a committee appointed in another municipality. The committee consists of people with professional backgrounds in the theory and practice of spatial planning. They are high-class professionals representing occupational associations, associations of architects, construction engineers, and urbanists. This is one of the reasons why members who are not employed by the city hall – or in any other organisational unit of the city – are entitled to remuneration for each sitting at committee sessions.

Detailed regulations on the organisation of work and the objectives of the committee are specified in ordinances issued by the city mayor. Bylaws describe the tasks and rules of the procedure of planning committees in a similar way. Possible differences relate to the number of members sitting in these elite bodies. The available data shows that their number in the investigated cities ranges from seven to seventeen members<sup>25</sup>.

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<sup>25</sup> Ordinance No. 4162/16/VII/U of the Gdynia City Mayor of February 23, 2016, on appointing the City Urban Planning Committee; Ordinance No. 1023/1/2004 of the Gorzów Wielkopolski City Mayor of October 26, 2004, on the implementation of Organisational Regulations of the City Urban Planning Committee; Ordinance No. UA.0050.2.2015 of the Jaworzno City Mayor of January 7, 2015, on appointing the Urban Planning Committee; Ordinance No. 0050.1252.2017.VII of the Jelenia Góra City Mayor of December 13, 2017, on appointing the City Urban Planning Committee in Jelenia Góra and implementing the Regulations of Operation of the City Urban Planning Committee in Jelenia Góra, constituting an annex to the above-mentioned ordinance; Ordinance No. 260/IV/2004 of the Konin City Mayor of November 25, 2004, on appointing the City Urban Planning Committee; Ordinance No. 11/12/2018 of the Lublin City Mayor of December 11, 2018, on appointing the City Urban Planning Committee in Lublin and establishing its regulations; Ordinance No. 71/2007 of the Łomża City Mayor of April 11, 2007, on appointing the City Urban Planning Committee. At present, the Committee has operated under Ordinance No. 244/17 of the Łomża City Mayor of July 4, 2017, on appointing the City Urban Planning Committee; Ordinance No. OR.II-0155-605/2003 of the Opole City Mayor of November 3, 2003, on appointing the City Urban Planning Committee and providing it with organisational regulations. At present, the Committee has operated under Ordinance No. OR-I.0050.383.2013 of the Opole City Mayor of July 11, 2013, on appointing the City Urban Planning Committee and providing it with organisational regulations; Ordinance No. 114 of the Piotrków Trybunalski City Mayor of March 9, 2004, on appointing the City Urban Planning Committee and establishing its organisation and mode of operation. At present, the Committee has operated under Ordinance No. 150 of the Piotrków Trybunalski City Mayor of April 10, 2015, on appointing the City Urban Planning Committee and establishing

In order to show the procedures relating to the works of a committee, basic information from the Regulations of the City Urban Planning Committee in Poznań is presented. The sessions of this Committee are convened by its chairman if required. Representatives of the city hall's Department of Urban Planning and Architecture are invited to the sittings of the committee. In addition, representatives of other departments of the Poznań City Hall, municipal offices, and other bodies and institutions may be invited when it is relevant to the subject of the meeting.

Authors and reviewers of studies are present at committee sessions during which their papers are discussed. The agenda and dates of the sessions as well as the list of guests to a committee sitting are all determined by the chairman or, in their absence, by the deputy-chairman.

The expertise, reviews, and opinions indispensable to the committee's work may be commissioned to either a member of the committee or a non-member. Members of the committee employed in the City Hall and city offices cannot receive additional remuneration for sharing expertise, reviews, and opinions.

The study to be discussed by the committee – along with expert reports, reviews, and opinions – should be made available to committee members at least three days before the date of the session.

The committee adopts a standing on matters falling within its scope of operation by a simple majority of votes of the committee members present at the session, cast in an open vote. In the event of an equal number of votes, the vote of the chairman prevails; in their absence, the vote of the deputy-chairman is decisive.

The chairman approves of the minutes of the committee meeting and draws up an opinion based on the results of the discussions held. The Director of the Municipal Urban Planning Office provides the committee with feedback about the use of its opinion.

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its organisation and mode of operation; Ordinance No. 3028/2017 of the Płock City Mayor of February 21, 2017, on appointing the City Urban Planning Committee and establishing its regulations; Ordinance No. 56/2015/P of the Poznań City Mayor of February 2, 2015, on the City Urban Planning Committee. At present, the Committee has operated under Ordinance of the Poznań City Mayor of February 4, 2019, on the City Urban Planning Committee; Ordinance No. VII/1359/2017 of the Rzeszów City Mayor of October 23, 2017, on appointing, organisation, and mode of operation of the City Urban Planning Committee with the Rzeszów City Mayor; Ordinance No. 65/2007 of the Governor of Słupsk of November 30, 2013, on appointing the County Urban Planning Committee and establishing its regulations; Ordinance No. 53/2014 of the Tarnobrzeg City Mayor of February 21, 2014, on appointing the Municipal Urban Planning Committee in Tarnobrzeg; Ordinance No. 316/2007 of the Tarnów City Mayor of September 6, 2007, on appointing the City Urban Planning Committee in Tarnów as an advisory body to the Tarnów City Mayor in cases related to spatial planning. In the course of institutional analyses, no documents related to the legal foundations and directions of operation of the Urban Planning Committee in Gliwice were found.

## 9. Councils for residents with disabilities

Councils for residents with disabilities operate under Resolution of August 27, 1997, on the Vocational and Social Rehabilitation and Employment of Disabled Persons<sup>26</sup>. Under the provisions of Art. 44b of the above-mentioned regulation, the county social councils for residents with disabilities are established as opinion-giving and advisory bodies in county offices.

The tasks of the councils for residents with disabilities include:

1. encouraging projects aimed at the professional and social integration of people with disabilities as well as the execution of their rights;
2. giving opinions on county draft action plans for residents with disabilities;
3. assessing the implementation of action plans;
4. giving opinions on draft resolutions and programmes adopted by the county council with regard to their consequences for people with disabilities.

Councils for residents with disabilities consist of five people appointed from representatives of NGOs operating in a given county and representatives of the municipalities of a county. Members are appointed and removed by the chairman of the county board from candidates put forward by the above-mentioned stakeholders. The term of office is four years.

The employer is obliged to release the employee from work in order for him/her to be able to participate in the sittings of the council. The employee retains the right to remuneration determined in accordance with the rules governing the calculation of the remuneration for annual leave.

The council for residents with disabilities can:

1. appoint experts;
2. invite to its sessions representatives of the public administration and NGOs without representation in the council, as well as representatives of voivodeship and county councils;
3. commission research and the preparation of expert reports relating to the execution of its tasks.

Detailed issues regarding the operation of social councils for residents with disabilities are included in the ordinances of the mayors<sup>27</sup>.

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<sup>26</sup> The Polish Journal of Laws of 1997, No. 123, item 776 as amended.

<sup>27</sup> Ordinance No. 7012/17/VII/P of the Gdynia City Mayor of November 21, 2017, on appointing the County Social Council for Residents with Disabilities in Gdynia; Ordinance No. PM-2017/15 of the Gliwice City Mayor of December 16, 2015, on appointing the County Social Council for Residents with Disabilities in Gliwice; Ordinance No. 332/1/2018 of the Gorzów Wielkopolski City Mayor of August 23, 2018, on appointing the County Social Council for Residents with Disabilities; Ordinance No. WZ.0050.185.2015 of the Jaworzno City Mayor of June 3, 2015, on the County Social Council for Residents with Disabilities; Ordinance No. 0050.319.2019.VIII of the Jelenia Góra City Mayor of October 4, 2019, on appointing

## 10. Summary

The decentralisation measures implemented in Poland over the last three decades have had a positive impact on the shape of the state's political system, which led to an increase in the participation of corporate groups of citizens in decision-making. As has already been emphasised, such a long period of development of the local governance in Poland calls for a summary, but also prompts questions regarding the future of local government. In the public debate there are various threats identified, resulting either from the natural tendency to introduce more and more complex administrative structures around local government that will become bureaucratised, or from the centralist and statist aspirations of the state. An unfavourable turn of events in either case can result in the dissolution of the community-like nature of the local government in Poland. It seems that the solution to such threats may be the adherence to concepts promoting an increased participation of citizens in the functioning of the local authorities. In this approach, the main role of the local authorities, including city authorities, is to moderate public policies and, to a lesser extent, create local policy. Such modifications naturally advance the development of civil society and contribute to a greater participation in solving problems at the local level. One has to keep in mind that satisfying needs and expectations of local communities is a fundamental objective of local government, which, based on the principle of subsidiary, should create opportunities for citizens to actively participate in executing public power.

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the County Social Council for Residents with Disabilities; Ordinance No. 101/2019 of the Konin City Mayor of July 25, 2019, on appointing members of the County Social Council for Residents with Disabilities; Ordinance No. 108/7/2019 of the Lublin City Mayor of July 24, 2019, on appointing members of the Social Council for Residents with Disabilities to the Lublin City Mayor for the term of 2019–2023; Ordinance No. 5/2019 of the Łomża City Mayor of January 16, 2019, on appointing the Social Council for Residents with Disabilities in Łomża; Ordinance No. OR-I.0050.149.2019 of the Opole City Mayor of February 28, 2019, on appointing the County Social Council for Residents with Disabilities in Opole; Ordinance No. 386 of the City Mayor of Piotrków Trybunalski of October 3, 2016, which entered into force on October 31, 2016, on the County Social Council for Residents with Disabilities; Ordinance No. 866/03 of the City Mayor of November 4, 2003, on the City Social Council for Residents with Disabilities in Płock; Ordinance of the Poznań City Mayor of November 4, 2015, on appointing the City Social Council for Residents with Disabilities; Ordinance No. VII/57/2015 of the Rzeszów City Mayor of January 13, 2015, on appointing the County Social Council for Residents with Disabilities; Ordinance No. 785/ZiSS/2015 of the Słupsk City Mayor of November 9, 2015, on appointing the City Social Council for Residents with Disabilities; Ordinance No. 242/2015 of the Tarnobrzeg City Mayor of July 10, 2015, on appointing the City Social Council for Residents with Disabilities; Ordinance No. 392/2015 of the Tarnów City Mayor of September 30, 2015, on appointing members of the County Social Council for Residents with Disabilities to the Tarnów City Mayor.

As Kalisiak-Mędelaska notes, the future belongs to communities which can effectively use the mechanisms of common decision-making through the means of consultation, negotiation, compromise, and consensus. Strong and well-developed local government should become a space for the cooperation of all actors of the public life (2015, p. 8). Therefore, it is important to be constantly searching for forms and tools of social participation in the Polish local government. The instruments of local democracy – such as public consultations, referenda, initiatives for resolutions and civic budgets, and other forms of citizens' engagement in decision-making – cannot be marginalised.

Social participation should lead to the local authorities' increased effectiveness due to a better recognition of the needs of a given community (Pietraszko-Furmanek, 2012, p. 67). Undoubtedly, in such a vision of the development of local government, social councils and committees play an important part. However, it seems that their potential is not sufficiently utilised in the local decision-making. The existence of SCs has been regulated in the acts of statutory law regardless of whether their appointment is obligatory or whether the act merely mentions a possibility of the creation of a SC. These bodies may not be uniform in terms of membership, i.e. they can consist of either people representing the local community, but not holding positions in the local government, or people who do hold such positions. SCs' members from outside of the local government represent NGOs, trade unions, business organisations, and self-regulatory organisations and professional associations. Expectations towards these stakeholders vary and result from the character of a given SC. The members should display social competences and, most of all, the will to act for the public good. It is worth noting, though, that in the case of some of these bodies – e.g. urban planning committees or order and security committees – specific professional experience and expertise is required.

To conclude, it should be emphasised that SCs are formally and legally mandated to perform their activities. Resolutions and bylaws described in this paper facilitate the appointment of these bodies and their operation. The effectiveness of the activities of SCs depends on the engagement of their members and – above all – on the willingness of the local authorities to use their potential. Local governments still do not fully understand that dialogue with the local community is beneficial to the local development.



# Research Methodology

*Agnieszka Pawłowska*

## 1. Research objectives and assumptions

While observing that local communities showed a strong interest in various forms of participation in public decision-making (civic budget, citizens' panels), we noticed inconsistencies in their founding and that they were often experimental and isolated in nature (with the exception of participatory budgeting, which is 'backed' by statutory compulsion<sup>1</sup>). When analysing the results of our research on participatory and deliberative forms of social activity (see Chapter One), we noted a recurring desideratum calling for the institutionalisation of these attractive, albeit sporadic, forms of resident involvement in local decision-making (Fagotto & Fung, 2009; Nabatchi & Amsler, 2014). Our attention was also drawn to the increased interest expressed by selected groups of residents in institutionalised forms of quasi-representation in the form of youth councils and senior citizen councils, as well as other types of collegiate bodies not provided for by the statutory regulations (women's councils/forums, business councils, etc.).

The consideration given to social councils and committees in academic literature is not on par with their prevalence in local communities. The results from research into collegial entities performing opinion-giving and advisory functions for local authorities are scarcely cited in either foreign (see Chapter Three) or Polish publications. The latter mostly describe their legal and institutional condition (Andruszkiewicz, 2017; Brol, 2013; Gronkiewicz & Ziółkowska, 2014; Maciaszek, 2016). Publications based on empirical research are less numerous (Sroka, 2008; Sroka et al., 2004) and usually relate to single types of social councils. Therefore, not only is our interest in this topic triggered by the so-called cognitive gap, but it also stems from the practical need to institutionalise various forms of resident participation in local decision-making.

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<sup>1</sup> Act of January 11, 2018, on amending certain acts in order to enhance civic participation in the process of electing, functioning, and controlling some of the public bodies (Polish Journal of Laws of 2018, item 130).

Aside from well-practised but infrequent forms of referenda and consultations, it seems that legally established SCs are an actual form of influence exerted by groups of residents and social organisations on decision-making in local government.

However, since knowledge about them and their role in local communities is limited, we decided to carry out research aimed primarily at describing them, in particular:

1. how they were established, how their members are recruited, who the people sitting on the SCs are, what their individual contribution to the operation of these bodies is;
2. how the SCs are organised and what procedures they have as well as what the ambiance during meetings is;
3. what the SCs work on most often, how their conclusions are drawn, what the relationships between the examined bodies and related social groups are;
4. how the members of the SCs perceive the relationship between the SC and the local authority, how they assess the role of social collegial bodies in local decision-making, and how they evaluate the benefits from the functioning of the SC to the entire local community.

Since there is no comparable empirical research or proven cases of the causal relationships between SCs, public authorities, and the local community, we had not constructed any detailed hypotheses before starting the research (the hypotheses were formed after a closer study of the issue). Instead, we made three simple assumptions, stating that SCs have:

- a) a representative potential, complementing the city council in representing and articulating interests of the residents;
- b) a deliberative potential, providing a forum for dialogue between public institutions, social organisations, and groups of residents, and generating the best solutions to the local problems;
- c) a potential to impact local decisions, modifying the standpoint of local government bodies as reflected in their decisions and controlling the local authorities in the scope of decisions taken.

In the following sections of the monograph, we present the issues of representation and articulation of local interests by SCs, the course of deliberation within these bodies, and the scope of their influence on decisions made by the local authorities. We use the results of the quantitative research that was carried out first as well as the results of the qualitative research that allowed us to extend the knowledge acquired during the quantitative research, making it possible for us to comprehend the 'sentiment' in and around community councils and committees.

## 2. The subject matter and the territorial scope of the research

A closer analysis of normative acts and randomly selected units of local government revealed a large variety of quasi-representative<sup>2</sup> collegial bodies which are expert in nature and which are of interest to us. Although all of them are worthy of attention, we could not examine them all. Firstly, then, we decided to include in the project those councils and committees that are mentioned in generally-binding normative acts whilst giving no consideration to the scope of the regulations, i.e. either narrow (as in the case of youth councils and senior citizen councils) or broad (as in the case of councils for residents with disabilities regulated by the act and by the ordinance of the relevant minister). We decided to take into account SCs regardless of the level of their 'socialisation' as measured by the number of representatives from the local community sitting as members of the SC. That is why the research includes both those SCs whose members do not have any roles in the local government and those which do have such 'representatives' of local authorities.

Our research covers SCs appointed by virtue of statutory obligation as well as those whose formation is optional. At the beginning of the survey, we identified: councils of NGOs, youth councils, senior citizen councils, education councils, county labour market councils, sports councils, councils for residents with disabilities, social councils for municipal hospitals, security and order committees, urban planning committees, committees for solving alcohol-related problems. Initially, we had decided to exclude from the study committees for solving alcohol-related problems, as their activities – addressed to specific natural and legal persons – dominate over other tasks specified in the act. Therefore, it is difficult to examine their opinion-giving and advisory activities performed in relation to local authorities. After the preliminary analysis of available data on the presence of the above-mentioned collegial bodies, we eliminated from our research the scarcely appointed education councils and – the seemingly absent or at least 'unreachable' – social councils for municipal hospitals. Ultimately, the research covered eight councils and committees operating at the local level.

After identifying the subject of research, it was necessary for us to define its territorial scope, i.e. the local units in which SCs would be examined. Since

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<sup>2</sup> 'Quasi-representative', because the local community is represented by a council elected by residents in democratic elections; however, it is noteworthy that statutes constituting the local government in Poland do not apply to municipal, city, or county councils' terms, indicating their representative character. The body representing the local government unit and, therefore, its residents is a one-person executive body in the municipality (i.e. the mayor) and the chairman of the collegial executive in the county.

labour market councils and security and order committees are appointed in counties, whereas other councils and committees are appointed in municipalities, we decided to carry out our research in cities with county rights, which was additionally justified by: a) large populations with the expectation of a proportionately larger number of social organisations potentially interested in the participation in decision-making, and a greater scope and variety of problems requiring the local authorities to respond in the form of decisions; b) the economic potential of these local government units as reflected in their income, which provides material grounds for a broad participation of non-public actors in decision-making; c) better access to expert resources due to the presence of universities in these cities.

Further, for the research to be conducted it was necessary to choose from the sixty-six cities with county rights. We decided to exclude the capital city of Warsaw due to its unique territorial organisation. Also, its incomparably higher population and economic potential<sup>3</sup> would have possibly distorted the results. We considered sixty-five cities with county rights and decided to conduct quantitative research in all of them, and then select sixteen cities, i.e. a quarter of the scrutinised cities, for qualitative research. Before demonstrating the method for selecting this sample, we would like to present some preliminary information about the quantitative research which was carried out first.

In order to conduct quantitative research, we designed a questionnaire addressed to the members of SCs; it consisted of twenty-one problem-related questions and seven demographic questions (Annex I). Four questions in the questionnaire permitted a selection of more than one answer and one question was an open question. The survey was conducted with the use of three parallel research techniques: CAWI (computer-assisted web interview), CATI (computer-assisted telephone interview), and PAPI (paper-and-pen interview).

Establishing which SCs operate in particular cities turned out to be a difficult task. Information published on the homepages of city hall websites and on the corresponding webpages of the Bulletin of Public Information was often outdated. Some SCs had been inactive for at least a year. Some other councils were in the process of being appointed in the course of the study and others were undergoing a complete change in their composition. All this made it difficult or even impossible to carry out the research. Some SCs – despite repeated requests – did not respond to the invitation to take part in the study. Eventually, it was not possible to establish

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<sup>3</sup> For example, youth councils are appointed in each district of Warsaw, whereas the Youth Council of the Capital City of Warsaw is comprised of representatives of youth councils in districts (Act No. LII/1274/2017 of the Council of the Capital City of Warsaw of July 6, 2017, amending the Act on appointing the Youth Council of the Capital City of Warsaw).

a precise number of SCs operating in scrutinised cities, nor to record the number of their members.

As a result of the survey conducted between April and October of 2018, we collected 1,402 completed questionnaires provided by the members of a total of 292 SCs from all cities covered by the study (see Annex II). The results of the quantitative research were analysed using the SPSS application. Due to the difficulties described above, the general level of return of questionnaires is only approximate, although in the case of obligatorily appointed councils and committees, the confidence about the level of participation of their members in the survey is greater. Municipalities are statutorily obliged to appoint the council for residents with disabilities and the urban planning committee, whereas counties are obliged to appoint the county labour market council and the security and order committee. Additionally, pursuant to the regulations of the relevant statute, the council for residents with disabilities consists of five members, while the security and order committee is formed by at least eight members representing institutions listed in the relevant law. Statutory provisions determine the entities to be represented in the urban planning committee and the county labour market council, although they do not provide details to the number of their members, even approximately. Hence, we decided to check whether in the studied cities these obligatory SCs do indeed exist and how many members they have. The results are compiled in Table 4.1. As it turned out, not all of the examined cities complied with the statutory obligation to appoint councils/committees (Table 4.1, column 1). Such an obligation was met only with regard to county labour market councils; however, it should be noted that in many cases these councils fall within the structure of county job centres, which are subordinated to the office of the county adjacent to the examined city and serve both of the local government units, i.e. the city and the county. It is also the case, although not frequently, that a city and a bordering county appoint a joint security and order committee (e.g. the city of Gliwice and the Gliwice county).

Ultimately, in the course of quantitative research we managed to identify 450 SCs, numbering 5,522 members. In the case of councils of NGOs, youth councils, senior citizen councils, and sports councils, the data about their numbers and the number of their members is approximate, as we did not manage to establish if they, in fact, exist, or, if they do, how many members they have. We often encountered situations in which the council existed but no longer operated, or it was in the course of being appointed, or its composition was changing.

The highest percentage among the respondents is constituted by members of youth councils (Table 4.1, column 6). This large representation of the youth is associated with three primary factors: 1) youth councils, even though optional, are frequent in the examined cities – some of them were

Table 4.1. The number of councils and committees (as of April–October 2018)

	Number of SCs	Number of SCs participating in the survey	Number of SCs' members	Number of SCs' members participating in the survey	Questionnaire return level	Percentage of SCs' members among all respondents
	(1)	(2)	(3)	(4)	(5)	(6)
Councils of NGOs	49 <sup>a)</sup>	41	674 <sup>a)</sup>	198	29.4% <sup>a)</sup>	14.1%
Youth councils	48 <sup>a)</sup>	41	1197 <sup>a)</sup>	387	32.3% <sup>a)</sup>	27.7%
Senior citizen councils	59 <sup>a)</sup>	38	842 <sup>a)</sup>	271	32.2% <sup>a)</sup>	19.3%
Councils for residents with disabilities	61	41	307	97	31.6%	6.9%
Sports councils	42 <sup>a)</sup>	29	551 <sup>a)</sup>	106	19.2% <sup>a)</sup>	7.6%
County labour market councils	64 <sup>b)</sup>	32	738	124	25.4%	8.8%
Security and order committees	63	37	683	126	18.4%	9.0%
Urban planning committees	64	33	530	93	17.5%	6.6%
Total	450 <sup>a)</sup>	292	5522 <sup>a)</sup>	1402	25.4% <sup>a)</sup>	100%

<sup>a)</sup> Approximation

<sup>b)</sup> In Gdynia and Sopot, a joint council was appointed

already formed in the 1990s on the initiative of young people themselves and with support from local government bodies, although their most dynamic growth took place in the last decade (Wasilewski et al., 2018); 2) youth councils are often comprised of more than twenty-five members, which makes them several times more numerous than other SCs; 3) establishing contact with members of youth councils and contacting them was easier than with members of other SCs. The contact was most often maintained through Facebook; young people were also more keen to complete the questionnaire electronically.

Members of senior citizen councils account for a slightly smaller share among the respondents and – as was the case with youth council members – were quite responsive and pleased that their activities were of interest to someone. A smaller but still significant share of the research belongs to the members of the councils of NGOs. This high percentage of the participation of members of these councils resulted from the fact that their members were easily reachable. The low participation of members of councils for residents

with disabilities was a consequence of their membership number (five people), as determined by the relevant Act, whereas the low participation of members of urban planning committees was due to them lacking time and having no interest in the survey.

The largest number of participants in the study were members of SCs operating in cities with the population of 101,000 to 250,000; 37,3% of the respondents live in cities with the population of up to 100,000; the least numerous group (16,3%) consisted of representatives of councils and committees appointed in cities where the population was over 250,000 inhabitants.

The above-mentioned division into three groups of cities was adopted not only for the purpose of analysing quantitative data, but also as a sampling tool for qualitative research. Out of the sixty-five cities examined in quantitative research, we decided to select a quarter, i.e. sixteen cities, in which to conduct semi-structured interviews. In our selection of the cities, we applied the following criteria:

1. the size of the city (Table 4.2);
2. the location in NUTS1 (macroregions – Table 4.3);
3. the location in NUTS2 (voivodeships – Table 4.3);
4. the assumption that the research would be carried out in the cities in which the academic centres engaged in the project are situated, i.e. in Rzeszów, Lublin, and Poznań.

The decision to carry out research in cities where the academic centres engaged in the project are situated determined the selection of all the cities in the group of largest cities and one city in the group of medium-sized cities. The unequal distribution of cities on the map of Poland (nearly 30% of them are located in the Silesian Voivodeship and only approximately 18% in Eastern Poland) made it impossible for us to select cities in such a way as to meet the size criterion and at the same time have them located in all voivodeships. Nevertheless, at least one city from each microregion was selected for examination.

When applying the above-mentioned method of selecting the research sample, it was not our goal to choose the most representative local units for a given macroregion or voivodeship. Rather, we wanted to choose cities from different parts of Poland so that the survey could be nationwide. It was not our intention to investigate the relationship between the condition of SCs and the development of the social capital in a given city, although we do not rule out preparing a case study in the future with more in-depth research into the selected cities.

We assumed that in each selected city we would conduct ten interviews, i.e. eight with SCs' members, one with a city councillor, and one with a civil servant. This assumption was not fully met. Similarly to the research carried out in other European countries (Font et al., 2019), we encountered a barrier

Table 4.2. Selection of the research sample

Group	I	II	III
Population of the city	over 250,000 inhabitants	101,000–250,000 inhabitants	below 100,000 inhabitants
A number of cities in the group	10 cities	28 cities	27 cities
A share in the entire population	15%	43%	42%
The number of cities selected for the research	2	7	7
Cities in the group	Kraków, Łódź, Wrocław, Poznań, Gdańsk, Szczecin, Bydgoszcz, Lublin, Katowice, Białystok	Gdynia, Częstochowa, Radom, Sosnowiec, Toruń, Kielce, Rzeszów, Gliwice, Zabrze, Olsztyn, Bielsko-Biała, Bytom, Ruda Śląska, Rybnik, Zielona Góra, Tychy, Gorzów Wielkopolski, Dąbrowa Górnicza, Płock, Elbląg, Opole, Wałbrzych, Włocławek, Tarnów, Chorzów, Koszalin, Kalisz, Legnica	Grudziądz, Jaworzno, Słupsk, Jastrzębie-Zdrój, Nowy Sącz, Jelenia Góra, Siedlce, Konin, Piotrków Trybunalski, Mysłowice, Suwałki, Siemianowice Śląskie, Zamość, Leszno, Chełm, Łomża, Przemyśl, Żory, Biata Podlaska, Piekary Śląskie, Ostrołęka, Świętochłowice, Skierniewice, Tarnobrzeg, Krosno, Świnoujście, Sopot

Source: own work based on data from the Central Statistical Office, Local Data Bank, 2018

of disinterest and reluctance on the part of potential respondents and interlocutors. Also, at the very beginning of our research, we noticed a quite common lack of knowledge about SCs among city councillors. Only those who were SCs' members were able to discuss the units in a competent manner. Ultimately, we managed to accomplish our plan in the general number of interviews conducted (158), but it was not fulfilled with regard to the number of interviews in each surveyed city (in some of the cities there were several interviews made, while in others – a dozen or so) and with regard to the make-up of the interviewees.

The recorded interviews were transcribed and then input into the QDA Miner version 5.0.32 software. Next, the interviews were coded. We decided to go with *a priori* coding (*concept-driven coding*), creating codes according to the social characteristics of the examined SCs and then subjecting them to descriptive categories (Szkłarczyk, 2016). For example, in order to identify fragments of interviews that included information related to the



**Table 4.3.** Selection of the research sample – the location of cities in NUTS1 and NUTS2

NUTS 1	NUTS 2	City selected for the study
SOUTHERN MACROREGION	Lesser Poland	Tarnów
	Silesian	Gliwice Jaworzno
NORTH-WESTERN MACROREGION	Greater Poland	Poznań Konin
	West Pomeranian	-
	Lubusz	Gorzów Wielkopolski
SOUTH-WESTERN MACROREGION	Lower Silesian	Jelenia Góra
	Opole	Opole
NORTHERN MACROREGION	Kuyavian-Pomeranian	-
	Warmian-Masurian	-
	Pomeranian	Gdynia Słupsk
CENTRAL MACROREGION	Łódź	Piotrków Trybunalski
	Świętokrzyskie	-
EASTERN MACROREGION	Lublin	Lublin
	Subcarpathian	Rzeszów Tarnobrzeg
	Podlaskie	Łomża
MASOVIAN MAKROREGION	Warsaw	-
	Masovian regional	Płock

Source: own work based on data from the Central Statistical Office, NUTS Classification in Poland, <https://stat.gov.pl/statystyka-regionalna/jednostki-terytorialne/klasyfikacja-nuts/klasyfikacja-nuts-w-polsce/> [accessed on October 19, 2019]

functions of SCs, the following codes were created: legitimising role and the accomplishment of statutory obligation and of 'frontage'; they were then covered by one category, namely symbolic function. However, in the course of the coding process, it turned out that codes created *a priori* were insufficient for describing the contents of the interviews. Therefore we agreed that using an approach with *data-driven coding* would also be beneficial. During coding, new codes were created in situations when the contents of the interview could not be attributed with any code. However, we tried to introduce them sparingly. Once the coding process was completed, the codes were verified and some of them were combined when they were considered synonymous. All in all, the code book included sixty-seven codes

divided into sixteen categories. Coding was performed by two researchers. A significant number of interviews did not allow for cross-coding (performed by more than one researcher). Nevertheless, the coding of some of the interviews was done by one researcher and verified by another.

In this monograph, we used only a small part of the analytical capabilities of the QDA Miner software. We present an analysis of the frequency of occurrence of selected codes in order to: a) indicate the significance/insignificance of a given issue for SCs' members, e.g. the issue of representation; b) confront the conclusions of quantitative research with the conclusions drawn from the interviews; and c) identify those characteristics and areas of activity of SCs which we had not considered in quantitative research. In one case, we used code co-occurrence analysis. We mostly took advantage of the ability to search for coding and text using the above-mentioned software, which allowed us to select those excerpts of interviews that best illustrate the opinions of SCs' members on their role in the public life of the surveyed cities.

# The Representation and Articulation of Local Interests by Social Councils and Committees

*Agnieszka Pawłowska*

## 1. Introduction

In general, applicable normative acts assign opinion-making, advisory, consultative, and initiative roles to social councils and committees (see Chapter Three). None of the acts regulating the appointment and functioning of the bodies that are of interest to us grant them the right to represent part, let alone all, of the local community, even though Art. 5c (4) of the Act of March 8, 1990, on municipal government (i.e. Polish Journal of Laws of 2016, item 446), which defines the constitution of the senior citizen council, mentions *representatives* of elderly people as well as the organisations affiliating such persons. Institutional and organisational representation also appears in the regulations defining the composition of councils of NGOs (Art. 41f of the Public Benefit and Volunteer Work Act of April 24, 2003, Polish Journal of Laws No. 96, item 873) and councils for residents with disabilities (Art. 44c of the Resolution of August 27, 1997, on Vocational and Social Rehabilitation and Employment of Disabled Persons, Polish Journal of Laws of 2016, item 2046). Therefore, statutory acts attribute, to a certain extent, the representative character of the ACs, but the very word 'representation' does not appear in the context of the functions of these ACs regulated by general law.

Local bylaws can provide a broader definition of the role of SCs – some resolutions of city councils that establish these bodies and provide them with articles contain provisions defining their representative character. For example, the Articles of the Youth Council of Gdynia define that *the Council is the representative of the youth of Gdynia*<sup>1</sup>; the youth council as a representation of youth studying at junior high schools and upper

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<sup>1</sup> Section 2 point 1, Annex to Resolution No. XXII/531/16 of the Gdynia City Council of June 22, 2016.

secondary schools is defined by the Articles of the Youth Council of Konin<sup>2</sup>; the Articles of the Youth Council of Jaworzno define it as a representation of young people living in this city<sup>3</sup>; whereas the Articles of the Youth Council of Rzeszów list among its tasks *representing the interests of the youth to government and local government institutions and NGOs*<sup>4</sup>.

Local bylaws sometimes attribute a representative role to senior citizen councils, e.g. the Articles of the Senior Citizen Council of Konin state that this Council *represents the interests and needs of elderly people living in the city of Konin*<sup>5</sup>; the Articles of the Senior Citizen Council in Poznań define its main objective as *serving senior citizens through representing their interests to the City authorities*<sup>6</sup>; the Articles of the Senior Citizen Council in Rzeszów define its tasks as, among others, *representing elderly people and entities operating for their benefit*<sup>7</sup>; and the resolution of the City Council in Tarnów determines the main goal of the local senior citizen council to be *the representation of the interests of senior citizens to the authorities of the Municipality of Tarnów City*<sup>8</sup>.

Although local bylaws grant representative roles to youth councils or senior citizen councils, they might also assign such a role to councils of NGOs, e.g. in issues *related to cooperation with local government*<sup>9</sup>.

The representative function of SCs was somewhat confirmed by the respondents in the qualitative research. The representative function of SCs was indicated 57 times in 44 interviews (27.8% of all the conducted interviews). The frequency of occurrence of this function during the interviews is presented in Figure 5.1, in comparison to the frequency of codes defining other functions of SCs. Figure 5.2 illustrates the distribution of these indications in different types of SCs. The representative function is most widely accepted among the members of youth councils, but it is supported by city councillors to equal extent. The representation of local groups is less articulated by the members

<sup>2</sup> Section 1 point 2, Annex to Resolution No. 662 of the Konin City Council of October 30, 2013.

<sup>3</sup> Section 3 point 1, Annex to Resolution No. XXXIV/503/2017 of the Jaworzno City Council of October 26, 2017.

<sup>4</sup> Section 3 point 3, [http://mdk.rzeszow.pl/cms/192/statut\\_rady\\_mlodziemy\\_rzeszowa](http://mdk.rzeszow.pl/cms/192/statut_rady_mlodziemy_rzeszowa) (accessed: November 9, 2019).

<sup>5</sup> Section 1, Annex no. 1 to Resolution No. 67 of the Konin City Council of February 25, 2015.

<sup>6</sup> Section 1 point 3, Annex to Resolution No. VII/39/VII/2015 of the Poznań City Council of February 10, 2015.

<sup>7</sup> Section 2 point 1, Annex to Resolution No. LXXXI/1495/2014 of the Rzeszów City Council of October 28, 2014.

<sup>8</sup> Section 2, Resolution VII/56/2015 of the Tarnów City Council of March 5, 2015, on appointing the Senior Citizen Council in Tarnów and providing it with articles.

<sup>9</sup> Section 2 point 5, Resolution of the Council of NGOs in Gdynia No. 1/15 of November 10, 2015, on adopting the Rules of operation and determining the manner of performing the tasks by the Council.

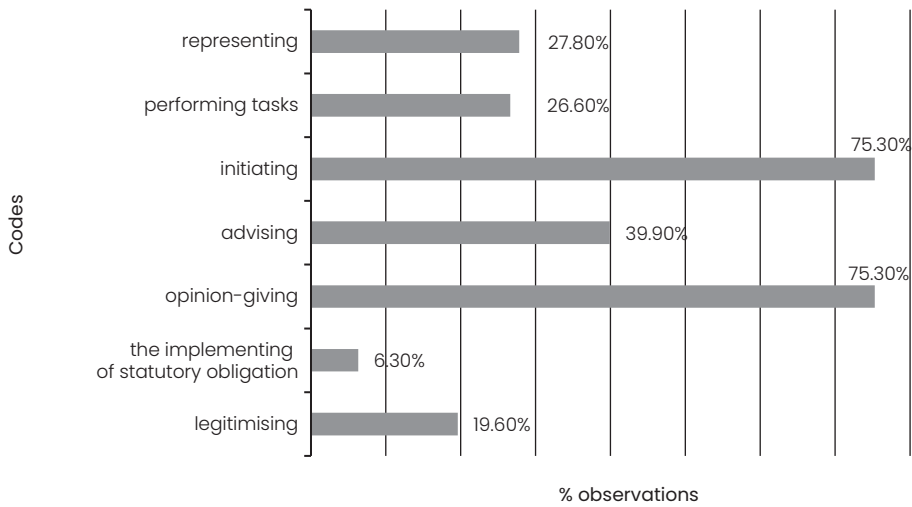


Figure 5.1. The frequency of occurrence of the representative function in comparison to other codes describing functions of SCs (% of observations = % of interviews in which the code occurred at least once)

Source: own work with the use of the QDA Miner v5.0.32 application.

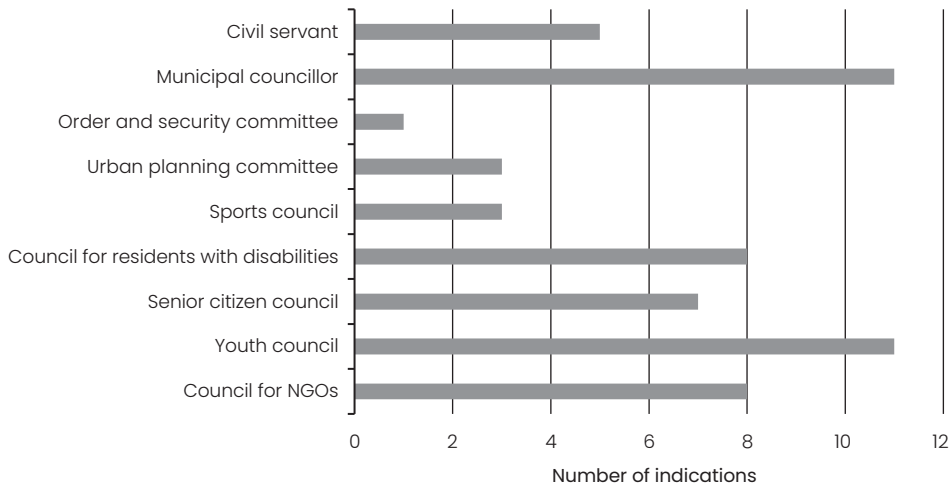


Figure 5.2. The number of indications of the representative function broken down by the entity represented by the respondents

Source: own work with the use of the QDA Miner v5.0.32 application.

of other councils, although the difference is relatively small in relation to the councils for residents with disabilities and councils of NGOs.

Summing up, the provisions of bylaws and the perception of the functions of SCs among the respondents show moderate acceptance of the representative function. Nonetheless, in our assessment, this acceptance is sufficient for starting a discussion on the role of SCs as a representative of local interests as well as organisational and institutional interests.

## 2. The theoretical framework for research on the representation of local interests by social councils and committees

Social councils and committees do not formally represent the local community. However, the prevalence of various collegial bodies that are of a quasi-representative nature prompted political scientists to analyse them with respect to the representation theory, even though they are based on assumptions that are different from representative democracy.

The 'civic' nature of representation is thus emphasised. The members of SCs are not elected in general elections and, for the most part, are not elected at all; nevertheless they can assume the right to be – and be considered as – the representatives of a part or all of the local community. Therefore, in publications on the subject they are called *citizen representatives* and defined (Warren, 2008):

not as alternatives but rather as supplements to elected representative bodies or administrative bodies in areas of functional weakness, usually related to communication, deliberation, legitimacy, governability, or attentiveness to public norms and common goods. (p. 51)

The existence of this kind of representation is to ensure that there are no gaps in the catalogue of issues that local authorities deal with on a daily basis. Whilst local authorities committed to numerous tasks are limited by legal framework, citizen representatives can act on behalf of various social groups (underrepresented minorities) or for various goods (clean air, environment, human rights). Brito Vieira and Runciman (2008) explain the activities of these representatives as an attempt "to supplement the workings of representative assemblies with citizen panels or similar deliberative bodies (...) in order to provide some additional representation of the public as it exists outside of a narrow political elite" (p. 131).

Warren (2008) lists three mechanisms for recruiting citizens' representatives: 1) selection within a group (in the form of elections or consent); 2) self-selection; 3) delegation by an organisation or appointment by an institution. The mandate to represent a given group or organisation, obtained through

the application of one of the above-mentioned mechanisms, is ambiguous – the selection of citizen representatives is not a formalised process and their mandate to represent a social group is not comparable to the mandate won by city councillors. Delegation by an organisation/s is a result of consent and is confirmed at most by a record in the minutes of the NGOs' boards. Citizen representatives quite often consider themselves to be representing the stance of the group they belong to and are therefore certain that they speak on their behalf (Urbinati & Warren, 2008).

The above approach does not meet all the assumptions of Pitkin's definition of democratic representation (1967). According to the author, in order to acknowledge the democratic nature of representation, the representatives must: a) be clearly authorised to act; b) promote the interests of the represented; c) be accountable for their actions (cited in Urbinati & Warren, 2008). Authorisation to act is a derivative of the selection of citizen representatives, although with regard to self-selection or other highly informal means of recruitment it is merely based on a presumption that an individual is authorised to act by, and on behalf of, others (Andeweg & Thomassen, 2005; Arnesen & Peters, n.d.; Brown, 2006; Urbinati, 2000). Nonetheless, Rehfeld (2006) considers it sufficient to acknowledge somebody's potential to represent. He identifies representation "by reference to a relevant audience accepting a person as its representative" (Dovi, 2018), and not by the democratic procedures of their election.

According to Pitkin, authorisation is confirmed by some form of the representative's accountability for the taken actions. Manin, Przeworski and Stokes (1999) claim that this does not necessarily have to be the case and is not the case with regard to the examined SCs. Their accountability, if there is any at all, is indirect and informal (Mendonça, 2008), and limited to those SC members who: a) have been delegated by local authorities, which are brought to account by citizens in democratic elections (Arnesen & Peters, n.d.); b) have been delegated by the NGOs, which can hold them responsible for actions taken in SCs.

The blurred boundaries of the responsibility of citizen representatives result in a rescaling of the originally represented interests. As Montanaro (2008) claims, "a representative independently chooses to supplement his/her formally authorized position on an issue of interest", which means that, e.g., an AC member appointed by the local authorities can represent the stance of local government and the interest of a social group or the whole community, depending on the context. 'Self-styled' citizen representatives and those who have been delegated to the SC by their group are even less bound by the interests that they originally claimed to represent or were believed to represent.

Citizen representatives can therefore accomplish their mission in SCs in various ways. Referring to Pitkin's (1967) canonical distinction, one can assume that the same person will act as:

- a) a *delegate* following the preferences of a stakeholder delegating them to the body of a representative nature; or
- b) a *trustee* following their own judgment about the proper course of action most beneficial for the community.

The same person may, depending on the context, faithfully pursue organisational/institutional interests, or the interest of a social group or the entire community (Chao Guo & Musso, 2007; Dovi, 2018; Mansbridge, 2003; Rehfeld, 2009); or may consider that by pursuing the interest of an organisation/institution s/he accomplishes an interest of a group (Saward, 2014, p. 730), since “different foci of representation need not be mutually exclusive and may occur simultaneously, and appropriate role orientations may be held simultaneously” (Eulau, Wahlke, Buchanan, & Ferguson, 1959, p. 745).

Concluding the discussion on the theoretical aspect of representation in relation to SCs, it should be emphasised – after Brito Vieira and Runciman (2008) – that these bodies cannot “be representation legitimated by elections (...); it is more likely to be a form of representation as mimesis, with the panel [or a social council – A.P.] providing a representative sample of a population as a whole” (p. 131). Later in this chapter, we will verify whether the assumptions of Brito Vieira and Runciman are confirmed in relation to the examined social councils and committees.

### 3. The problem of the representativeness of social councils and committees

The way in which SCs are selected and described in the publications cited above calls into question the mimetic nature of their representation. Table 5.1 contains the characteristics of SCs’ members participating in the quantitative research with regard to gender, age, and education, along with the corresponding characteristics of the citizens of the examined cities. The data contained in the table shows significant differences in terms of the demographic characteristics between the participants of our study and the citizens of the cities where the quantitative research was conducted. The gender ratio among SC members is the opposite of the proportion as compared to the population of citizens – the majority of the respondents are men, while women dominate in the population of all the cities. There are also clear disparities in the ratio of age groups: people up to 20 years of age are particularly overrepresented among the respondents, which is a result of the large number of members of the youth councils; likewise, people aged 61–70 make up a significant percentage of respondents due to their activity in senior citizen councils. Two age groups that are the most underrepresented in SCs are people aged 21–30 as well as 31–40.



**Table 5.1.** Selected demographic characteristics of the respondents (SCs' members) compared to characteristics of the citizens of the examined cities

Demographic characteristics		Population examined	Percentage of SCs' members (N=1402)	Percentage of citizens of the examined cities (N=65)
Gender	<i>men</i>		53.71	47.13
	<i>women</i>		46.29	52.87
Age	<i>up to 20 years of age</i>		27.18	19.07
	<i>21–30 years of age</i>		1.62	11.71
	<i>31–40 years of age</i>		8.27	17.05
	<i>41–50 years of age</i>		16.40	13.44
	<i>51–60 years of age</i>		16.40	12.73
	<i>61–70 years of age</i>		21.27	14.42
	<i>over 70 years of age</i>		8.86	11.27
Education*	<i>Junior high or lower</i>		13.69	19.84
	<i>Basic vocational</i>		1.64	20.32
	<i>Secondary high or post-secondary vocational</i>		26.18	37.38
	<i>Higher</i>		58.49	22.46

\* Since there is no data related to the level of education of the citizens of the cities studied in 2018 and in the preceding years, data collected during the last census was used (2011).

Source: own work based on own research and data from Central Statistical Office: *Population according to sex and municipalities (as of June 30, 2018)*, *State and structure of the population*, <http://demografia.stat.gov.pl/bazademografia/Tables.aspx>, (accessed: October 20, 2019); Central Statistical Office: *Population according to gender and age in selected cities (as of June 30, 2018)*, <http://demografia.stat.gov.pl/bazademografia/Tables.aspx> (accessed: October 21, 2019); *Poland in numbers*, <http://www.polskawliczbach.pl> (based on data from the Central Statistical Office as of December 31, 2011) (accessed: October 28, 2019).

The greatest disparities between SCs' members and citizens relate to education. Although the data presented in the table is out of date – i.e. the latest data on the education of the citizens of individual cities comes from 2011 – it should be expected that the most serious disparity concerns the group of people with higher education. It prevails among SCs' members, while less than a quarter of the citizens of the examined cities belong to this group<sup>10</sup>.

<sup>10</sup> The 2018 nationwide data on the level of education of Poles shows a significant increase in the ratio of people with higher education across the entire population (26.42% compared to 17% in 2011). Almost the same level could be observed with regard to people with secondary high or post-secondary vocational education (31.93% compared to 31.60% in 2011) as well as basic vocational education (20.85% compared to 21.70% in 2011), while

To sum up, it should be stated that the assumptions of Brito Vieira and Runciman concerning the SC representation as mimesis have not been confirmed in this study. Demographic characteristics of SCs' members differ from the characteristics of the citizens of the cities in which they operate. The ratio of men in the examined bodies is higher than in the entire population, and the representation of individual age groups is also different. The most significant differences were found in levels of education. However, it should be noted that data for the entire population of the examined cities could have changed since the last census in 2011.

#### 4. The participation of local stakeholders in social councils and committees, and their selection procedure

NGOs are the most numerous represented in the surveyed SCs (see Table 5.2). This results, first, from their participation in the selection of members of some SCs (in particular senior citizen councils, councils for residents with disabilities, sports councils, and county labour market councils), as it is the NGOs that public authorities turn to in their search for candidates to SCs, who are then formally appointed by the public authority. Secondly, the highest ratio of NGOs is a result of their having their own representation in the form of councils, whose members constituted over 14% of the respondents (see Table 4.1).

Slightly more than a quarter of the respondents pointed to the representation of the local authorities – they can be city councillors, an executive body (e.g. there are obligatorily two councillors in the security and order committee, with the city mayor as the chairman), or municipal officials appointed by the executive body as its representatives. We have noticed a significant percentage of people who indicated a natural person, i.e. themselves, as the represented stakeholder. The greatest number of such responses was among the members of urban planning committees (44.1% of all responses provided by members of these committees), which can be explained by the expert nature of these bodies and the fact that some of their members have been invited to join them due to their individual merit (knowledge and experience). However, one-third of the respondents from youth councils as well as a quarter of the respondents from senior citizen councils also considered that they represented only themselves in the SC, which is difficult to explain especially with regard to the members of youth

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the ratio of people with junior high or lower education decreased (19.18% compared to 24.60% in 2011). (Central Statistical Office, Report on results. National Census of Population and Housing in 2011, Warszawa 2012; Central Statistical Office, Statistical Yearbook of the Republic of Poland 2018, Warszawa).

**Table 5.2.** Stakeholders represented by the respondents

Stakeholder	Percentage of respondents (N=1383)
NGO	33.5
Local authorities	26.8
Natural person	19.0
Public institution (school, local cultural centre, health centre, etc.)	13.0
Government administration authority	3.7
Business	1.6
Trade unions	1.5
Other	0.9

Source: own work.

councils, who are often elected or delegated from schools which they are supposed to represent in the council. This explains the larger than 10% representation of public institutions in SCs (35.1% of the members of youth councils responded that they represented a public institution), as well as the statutory representation of institutions in security and order committees. Noteworthy is the strong dependence between the type of SC and the stakeholder represented by the SC members ( $p=0.000$ ;  $C=0.649$ ).

SC members are usually delegated by the institution they work for or by the organisation in which they are active. A great number of them sit on the SC as a result of an invitation issued to them by a local authority. 'Bottom-up' recruitment (self-selection, request from within their social circle, and by election) was mentioned by 23.7% of the respondents. Similarly to what was the case with the stakeholder represented, there is also a strong dependence between the way SCs' members are selected and the type of SC ( $p=0.000$ ;  $C=0.560$ ).

Most members of urban planning committees (over three quarters), sports councils (nearly three quarters), and security and order committees (over a half) have become members upon an invitation issued by a local authority. In the case of the remaining SCs, the majority of the respondents mentioned having been delegated by an organisation or institution as a way of selecting them for the council. The members of youth councils and senior citizen councils more often than other respondents answered that they volunteered – 29.3% and 12.9% respectively – or were asked by people in their social circle (10.9% and 15.9% respectively) to sit on the council.

In my opinion, the considerable participation of social organisations and local authorities in recruiting SC members results from the fact that

**Table 5.3.** The way SCs' members are selected – a distribution of responses broken down by SCs

	Percentage of respondents (N=1399)								Total
	Council of NGOs	Youth council	senior citizen council	Council for residents with disabilities	sports council	County labour market council	security and order committee	Urban planning committee	
Delegation by institution or organisation	51.0	35.8	43.5	66.0	16.2	61.3	27.0	8.7	39.7
Invitation from a local authority	21.7	3.6	20.3	26.8	71.4	31.5	56.3	77.2	28.2
Self-selection	10.1	29.3	12.9	2.1	3.8	0.8	2.4	2.2	12.9
Request from a social circle (citizens, neighbours, members of an organisation, etc.)	4.5	10.9	15.9	1.0	2.9	1.6	0.0	0.0	7.1
Official invitation from the SC's chairman	4.0	5.4	3.3	3.1	3.8	0.8	8.7	7.6	4.6
Election/selection	8.1	8.0	1.1	0.0	0.0	0.0	1.6	0.0	3.7
Other	0.6	7.0	3.0	1.0	1.9	4.0	4.0	4.3	3.8
Total	100	100	100	100	100	100	100	100	100

Source: own work.

SCs are somehow verging on three sectors and that citizens 'gave away' the initiative of their appointment to local government, even in the case of councils they could create themselves. Only several cities (e.g. Lublin) featured a sign of the initiative of social and professional groups to create their 'representation' completely outside of the statutory framework.

## 5. Different faces of representation in social councils and committees

Key to understanding the issue of representation in the examined SCs is the question of what their members contribute to them. The highest percentage of the responses pointed to the attributes of knowledge and expertise as a valuable addition to the work of the SC (see Table 5.4). The next most frequent

**Table 5.4.** Contribution made by the respondents to the SC\*

Contribution made by the SCs' members	Percentage of responses (N=2420)	Percentage of respondents (N=1400)
Knowledge and expertise	38.9	67.2
Representation of the interests of a social group (age group, professional group, etc.)	23.3	40.3
Representation of the interests of institutions/ organisations	16.4	28.3
Representation of the 'voice' of citizens	12.1	20.9
Representation of the stance of the local authorities	8.7	15.1
Other	0.6	1.1

\* the respondents could mark more than one answer

Source: own work.

response related to the representation of group interests, while the response regarding the representation of the interests of institutions or organisations was much less frequent. Surprisingly, there was a relatively small percentage of respondents declaring their contribution to be about representation for the entire local community. The least frequent response (excluding the 'other' option) involved representation of the stance of a local authority.

The respondents could provide more than one answer to the above question and the majority of them took advantage of this option, which makes it difficult to identify whose 'plenipotentiary' they consider themselves to be and whether they regard themselves to be representing only one stakeholder (i.e. all citizens, social group, organisation or institution, or local authorities) in the SC. After removing from the pool of responses those pointing to knowledge and expertise as members' own contribution – and the 'other' response, which represented a small percentage of responses – the following was obtained: representation of the interests of a social group – 38.5%; representation of the interests of institutions/organisations – 27%; representation of the 'voice' of citizens – 20%; representation of the stance of a local authority – 14.4%. After summing up these results, we receive nearly 100%, which proves that the respondents decided to point to one local actor, whom they believed they represented. This, however, cannot be taken for granted and translated into all the examined SCs. For example, among the answers given by members of the urban planning committees, only 27 indicated that they represented any entity, whereas the answers of 89 of them related to knowledge and expertise as the contribution. Hence, not all of the respondents from these committees consider themselves to be representing any interests. In turn, 271 respondents from senior citizen councils declared representing the

interests of stakeholders in the quantity of 336 times, which means that some of them feel that they represent more than just one stakeholder.

Therefore, we decided to come back to the topic of the representation of local interests during the interviews. We did not ask, however, whose interests our interlocutor represented in the SCm as it could have been perceived as a question with subtext, i.e. suggestive or brusque. Instead, we asked about the interests represented by the SC whose member the respondent was. After analysing the interviews, we obtained the results illustrated in Figure 5.3. The respondents often listed the interests of more than one stakeholder and also referred to them differently<sup>11</sup>. Community and group interests were cited in the greatest number of interviews, which in the case of the former does not coincide with the results of the survey, in which the 'voice' of the citizens scored fourth as a response to the question about the respondents' contribution to the work of the SC. Organisational and institutional interests, in turn, seem to be undervalued in the interviews when compared to the results of quantitative research.

The division between 'social representation' and 'professional representation' (or organisational) was emphasised during the interviews:

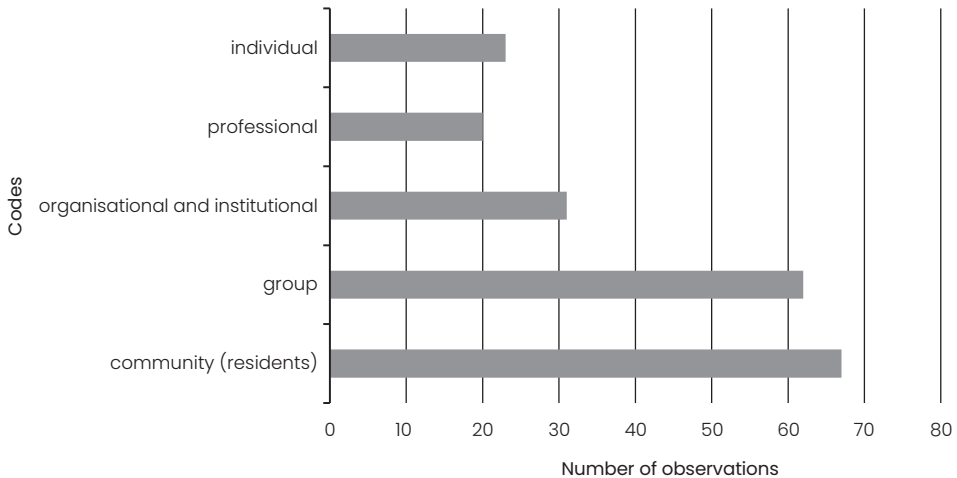
*I have a feeling that with the Senior Citizen Council or the Youth Council there are indeed some advisory bodies which represent interests of a larger group of people, larger than, let's say 50 or 100 people. But with other advisory bodies, typically professional ones, I rather feel that they represent the interests of a given industry, not necessarily understood as a social group but, I don't know, in the case of NGOs (...) we just talk about the interests of the NGOs operating in a given city. (II/P/c1)*

*The thing about the Council is that it is a voice for organisations, so I am not the Caritas, the ZHP [the Polish Scouting and Guiding Association – translator's note] or the Polish Red Cross, but we are the voice of these organisations in the city. (VIII/P/u)*

Members perform the representative function in a direct way – i.e. expressing the interests of the group or institution – and/or indirectly, i.e. during various activities of the SCs. One of our respondents described the direct representation of the interests of one of the social groups as follows:

*The council can be a great link between the disabled people and the City Mayor, the City Council, because it would be difficult for the mayor to individually meet with the disabled residents and learn about their current problems. And such individuals can just come to the council [SC – A.P.] and then it, as a representative of this group, represents their interests before local government. This is – as I see it – its main task... (VIII/N/u)*

<sup>11</sup> The collective code 'professional' covers interests of various stakeholders, e.g. professional groups (architects, urban planners – IV/A/c) and entrepreneurs (investors – IV/A/c), but also systems of rules, principles, and values, e.g. spatial planning (VI/A/c).



**Figure 5.3.** Frequency of occurrence of codes describing the interests represented by SCs (number of observations = number of interviews in which the code occurred at least once)

*Source:* own work with the use of the QDA Miner v5.0.32 application.

Reporting problems of social groups or the entire community, which we treat as a direct form of articulating local interests, was not the most common form of the respondents' activity, but nor was it the rarest one (see Table 5.5). It is a very important aspect of the activities of senior citizen council members, quite important to members of councils for residents with disabilities as well as councils of NGOs, and less important in sports and youth councils. The importance of this activity seems proportional to the problems of the social group represented by the members of the council. The initiation of projects by SCs, which we interpret as a way of expressing social expectations, is even less frequently undertaken by the members – slightly over one-third of the respondents from youth and senior citizen councils pointed to this form of activity initiated in the council.

The results in Table 5.5 are not quite consistent with the data in Table 5.6, although some regularity can be observed. Matters that the SC wants to submit to the authorities (in the form of a motion) and problems reported by residents are the most frequent topics of meetings of these bodies. Senior citizen councils, whose members more often than others report social problems at sittings, are the most active in this respect. In general, the respondents of all the surveyed SCs pointed to social problems as the topic of their meetings more often than they reported them to be a form of their own activity in the SC. Matters that the SC wants to submit to local authorities, which we interpret as a way of articulating interests, are also of interest to the surveyed bodies. Nevertheless, the frequency of both topics should

Table 5.5. Types of activities undertaken by SCs' members\*

	Social councils and committees (%)								Total	
	Council of NGOs	Youth council	senior citizen council	Council for residents with disabilities	Sports council	County labour market council	Security and order committee	Urban planning committee	Percentage of respondents (N=1401)	Percentage of answers (N=3616)
Participation in sittings	68.7	79.0	78.2	68.0	75.5	79.8	80.2	81.7	76.7	29.7
Participation in opinion-giving	64.1	49.0	49.8	73.2	57.5	79.8	47.6	74.2	57.9	22.4
Reporting problems of social groups, the local community, etc.	35.9	26.2	51.7	36.1	30.2	26.6	27.8	1.1	32.0	12.4
Advisory activities/ preparation of an opinion on a decision, plan, etc.	24.2	27.7	19.6	34.0	43.4	15.3	45.2	69.9	30.5	11.8
Initiation of projects presented by an AC	25.3	35.0	33.6	15.5	26.4	8.1	11.9	2.2	24.7	9.6
Contacts with the local authorities	18.7	10.1	15.1	18.6	15.1	16.1	11.9	4.3	13.6	5.3
Obtaining information on matters subject to opinions issued by the SC	16.2	14.0	6.6	14.4	5.7	17.7	7.1	6.5	11.5	4.5
Preparation of documents	12.1	10.4	9.2	19.6	4.7	2.4	19.0	9.7	10.6	4.1
Other	0.5	1.0	0.7	0.0	0.0	0.0	0.8	0.0	0.6	0.2

\* the respondents could provide more than one answer

Source: own work.

be analysed in relation to other issues. The problems reported by residents as well as the matters that the council wishes to submit to local authorities prevail over other activities during the meetings of youth councils and senior citizen councils only. In other examined bodies, the dominant form of activity is providing opinions on various documents filed by local authorities.

Out of all the issues that were the subject of meetings of SCs, their members were asked to choose one that they considered the most important. The selection of only one subject did not change the hierarchy



Table 5.6. The topic of SCs' meetings\*

	Social councils and committees (%)								Total	
	Council of NGOs	Youth council	Senior citizen council	Council for residents with disabilities	Sports council	County labour market council	Security and order committee	Urban planning committee	Percentage of respondents (N=1393)	Percentage of answers (N=3362)
Draft decisions (resolutions, ordinances) submitted to the SC for opinion by the local authorities	82.3	48.1	34.8	80.4	71.4	55.6	49.6	83.7	57.6	23.9
Action plans submitted to the SC by the local authorities for opinion	58.6	37.7	26.6	67.0	63.8	66.1	60.0	33.7	46.8	19.4
Reports on the implementation of tasks submitted by the local authorities	40.9	25.5	13.1	42.3	28.6	36.3	61.6	1.1	29.3	12.1
Matters that the SC wants to submit to the local authorities in the form of an initiative	55.1	53.0	71.5	45.4	57.1	30.6	38.4	13.0	50.7	21.0
Problems reported by a social group (citizens, age groups, professional groups, experts, etc.)	56.1	48.8	74.9	54.6	49.5	39.5	50.4	9.8	52.0	21.6
Other matters	3.5	4.9	4.5	4.1	1.9	8.1	8.8	4.3	5.0	2.0

\* the respondents could provide more than one answer

Source: own work.

of answers. Over one-third of the respondents considered the draft opinions of local authorities submitted for their opinion to be the most important subject of the meetings. The second priority was to deal with problems reported by the social group (one-fifth of the respondents). Slightly less frequent were answers pointing to dealing with the SC's own initiatives as well as with plans submitted for opinion. A statistically significant dependence

Table 5.7. Benefits resulting from the functioning of SCs\*

	Social councils and committees (%)								Total	
	Council of NGOs	Youth council	senior citizen council	Council for residents with disabilities	sports council	County labour market council	security and order committee	Urban planning committee	Percentage of respondents (N=1386)	Percentage of answers (N=3142)
Better identification of the problems of the city	69.9	62.6	71.5	71.1	71.7	67.8	92.0	67.7	70.1	30.9
The possibility to speak out in matters important to the city	48.0	50.9	55.2	41.2	38.7	25.6	35.2	7.5	43.2	19.0
The possibility to adapt the activities of local authorities to the residents' needs	60.2	55.7	69.3	78.4	64.2	50.4	75.2	31.2	60.9	26.8
Ensuring social control over decisions taken by authorities	35.2	19.9	21.1	43.3	26.4	39.7	18.4	20.4	26.1	11.5
Ensuring transparency of the decision-making process	29.6	14.1	9.6	30.9	27.4	39.7	28.8	33.3	22.5	9.9
Other	0.0	2.4	0.7	0.0	0.9	0.0	0.8	7.5	1.4	0.6
None	2.6	5.3	1.1	3.1	2.8	0.8	0.0	3.2	2.7	1.2

\* respondents could provide more than one answer

Source: own work.

can be observed between the dominant subject of meetings and the type of SC. This dependence is quite strong ( $p=0.000$ ;  $C=0.502$ ).

Is the representation of local interests the SCs' added value? In other words, do the respondents consider the representation of local stakeholders and articulation of their interests as the benefits of the functioning of SCs? Data gathered in Table 5.7 provides answers to these questions.

A better identification of local problems and the possibility of adapting the activities of local authorities to the needs of residents were both recognised as the main advantages of the functioning of SCs. The possibility of SCs'

members speaking out on issues important for the local community was neither the first nor the second most frequently chosen advantage, although it was chosen by a significant percentage of the respondents. The function of representing and articulating the interests of SCs was most strongly supported by senior citizen council members, while it was least appreciated by members of sports councils and councils for residents with disabilities.

When asked about the most important benefit derived from the functioning of SCs, the respondents provided only 16.5% answers pointing to the possibility of sharing residents' opinions on local matters; 37.5% pointed to a better identification of local problems; 33.5% pointed to the possibility to adapt the activities of local authorities to the residents' needs. These results show that the direct form of representing the interests of residents and their groups is not the most valued benefit stemming from the functioning of SCs. However, better identification of local problems and the possibility to adapt the activities of local authorities to the needs of residents can be interpreted as the result of the indirect representation of the interests of residents and their articulation in the opinion-giving and advisory activities of the researched bodies.

## 6. Summary

The demographic characteristics of SC members participating in the study and the population of sixty-five cities in which the survey was conducted do not confirm Brito Vieira and Runciman's thesis on representation as mimesis, which was presented in the theoretical part of this chapter. Our conclusion is not isolated, as research conducted by Font, Pasadas and Fernández-Martínez (2019) yield a similar outcome. As is the case with Spanish councils, also in Poland men and people with higher education are overrepresented in SCs<sup>12</sup>. A comparison of the age of the surveyed SC members and the entire population is difficult due to: a) different age groupings in both studies, as Font, Pasadas and Fernández-Martínez applied four groups (18–29; 30–44; 45–59; 60 years and more), while in our research, we distinguished seven groups (see Table 5.1); and b) types of the examined SCs, i.e. the researched types in Spain included school councils, immigration councils, environmental councils, and central district councils<sup>13</sup>, and youth councils and senior citizen councils were not included in the survey; hence

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<sup>12</sup> In the studies, data cited on SCs was compared with the data for the entire country population.

<sup>13</sup> School councils in Spain differ in character, but their composition always includes – in different proportions – teachers, parents, and students. Also, councils of central districts can have various names (*Foros de distrito* in Madrid, *Consells de Districte* in Barcelona) and they are forms of participation by citizens living in city centres.

the differences between the results of the two studies. The results of the research are similar in that both in Spain and in Poland the typical profile of a council member pointed to a man with higher education, but while in Spain he was in his 50s, in Poland the average age of those participating in the study was 45,5 years (min. 11, max. 86 years; standard deviation – 20,5).

Another issue regarding the representation of local actors and their interests in SCs is related to the thesis – one formulated by Eulau and co-authors (1959), but also by other researchers – about context-dependent representation. Our research did not cover the context of representation, i.e. we did not do case studies on situations involving the decision process (i.e. circumstances around formulating opinions on draft decisions of local government bodies, advising them, or initiating actions by the SC). Of course, this would have allowed us to understand the context and, possibly, alter the representation model (from a delegate to a trustee and *vice versa*). Nevertheless, in response to the question about the interests represented by the respondents, where they could choose several stakeholders they represented (e.g. mark that they represent a social organisation as well as all residents), the surveyed SCs' members were quite unambiguous, on average indicating one stakeholder, which could mean that they perceive their representative function as independent from the context. On the other hand, the analysis of the content of the interviews shows that members often perceive SCs as representing different local stakeholders, perhaps assuming that their interests are the same.

The responses provided in the questionnaire show that the respondents 'adhere to' the statutory role or the role provided for in the articles of the SC, i.e. they consider giving opinions on draft decisions of local authorities as the most important thing. The representative function is at best a secondary one and it is not the most appreciated benefit derived from the functioning of these bodies, either. However, it should be emphasised that there is a significant difference between the examined councils with regard to the importance that their members attach to their functions, i.e. members of youth councils and senior citizen councils lean more towards the representation of local interests.

# The Deliberative Potential of Social Councils and Committees

*Anna Kołomycew*

## 1. Introduction

First and foremost, the social councils and commissions we examine are collegial bodies with advisory and consultative functions for public authorities. Their ‘social’ nature and mission (i.e. improving the quality of local governance) allow us to treat them as instruments of public engagement, oriented towards involving members of local communities in solving issues that directly affect them (Nabatchi & Leighninger, 2015, p. 6; Williamson & Fung, 2005, pp. 98–107). In the case of SCs, however, the collective aspect of involvement and the manner of adopting opinions are of great importance. The issue revolves not only around the possibility of articulating opinions and beliefs, or submitting individual citizens’ applications, which is typical of most participatory mechanisms. The crucial element of the SCs is about formulating opinions and holding a view on specific issues after prior discussions, as well as working out a position shared by all the members. This makes the functioning of SCs similar to that of the deliberative bodies (Bobbio, 2010; Mansbridge et al., 2010; O’Flynn & Sood, 2014).

The globally growing popularity of deliberative bodies observed in recent decades as well as their vast differentiation – both in terms of structure and the substance of the debate – raises doubts as to whether it is possible to identify a set of their typical properties. In the context of deliberative bodies, the term ‘mini-publics’ – referring to Dahl’s concept of *mini populus* (small, homogeneous communities) – has become popular (Dahl, 1995, pp. 417–418; cf. Goodin, 2008, pp. 12–19; Setälä, 2017, p. 849). This term signified collegial bodies consisting of members of a specific community, appointed in such a way so as to reflect its structure and specificity. They were created so that they could discuss important public matters and develop a common position (Chambers, 1996; Fung, 2003a; Setälä, 2017). The importance of these “miniature communities” resulted from the fact that their participants seemed to

represent the entire community. The theoretical assumptions behind mini-publics did not manage to go hand in hand with the reality of the functioning of local communities. Due to internal diversification, conflicts, and different interests inherent in local communities, it was impossible to come up with a single mini-publics model that would serve the purpose of the universal solution. The broad interpretation of the “mini-publics” term has led to a number of deliberative arrangements that differ in terms of members’ recruitment, their work organisation, discussion time, as well as their relationship with decision-makers and their position in the local decision-making (Gastil & Black, 2008; Lafont, 2015). Furthermore, the shift towards a systemic approach among deliberative democracy theorists – and their departure from focusing on the institutionalisation of deliberative bodies – made the classification of particular forms of participation as deliberative arrangements less important. This, in turn, has resulted in even greater flexibility in defining different deliberative forms, but also in their design and composition, e.g. in the selection of members or in the manner of reaching an agreement (cf. Bächtiger et al., 2014).

Considering this shift in research patterns of deliberative bodies, we will focus on those elements that are specific about the examined councils and committees. However, the discussion of the deliberative potential of SCs requires an explanation of how the deliberation itself is understood. The discrepancies in the interpretation of this fundamental category are a significant concern in the research on deliberative bodies.

## 2. Deliberation and its principles

It is worth mentioning that the original understanding of deliberation referred to making (binding) decisions by collegial bodies with changing membership (Gastil, 2008, pp. 180–181). Nowadays, however, deliberation means a rational debate, one based on reliable information, argumentation, and persuading the other participants of one’s arguments (Cohen, 1999; Dryzek, 2010; Mansbridge, 2008). It definitely does not come down to aggregating the opinions of individuals, but it is based on working out a shared position, often at the expense of departing from the original assumptions of individual members, who then change their beliefs in the course of the debate (Cohen, 1996, p. 105). Contemporary definitions of deliberation do not link its effects to a direct influence on decisions made by the authorities (Goodin & Dryzek, 2006, p. 222). The deliberative bodies are seen as a complementary form rather than a substitute or a competing form for the representative democracy. Significant changes are also noticeable in terms of the selection of members of deliberative bodies and the nature of representation (Bächtiger et al., 2014; Setälä, 2017).

Considering both the change in the understanding of deliberation and the progressive 'liberalisation' in terms of classifying diversified forms as deliberative arrangements, we consider the examined SCs as having a 'deliberative potential', not as deliberative bodies *per se*. This precautionary attitude stems from the constraints that do not allow for the explicit defining of SCs as either deliberative or participatory bodies. We assume that the investigated SCs are forms of civic engagement based on the principles of deliberation – i.e. access to information and reciprocal respect of their members – which provide the members with an opportunity to express their own views (as representatives of a specific social group) and take part in a substantive discussion resulting in developing a common resolution.

As for the conditions of deliberation in collegial bodies, Gastil (2008) wondered if today it is possible for such bodies to be fully deliberative, and if it is feasible to design common principles of deliberation (p. 183). In the author's opinion, the ideal deliberative body has two dimensions: analytical and social. The analytical dimension consists of the following elements: providing information (including expert information so that problems can be explained more efficiently), prioritising the issues, identifying various options for problem-solving, analysing 'for' and 'against' of each option, and choosing the best solutions. The social dimension of deliberation, in turn, includes: providing participants with the possibility to speak without favouring anyone, mutual understanding of the participants, considering other participants' ideas and appreciating their experience, as well as reciprocal respect among the participants (Gastil, 2008, p. 185).

The diverse structure of deliberation bodies is of particular importance in designing its form and course. This applies mainly to the number and character of the participants, which, in turn, translates into the possibility of their active participation and formulation of opinions. Gastil distinguished two groups of deliberative bodies in terms of their composition. These are: (a) deliberative bodies that involve public authorities, such as 21<sup>st</sup>-century town meetings, sequenced forum<sup>1</sup>, or municipal council model; and (b) citizen-centred public meetings, including deliberative polls, citizen juries, or citizens' assembly revisited (Gastil, 2008, pp. 192–206).

Out of these forms, the municipal council model is the closest to the examined SCs. According to Gastil, this model is a form of regular meetings of the interested parties, where policies are to be discussed rather than specific (one-off and special) cases resolved. The distinguishing feature

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<sup>1</sup> Gastil uses the term *sequenced forum* in relation to permanent forms of deliberation that bring together citizens, experts, and decision-makers. The Penn's Landing Forum in Pennsylvania was an example whose purpose was to discuss spatial planning. This solution was based on the continuity of operation and the fact that representatives of the authorities took part in it (for more information, see: Gastil, 2008, pp. 195–196).

of this form of deliberation is not only the possibility of a wide public debate (involving the authorities), but also the controlling function (although the term 'monitoring' seems more appropriate) in respect of public authority activities. According to Gastil (2008), this solution is associated with a certain form of power held by the participants, while other forms were used for gathering information (pp. 196–197). As an example of 'municipal councils', the author cites the Brazilian municipal health councils operating in the country since the 1980s, which are made up of community representatives (who have half of the council seats guaranteed), representatives of health care institutions, and government officials. What is characteristic of these entities is their important role in giving opinions on local medical care plans. A lack of council approval can result in withholding funds from the central budget (cf. Cornwall, 2008; Gastil, 2008, p. 198). According to Gastil, the effectiveness of this form of deliberation results from the possibility of bringing together various stakeholders, and its potential influence on decision-making.

Gutmann and Thompson emphasise the diversity of deliberative bodies, which affects the specificity and course of the deliberation. Nevertheless, the authors point out that there are universal principles of deliberation and they can be applied not only in relation to various forms of this process, but also to different issues under discussion (Gutmann & Thompson, 1996, pp. 52–55). Moreover, the authors regard deliberation as a form of solving social conflicts, including those arising from different values, indicating the possibility of its application in the case of different groups with diverse interests (cf. Bohman, 1998, p. 408; Gutmann & Thompson, 1996, p. 41). The universal principles of deliberation are: the principle of reciprocity, access to information and publicity, as well as responsibility. Reciprocity is the fundamental principle that affects the understanding of both the other principles and categories such as 'liberty' or 'opportunity'. According to the above-mentioned authors, the principle of reciprocity reflects a sense of community that is emerging during deliberation. However, they clearly state that the principle of reciprocity does not always result in agreement. The deliberators guided by this principle should present arguments that can potentially be accepted by others. Therefore, for Gutmann and Thompson, the principle of reciprocity is located in between prudence and impartiality (1996, pp. 52–53).

In accordance with the principle of access to information (i.e. making it public), all information on the activities of both the authorities and citizens that have political meaning should be available to the public. However, authors emphasise that there are arguments in favour of limiting the openness of deliberation, which is justified in some cases (cf. Chambers, 2005; Gutmann & Thompson, 1996, pp. 99–126). On the other hand, the principle of accountability shows that each participant of deliberation is responsible for the decisions taken. It should be mentioned that in this case



accountability is of a different nature than in representative democracy, where representatives are expected to win elections and respect the law. In the case of deliberation, the issue comes down to the justification of taking action towards the represented groups (see Gutmann & Thompson, 1996, pp. 128–164).

For Bohman, accessibility and equality are the basic principles of deliberation, which, however, can be limited by narrowing deliberation only to selected forms of communication. Limiting the forms of expression may result in excluding certain people, such as those who have poorer education or those who do not have sufficient communication skills. The author also stressed the importance of listening to each other as a basis for developing collective solutions. However, deliberative procedures cannot exclude or marginalise any of the views, opinions, and forms in which they are expressed (Bohman, 1998, pp. 409–410).

Cohen (1996) presented a similar approach by proposing the “principle of deliberative inclusion”. It was intended to guarantee the participation in deliberation<sup>2</sup> irrespective of beliefs, as the process should be pluralistic, i.e. inclusive (Cohen, 1996, p. 102). Another principle of deliberation proposed by the author was the common good. It assumed that – despite the doubts of the advocates of aggregative democracy – there is a common good that is superior to individual interests, and as such it provides the main direction of deliberation (Cohen, 1996, p. 105). Furthermore, Cohen also distinguished the principle of participation, which is, in practice, reduced to the principle of equal influence on the decisions (see Bohman, 1998, pp. 410–411; Cohen, 1996, p. 106).

Fung (2005) was yet another author who indicated the rules of conduct of deliberative participants, calling them “principles of deliberative activism”. In fact, these rules allow for deviations from the theoretical assumptions behind deliberation, which are not always followed in practice. According to the author, a departure from persuasive methods can be justified when it requires setting up the environment for a fair and inclusive deliberation (Fung, 2005, pp. 401–402). The first principle indicated by Fung is faithfulness to deliberative assumptions, which are not always perfect. Therefore, one should not tolerate any shortcomings, but, rather, work on mastering deliberation based on the theoretical assumptions. The second indicated principle is the principle of charity, which assumes that the participants of deliberation are to be treated with respect and kindness, and that they all follow the same rule. The third principle proposed by Fung concerns the exhaustion of the means of action in the deliberation. Namely, using *non-*communicative forms of convincing the rest of the participants is justified

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<sup>2</sup> Here, participation of “everyone in deliberation” means that everyone’s interests are guaranteed to be represented (cf. Landemore, 2017, p. 9; Urbinati, 2000).

as long as all communication mechanisms appropriate for deliberation are exhausted. The fourth principle – the principle of proportionality – is, in turn, related to the previous one and focuses on the justification of departing from the communication mechanisms appropriate for deliberation. According to Fung, it is justified to use other means of convincing, but it needs to be proportionate to other participants' rejection of norms and rules of deliberation (2005, pp. 402–403).

### 3. Information and its significance in deliberation

Access to information and the exchange of information resources are key elements of deliberation. In the context of deliberation within the bodies gathering representatives of social stakeholders interested in public issues, it is important, first, to provide access to information; second, to create conditions for information exchange between stakeholders; and, third, to disseminate information about the subject of deliberation. Providing the deliberators with information is the responsibility of the public authorities, who organise the deliberation (cf. Owens, 2000, pp. 1141–1142). The organisers and participants share responsibility for the effectiveness of deliberation. However, it is public authorities who should create the conditions in which the involved participants can freely exchange their views and experience. The conditions refer to the technical aspects, to the venue of choice, as well as to the planning of meetings (i.e. the date, time for discussion, and time allocated for formulating opinions by the advisory bodies), which will allow everyone to freely express their views and hear out other participants. The authorities and members of deliberative bodies are also responsible for disseminating information concerning the discussed matter and the course of deliberations. The openness of deliberation, suggested as one of its main principles, remains a debatable issue, as was discussed in the previous chapter. Some researchers are of the opinion that it should be a process taking place “behind closed doors”, as only such a solution can ensure effective deliberation (Chambers, 2004; Checkel, 2001).

Similarly, with regard to the SCs under discussion, providing information on an issue that the SC is to give an opinion on is the responsibility of the public authorities. In practice, officials make the information public in advance. The research shows that meetings of SCs do not generally aim to obtain information, meaning that the public issues under discussion are presented to the SC's members only during the meeting. Information is provided to the SC's members before the meeting. Nevertheless, the meetings of SCs are informative in that specific topics are clarified and information is exchanged in the course of discussions between the participants. This conclusion can be drawn indirectly from the responses

of the SCs' members to the question concerning their leading activity as members of an advisory council (Table 5.5).

In the case of some SCs, such as councils for residents with disabilities or labour market councils, meetings are usually related to taking necessary decisions regarding personal or financial matters (e.g. transfer of funds from the State Fund for Rehabilitation of Disabled Persons – PFRON, or taking a decision on returning unduly received funds for vocational training (for more, see Chapter Three)). Although the information is provided to members prior to the planned meeting, such issues require clarification by an accountable official during the meeting. The following quote can serve as an example:

*In most cases, such issues are reported by the director of the district labour office, who suggests changes, because we also make transfers, for example, in the labour fund, and if it is necessary to explain why such a situation arose or why there is a need for such transfers, it is reported either by the director of the district labour office, or by an employee directly responsible for these funds (...). (X / R / c)*

Meetings of SCs could be called informative, as they allowed for exchanging information, knowledge, and experience between their members. In the course of the interviews, the respondents pointed out that the meetings of the SCs provide them with an opportunity to discuss and exchange experience<sup>3</sup>. The following statements of the interviewees can be used as a fitting example:

*Well, there is such a body that brings together representatives of various institutions, various entities. And it gives us an opportunity to meet and exchange experience. If not for this SC, we would never have met. So yes, I think it is necessary. (XIII / B / c / 2)*

*(...) it is a good idea to meet once in a while to talk together about what the labour market looks like from different perspectives, and to exchange experience and information (...). (IX / R / c)*

It can be stated that members of SCs are informed about the subject of the planned meetings and receive the necessary materials so that they can familiarise themselves with the agenda of the discussion. Qualitative research produces similar results, namely that members of SCs are informed about the purpose of the meeting in a customarily adopted manner in a given advisory body. At the same time, they receive, usually via email,

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<sup>3</sup> In the QDA Miner analysis, the code 'dialogue and discussion platform' appeared in 35 interviews, which accounted for 22.2% of all codes. The respondents indicated a bit more often that councils and committees had an informative function (38 interviews, 24.1% of codes), and that their members provide the residents with information from the meetings (40 interviews, 25.3% of codes).

the necessary documents that should be read beforehand. It happens that information is disseminated directly by administration employees, who send an e-mail to all members of the SC, or to the chairpersons of the SC, who, in turn, distributes information among members. The following statement describes the procedure regarding informing members of the SC:

*We have our own e-mail inbox, right? The chairwoman [of the council – A.K.] usually sends the documents to us before the meeting. We are able to read them and later discuss them during the meetings of the Council for NGOs. Normally it looks like that, because we comply with certain rules here, because it definitely make the work easier and these meetings sometimes last two hours, depending on the brought up topic, sometimes even longer depending on how many comments are made, but we are always given a document in advance so that we can read it. (...) Ms X, the president, by the way, make sure that we are fully informed. Sometimes we have to deal with ad hoc information that suddenly pops up here, but usually before the council meeting itself, we get full documentation and can refer to the documents which are later discussed. (IX / P / c / 1)*

Therefore, those members of the SC who are to join the meeting should – at least theoretically – have information about the planned meeting's agenda. Occasionally, officials distribute information to the SC's members about the topic of the meeting, asking them to provide comments and opinions before the SC meets. Such a solution aims at facilitating the meeting and preparing relevant documents. This practice – despite the fact that it departs from the principles of deliberation<sup>4</sup> – is appreciated for organisational reasons by SCs' members, as demonstrated by one of the SCs' chairpersons:

*First, we get access to a document by e-mail so that we can all read it individually before the meeting so as avoid wasting too much time during meeting on corrections. After the document has been read, we send our comments by e-mail (...) the Dialogue Centre employee collects these comments, which are later discussed at the meeting; who is 'for' or 'against', which comments are valuable and important, and which ones rather less. Then we just vote. (IX / P / p)*

The organisational conditions of SCs that ensure the possibility of exchanging information, i.e. the frequency of meetings and the time necessary to formulate an opinion, will be discussed in the following

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<sup>4</sup> Sending opinions by members of the council/committee without previous discussion and references from other members may result in stiffening the position and reinforcing the belief that this approach is appropriate. Members may be less likely to change their opinion during a debate, as it has already been disclosed and sent to the public administration officials. Changing the opinion of council members may indicate a lack of assertiveness and one's own opinion, which contradicts the practices of deliberation that assumes common reflection and consideration of arguments of all the parties involved.

**Table 6.1.** Consulting the SCs' draft opinions with the stakeholders

	Type of SC (%)								Total
	Council of NGOs	Youth council	Senior citizen council	Council for residents with disabilities	sports council	Labour market council	security and order committee	Urban planning committee	
Yes	67.7	70.3	81.9	54.6	68.9	58.1	71.4	37.6	67.8
No	32.3	29.7	18.1	45.4	31.1	41.9	28.6	62.4	32.2
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: own work with the use of the QDA Miner v5.0.32 software.

subsection. At this point, the issue of disseminating information by members of SCs in their social milieu is worth mentioning. The findings acquired during the quantitative and qualitative research show that members of SCs 'go out' with information to the local community or to interested social groups which they are associated with (or which they represent) (for more, see Chapter Five). When asked whether they consult the interested communities before forming an opinion, 67.8% of the respondents have admitted that they do. Members of senior citizen councils (81.9%) and the security and public order committees (71.4%) constitute two groups which declared that the consultations were most often carried out with the stakeholders (Table 6.1).

In the case of senior citizen councils, the frequency of consulting the opinions is correlated with the relatively frequent activity declared by their members, namely "reporting problems of social groups and the local community" (Table 5.5). Seniors feel "obliged" to inform the community they represent about the progress of the issue that is being dealt with.

Referring to the results of the content analysis of the interviews, one can notice that the code named 'providing residents with information' appeared in 40 observations (interviews), which constituted 25.3% of all interviews. In addition, 'providing residents with information' and 'consulting the council's ideas with the local community' were among the most frequently mentioned features of the relationship between SCs' members and the local community (Table 6.2).

It is noticeable that SCs' members recognised the necessity of continual information sharing and consulting the local community. It resulted from a sense of accountability to the stakeholders, to which the SCs' members felt connected. According to the members of the surveyed SCs, the exchange of information also provides the transfer of ideas from the local community.

Table 6.2. Codes referring to the relations of SCs' members with the local community

The type of relationship between SCs' members and the local community	Observations	% of observation
Representation	27	17.1
Mediation	40	25.3
Providing information to residents	40	25.3
Consulting the SC's ideas with the local community	28	17.7
No relations	23	14.6

Source: own work with the use of the QDA Miner v5.0.32 software.

Despite it not being a priority for SCs, for some of the respondents information exchange was an important part of their activity (see Table 5.5). The following excerpt from a statement given by one of the SCs' members can serve as an example of appreciating the exchange of information:

*Definitely. I guess that we are some kind of intermediary between this social environment and the city council and authorities, and I would be in favour of consulting the community as often as possible, sharing what we do and also presenting and outlining certain problems the city authorities struggle with. I also think that these decisions should be consulted widely so that this information flow here can be good and smooth. (XV / S / c)*

Table 6.3. The use of codes specifying SCs' functions

Function	The number of observations	% of observation
Informing	38	24.1
Providing opinions	119	75.3
Advising	63	39.9
Initiating	119	75.3
Participation in the decision-making process	23	14.6
Performing tasks	41	25.9
Influencing decisions of public authorities	21	13.3
Impact on the city	46	29.1
Control	25	15.8

Source: own work with the use of the QDA Miner v5.0.32 software.

Deliberation also requires the transfer of information from citizens to public authorities. Participants of deliberation are carriers of information and they should pay attention to problems and issues that are important to the general public (Gastil, 2008, pp. 178–179; Karpowitz & Raphael, 2016). In the case of the examined SCs, advising the community was one of the most important functions of these bodies, but not the leading one (Table 6.3).

The members of the SCs which we investigated did not consider as ‘transferring’ information from the citizens to the local authorities as their responsibility. Rather, they found it to be natural for them as a member of a consulting body.

#### 4. The frequency of meetings of social councils and committees

The spread of the systemic approach to deliberation was accompanied by the postulates to increase the durability of deliberative bodies (cf. Gastil, 2008, p. 195; Setälä, 2017, p. 853). Their occasional character resulting from the manner of members’ appointment, the matter of debate, and focus on solving particular problems (rather than developing specific policies) did not allow for using the full potential of deliberative bodies. According to Setälä, the sustained functioning of different types of mini-publics could allow them to play a meaningful role in decision-making. However, according to the author, apart from having the permanent status, it is necessary for the deliberative bodies to ensure that the rotation of their members takes place. It is also important to guarantee their independence from the public authorities. There is a risk that the presence of deliberative bodies that are dependent on the decisions of the authorities will contribute to their tokenism – mismanaged and exploited whenever their opinion is ‘convenient’ for the authorities, as in the case of an optional referendum (cf. Potz, 2010, p. 118; Setälä, 2017, p. 583).

The examined SCs seem to be in line with the postulate of creating permanent advisory and consultative bodies. They operate permanently, but on the basis of incumbency<sup>5</sup>. In the case of the SCs under discussion,

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<sup>5</sup> The rotation of SCs’ members sometimes results from the terms in office. However, rotation is not complete, i.e. not all the members are replaced after the end of the term, although some SCs have introduced restrictions on the number of terms. Random selection of members of deliberative bodies has been discussed since the beginnings of research on deliberative democracy. This solution refers to the ancient model that ensured rotation in decision-making fora, but it has a slightly different character in the case of deliberative bodies. The main objection to this form of members recruitment is the inability to provide such a sample that would reflect the demographic structure of society (or local community) and represented interests (see Buchstein, 2019).

both the term in office and the organisation of their meetings differ and are regulated by the relevant laws or local acts (for more, see Chapter Three). In order to assess the deliberative potential of the examined SCs, the frequency of meetings is significant. Meetings are important – they allow for direct contact between the members, an exchange of views and opinions, and an argument-based discussion.

Taking into account the results of our survey, it can be stated that meetings of SCs are held frequently. 41.7% of the respondents claimed that the meetings of their SC occurred at least once a month. Referring to the indications of the respondents who admitted that meetings of their SC were held every two months (13.6%) and once every three months (17.5%), it can be concluded that most SCs meet at least several times a year. Indications that the meetings are held irregularly – as admitted by one-fourth of the respondents (21.9%) – should also be taken into account. Although it is not possible to determine from these indications what the frequency of irregular meetings of SCs' members is, it can be assumed – upon additional consideration of the results of the interviews – that the SCs' members meet more often than the schedule requires, i.e. whenever such a need arises. During the interviews, the respondents – asked about the frequency of their SC's meetings – most frequently indicated the recurring pattern of work. Such an indication was given in 36 interviews (22.8% of observations). A relatively large number of the respondents admitted that the meetings of their SC were of a mixed nature, i.e. partly scheduled and partly *ad hoc* (which was indicated in 30 observations, i.e. 19%). This means that despite the schedule, there are situations when members meet to discuss a matter which has suddenly emerged or cannot be postponed until the next (scheduled) meeting of the SC. Some respondents admitted that their SC met when it was necessary (16 observations, i.e. 10.1%). Unplanned meetings can also take place due to the very domain of some SCs, e.g. in case of a security threat in the city, as corroborated by the member of a security and order committee whom we interviewed:

*(...) as a rule, the committee works in accordance with the permanent thematic schedule, but from time to time there are some spur-of-the-moment matters which, regardless of the situation, must be reviewed periodically. (...) For example, bird disease (...) Avian flu. Under such circumstances, these are matters that need to be dealt with on an ad hoc basis, even though they were not included in the permanent schedule. (VI / B / u)*

The frequency of meetings differs between the SCs. Councils of NGOs, youth councils, and senior citizen councils held their meetings most frequently. In the case of these bodies, more than half of the respondents indicated that they met at least once a month (Table 6.4). The frequency of meetings may also be related to the role of the SC as perceived by its members.



Table 6.4. The frequency of SCs' meetings

	Type of council (%)								Total
	Council of NGOs	Youth council	Senior citizen council	Council for residents with disabilities	Sports council	Labour market council	Security and order committee	Urban planning committee	
Once a month or more often	50.0	68.0	61.3	11.3	21.7	4.8	6.3	9.7	41.7
Once every two months	15.7	10.1	24.0	7.2	16.0	11.3	3.2	14.0	13.6
Once every three months	14.6	2.8	9.6	23.7	23.6	61.3	41.3	4.3	17.5
Less than once every three months	3.0	0.5	0.4	5.2	9.4	5.6	18.3	1.1	3.9
Meetings held irregularly, i.e. when necessary	15.2	15.5	4.1	52.6	29.2	16.9	29.4	71.0	21.9
Difficult to say	1.5	3.1	0.7	-	-	-	1.6	-	1.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

( $p=0,000$ ,  $C=0,607$ ) – the test was carried out after excluding the 'hard to say' responses from the analysis

Source: own work.

Comparing to members of other SCs, members of the above-mentioned councils more often indicated creating an opportunity for the residents and their representatives to express their views on matters important to the city. 48% of the respondents from the councils of NGOs, 50.9% of the respondents from the youth councils, and 55.2% of the respondents from senior citizen councils had a similar view, whereas in the case of the respondents from urban planning committee, such an advantage was indicated by only 7.5% of them (Table 6.4).

The frequency of meetings of the examined SCs can depend on the type of activity declared by their members (Table 5.5). Members of councils of NGOs, youth councils, and senior citizen councils most often indicated that their tasks included initiating ideas and projects. Therefore, SCs' members who believe that certain issues need to be discussed can effect the convening of a meeting. Among those active in terms of initiating ideas, there are also sports councils (Table 5.5). However, their meetings do not take place as often as in the case of the three above-mentioned SCs. Almost 1/3 of the members of sports councils indicated that their meetings were held

irregularly. The scope of the tasks assigned to these SCs has a significant impact on the frequency of their meetings (for more, see Chapter Three).

The main concern regarding the SCs' meetings is the members' attendance. The attendance of SCs' members is difficult to unequivocally verify based only on the questionnaires. The minutes of the meetings of SCs also turn out to be useless for this purpose, as not all of them contain information on the attendance. It is worth mentioning that the problem of low attendance at the SCs' meetings was not specifically addressed during the interviews. Those SCs which may have encountered such a problem at the initial stage of their functioning introduced internal regulatory and disciplinary mechanisms for their members in order to avoid the SC being seen as facade actors. The low attendance of SCs' members was to be prevented by, *inter alia*, a meeting calendar which was agreed on in advance, afternoon meeting hours, permanent online/e-mail contact, and attendance lists, as well as the possibility to exclude a member who missed the meetings notoriously. The following statements can serve as an example:

*The calendar of meetings is organised in such a way that a specific day of each month is strictly fixed for the whole year so that everyone can plan their schedule and know in advance that the meeting is taking place. When it happened that it was necessary to make an additional meeting, our e-mail correspondence was quite clear and I think that all the resolutions and decisions were sent on time (...) we kept sending reminders, and what's more, kept an attendance list, and we could react and intervene when someone was not present at a certain number of meetings. So, we didn't want it to be an artificial entity and we didn't want someone to pretend in their CVs that they were a member of the council of NGOs. We looked after it ourselves. (IX / P / c / 3)*

*(...) we also had our absences formalised in the regulations and I don't know if three absences in a row resulted in exclusion from the council. Because, well, we assumed that it was not meant to be a council for the sake of merely being a council, but simply work, right? And of course, while the situations in our lives are very different, random, and so on, we don't meet so often, and we can plan certain things ahead. (...) Besides, we also meet in the afternoon, usually at 3.30 p.m. or 4.00 p.m., when most of the members are already after work (...) so this is how we try to stay in touch. (VIII / P / N / c)*

Referring to the important issue, which in the context of the deliberative potential of SCs is the possibility of direct (face-to-face) meetings and holding discussions, it should be noted that the structure of SCs creates favourable conditions for such activities. Meetings of opinion-giving and advisory bodies occur quite often and regularly. The flexibility of SCs in terms of organising additional meetings whenever such a necessity arises should also be greatly emphasised.

## 5. Time for discussion and consideration

Another condition for deliberation within collegial bodies is to ensure an ‘adequate’ amount of time for ‘reasonable consideration’, discussion, and, finally, developing a common solution. As Gastil pointed out, deliberation takes time, but that time results in better and more ethical decisions being made (Curato et al., 2017; Gastil, 2005, p. 8; cf. Witt, 2019, p. 2). Deliberation is a social process that requires each participant to take the same time to speak; ensuring that each participant can express their opinion is even more important than including it in the final decision (Gastil & Black, 2008, p. 12). In the case of the examined SCs, it should be stressed that the time devoted to discussion on the matters submitted for opinion was determined by their specificity. Some of the opinions adopted by the members of the SCs did not arouse any controversy, as they were of a routine character. In such a situation, expressing an opinion by the SC was a formality that did not trigger any debate; it would be difficult to expect a deliberation that would involve ‘weighing’ the arguments of the participants in such a situation. However, the surveyed respondents also dealt with more important issues and this revealed the differences in views and opinions of SCs’ members. When asked about average time for expressing an opinion concerning the submitted document, the respondents most frequently indicated that it was held at the same SC meeting (Fig. 6.1).

Responses indicating a different (longer) time for preparing an opinion resulted from the character of the submitted issues, e.g. providing an opinion on the local programmes, the strategic documents, or the city development goals. Opinions on such issues are planned in advance in the

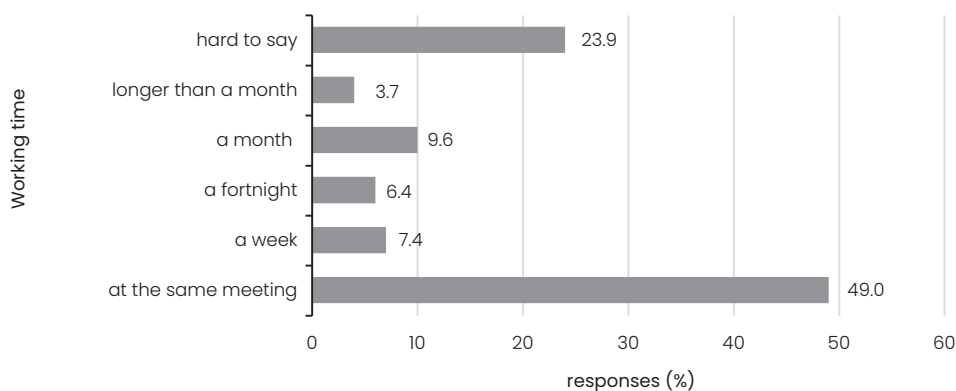


Figure 6.1. Working time spent by the SCs on a project/plan/report so that an opinion could be expressed

Source: own work.

SC's work schedule and are generally of a regular nature. A longer time for SCs' members to issue opinions was also stipulated for matters not requiring a members' meeting, i.e. matters that could be adopted in a circular manner. However, it is worth pointing out that the circulating mode of providing opinions is treated by SCs' members as an alternative method, i.e. one used only occasionally. Certainly, it is not a substitute for SCs' meetings that give the members an opportunity to gather and discuss, which, as the interviews reveal, is one of the most significant dimensions of the SCs' performance. The additional and extraordinary use of the circulating mode – i.e. as a form of providing opinion by SCs – is demonstrated by the statements:

*We meet once a month, except for the holiday period, i.e. July and August, where we switch to the so-called circulation mode, because the vast majority have access to e-mail, so if there is something to deal with, I send it on. (l / s / p)*

*It once transpired that we received the documents for our opinion a little later. As a result, in terms of our decision-making process we introduced a circulation mode to the regulations. However, we have also developed such a model of cooperation in which representatives of particular institutions send us these documents earlier, even if the document is in a draft form, or it is just an idea. It also happened that some assumptions of a strategy or a programme were presented, and we referred to them and then we had consultations again at the council meeting. (l / p / p)*

On the other hand, it is interesting that the surveyed SCs' members gave the answer 'hard to say', which was the case with almost every fourth respondent (Figure 6.1). This response may indicate that in a particular SC, the time to issue an opinion on submitted matters is simply different and varies depending on a case.

Taking into account the responses of members of particular SCs regarding the average time for giving opinions on the presented issues, it should be noted that there is a statistical correlation between the time for providing opinions and the type of SC (Table 6.5).

Table 6.5 shows that opinions are adopted at the same meeting by the following SCs: security and order committee (60.3%), urban planning committee (67.7%), labour market council (81.5%), and council for residents with disabilities (69.1%). These indications should be related to the matters that these SCs are provided with by legal regulations. Their members gather to issue an opinion on decisions of the local government, with the prepared draft (e.g. landscape planning or its revision) or administrative decisions addressed to specific individuals (e.g. on co-financing assistance for people with disabilities). Members of these bodies indicated irregular work and organising meetings when necessary more frequently than other SCs, with the exception of the representatives of labour market councils (Table 6.4).

**Table 6.5.** SCs' average working time spent on a single project/plan/report so that an opinion could be expressed

	Type of council (%)								Total
	Council of NGOs	Youth council	Senior citizen council	Council for residents with disabilities	Sports council	Labour market council	Security and order committee	Urban planning committee	
At the same meeting at which the project was submitted	46.0	34.4	34.3	69.1	59.4	81.5	60.3	67.7	49.0
A week	12.6	7.5	7.7	8.2	3.8	4.8	1.6	9.7	7.4
A fortnight	12.6	3.9	5.9	4.1	4.7	5.6	3.2	15.1	6.4
A month	10.6	10.6	15.5	5.2	12.3	0.8	5.6	4.3	9.6
More than a month	3.5	3.9	6.6	1.0	4.7	0.8	2.4	2.2	3.7
Hard to say	14.6	39.8	29.9	12.4	15.1	6.5	27.0	1.1	23.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

( $p=0,000$ ,  $C=0,396$ )

Source: own work.

Considering that SCs' members should be given time for consideration and reasonable argumentation, it also seems important to provide them with access to the relevant documents and information as well as a sufficient amount of time to familiarise themselves with their content. This practice was common in the case of the surveyed SCs. The respondents, asked about the time to provide the SC's opinion, most often indicated that it was adopted during one meeting, provided that they had previously received documents relating to the discussion (29 interviews, which amounts to 18.4% of observations). The respondents admitted that in most cases they had received the necessary materials via e-mail. As a rule, they also had sufficient time, as they claimed, to familiarise themselves with the subject of the meeting, which is confirmed by the following statements:

*At least a week. We receive all documents with attachments a week before the council meeting. In my opinion, it is enough. (X / R / c)*

*(...) we get two weeks to think it over calmly and be able to take a good decision. (IV / M / p)*

It can be concluded that the manner of organising the SCs' work creates conditions for deliberation. Only occasionally, under exceptional circumstances, the circulation mode of elaborating opinions is used. The duration of the SCs' meetings (not investigated in the survey) was also important. In the interviews, the respondents indicated that meetings often lasted several hours and that, as a tacit rule, they met again to discuss the same matter if necessary. This shows that the SCs' members are serious about their duties and try to devote 'enough' time to finding a solution.

## 6. Consensus or voting? The way of adopting the final resolution within social councils and committees

With respect to the quality of deliberation, the manner in which decision-making takes place is of great importance. Some deliberation theorists assumed that reaching a consensus was the goal of a rational debate based on arguments (Dryzek & Niemeyer, 2006, pp. 634–635; Habermas, 2005; cf. Jezierska, 2019, pp. 1–2). Along with the proliferation of a systemic approach in the theory of deliberation, this assumption became less relevant. There were also opinions suggesting that consensus even excludes deliberation, since its essence is the plurality of opinions, views, and beliefs resulting from the diversification of the participants, not the pursuit of a common stance (Curato et al., 2017, p. 30; Jezierska, 2019, pp. 15–16). Reaching a consensus may be the result of deliberation, though it is not mandatory. According to Jezierska (2019), it occurs incidentally and cannot be the main goal of the entire process (p. 16). Solomon and Abelson, in turn, pointed out that in practice consensus was not always possible. Its absence, however, does not reduce the quality of deliberation, which – if well-designed and properly conducted, and if it enables the participants to uphold different values and express different ideas – is still more valuable than any other form of consultation. This is due to the necessity of arguing and justifying one's opinions (Solomon & Abelson, 2012, p. 2).

Some researchers state that consensus negatively affects the diversity of ideas and concepts, as it leads to conformism. If consensus is perceived as the overriding goal, discussions are deprived of disputes and, instead, they pursue an agreement at all costs (Bradley, 2007, pp. 612–613; Young, 2000, p. 44). Friberg-Fernros and Schaffer point out that consensus – which, in fact, means the victory of the 'stronger' arguments over the 'weaker' ones (or not equally 'efficiently articulated' ones) – aims at unifying the different views, which then confirms the value of deliberation. This standardisation, in turn, can negatively affect deliberation in the future, as it eliminates extreme opinions and reduces the dynamics of this process (Friberg-Fernros & Schaffer, 2014, pp. 99–100). In comparison, some scholars believe

that effective deliberation is one that is discordant, not consensual (Curato et al., 2017, p. 31). For Peters, the diversification of deliberation participants is also of considerable value. He points out that deliberation should not be only limited to a communication process that consists of an exchange of views. Deliberation should generate new ideas, interpretations, and the development of a 'shared horizon' of actions, all of which can emerge only if an exchange of arguments, counterarguments, and information flow are ensured (Peters, 2005, p. 106).

Correspondingly, the question arises as to how to adopt solutions within the deliberating bodies. Jezierska postulates that the consensus should be replaced by putting said matter to a vote. According to the author, voting as the final stage of deliberation is justified when consensus is treated as one of the possibilities, and not as a necessary condition to finalise the process. In her opinion, deliberation can be finished with a lack of consent (Jezierska, 2019, p. 18). Curato et al. (2017) also argue that deliberation can end up in other forms of settlements than consensus, e.g. voting, negotiation, or agreements regarding methods of action (but not *reasons* of actions). Such are the forms of explaining the sources of diversification between the participants as well as mutual understanding of arguments (Curato et al., 2017, p. 31).

Moore and O'Doherty (2014) made an important observation about voting as a final stage of deliberation. They believe that voting should not be equated with the mechanism of aggregation of preferences (typical of the mechanisms of aggregative democracy) (Antoszewski, 2016, pp. 119–124; see Gutmann & Thompson, 2004, pp. 13–21). Deliberation implies participation in discussions on public matters, which the participants are not always aware of. In the course of the deliberation, their opinions on certain issues may only be formed or changed/influenced by other participants' opinions, information, and knowledge. Voting, on the other hand, is an expression of acceptance of newly formed ideas and opinions. Making a binding decision by the collective body is not the essence of voting during deliberation. The same goes for expressing individual preferences, even though each participant in the process votes individually. Casting a vote expresses one's preferences regarding the solutions worked out together with other participants during the deliberation. Moore and O'Doherty describe voting within deliberation as a "a way of signalling positions" (2014, pp. 312–313).

Referring to the results of our empirical research on SCs, it should be noted that their decision-making mechanism is part of the solutions used in various types of deliberating bodies (see Moore & O'Doherty, 2014, p. 312). Over 77% of the respondents pointed to voting as the manner of adopting opinions, whereas 14.6% indicated reaching a consensus. The other forms were of marginal importance. Taking into account the type of the SC might help in observing statistical dependencies concerning the preferred form of making decisions (Table 6.6).

Table 6.6. The way of adopting opinions by the SCs

	Type of council (%)								Total
	Council of NGOs	Youth council	senior citizen council	Council for residents with disabilities	sports council	Labour market council	Security and order committee	Urban planning committee	
Voting	80.8	85.5	77.1	62.9	80.2	96.0	46.8	71.0	77.7
Reaching a consensus	9.1	7.8	15.9	28.9	17.0	-	37.3	22.6	14.6
Circulating manner	5.6	0.5	2.2	4.1	0.9	4.0	11.1	2.2	3.2
Hard to say	1.5	6.2	2.2	1.0	1.9	-	4.8	-	3.0
Other procedures	3.0	-	2.6	3.1	-	-	-	4.3	1.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

( $p=0,000$ ,  $C=0,330$ ) – the test was carried out after eliminating the 'other procedures' and 'hard to say' responses from the analysis

Source: own work.

The prevalence of voting as a form of adopting resolutions stemmed mainly from the regulations passed in SCs' charters and bylaws. For example, the bylaws of the Council of NGOs in Gliwice state the following: "The council makes decisions in the form of resolutions, statements, and opinions, which are made by a simple majority of votes in an open ballot, with at least half of its members present. In the case of an equal number of votes, it is assumed that the Council has not taken a position on the discussed issue"<sup>6</sup>. Similarly, the Charter of the Senior Citizen Council in Jaworzno reads that: "Resolutions are adopted by a simple majority of votes, in the presence of at least half of the Council members, in an open ballot"<sup>7</sup>.

The results of the quantitative research were confirmed by the interviews. In the questionnaire, the respondents could point to only one form of adopting decisions by the SC. Presumably, due to the obligation to select only one form, the respondents indicated the one which is most frequently used in their SC. During the interviews, it was established that reconciliation and voting are not alternative but, rather, complementary forms. For our respondents, the discussion in which they try to develop a joint solution was

<sup>6</sup> §4 section 4, Bylaws of the Municipal Council NGOs in Gliwice, effective as of February 14, 2018, <http://mrdppgliwice.pl/mrdpp/regulamin-mrdpp/> (03.02.2020).

<sup>7</sup> §7 section 2, Resolution No. XXIII/343/2016 of the City Council in Jaworzno of November 29, 2016, on the establishment of the Senior Citizen Council of the City of Jaworzno and granting its charter. See the attachment.



essential. Voting did not resolve the disputed issues and was not considered a 'final solution' which clearly reflects the ultimate opinion of the whole SC. In this sense, voting was seen as "embedded in the deliberation", which is a confirmation of the arrangements developed in the course of the debate (for more, see Moore & O'Doherty, 2014, p. 303).

For the SCs' members, voting was more of a formality which should be included in the minutes of the meeting. This attitude also turned out efficient in those SCs where it was not always possible to capture individual opinions. This is confirmed by the following statement:

*(...) each discussion is an attempt to persuade someone to support a different position. Well, if it works, it is fine. If it doesn't work, then everyone has the right to take their position. It happens by voting. It is the most rational form when it comes to such large groups, I think. It is usually impossible to achieve such a situation in which everyone is for, or against. Well, it is very rare. (VIII / A / c)*

Some members of the examined SCs believed that voting was associated with the significance of a particular case and pointed to this as a form of adopting an opinion on important cases. The following statement can serve as an example:

*(...) Yes. Each decision must be a resolution, there must be voting on these more important matters, of course, there must be a resolution. (VII / T / c)*

Yet another statement shows that the significance of a case determines this particular form of accepting the decision:

*(...) every decision taken by the council should have a certain status; some matters are decided in the form of a resolution by simple majority voting, for example, the distribution of funds is always decided by majority voting and there are always the minutes. (IVX / R / c)*

While voting was reserved for important cases, the circulation mode was intended for less important ones, such as routine matters that did not raise controversy and did not require the SC's meeting.

In the process of adopting decisions by the surveyed SCs, it was important for the members who did not agree with the majority to have the right to express a dissenting opinion (and have it included in the minutes of the meeting) (Table 6.7).

Almost 80% of the interviewed SCs' members indicated that there was a possibility to express a dissenting opinion and such situations did occur during the meetings – most frequently in sports councils, councils of NGOs, senior citizen councils, and labour market councils. This was not the case – although it was envisaged – for nearly 40% of the members of the council for residents with disabilities, almost 28% of the members of the security

Table 6.7. The possibility of expressing a distinct opinion by SCs' members

	Type of council (%)								Total
	Council of NGOs	Youth council	senior citizen council	Council for residents with disabilities	sports council	Labour market council	security and order committee	Urban planning committee	
Yes, it is possible – such situations have happened	83.8	77.5	85.6	55.7	92.5	84.7	66.7	74.2	79.0
Yes, it is possible, but such situations have not happened	13.1	11.9	7.4	39.2	3.8	11.3	27.8	21.5	14.5
No, it is not possible, although the views of the SC's members sometimes differ	1.5	1.6	1.5	1.0	1.9	0.8	–	–	1.2
It has never happened that someone disagreed with the rest of the SC	–	0.3	1.1	2.1	–	–	0.8	4.3	0.8
Hard to say	1.5	8.8	4.4	2.1	1.9	3.2	4.8	–	4.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

\* the statistical test is not possible due to too many values below 5.

Source: own work.

and order committees, and 21.5% of the members of the urban planning committees. The percentage of indications that it is impossible for a SC's member to express a separate opinion was insignificant.

The respondents confirmed the possibility of expressing a separate position. However, such situations induced debates that usually led to a vote:

*Yes, a different position causes a discussion that usually ends with a vote. (XIII / B / c / 2)*

*Whenever someone has an opinion and reports it, we discuss it and sometimes these talks last even a few hours and we wonder how to do deal with the proposed issue, how to remodel it, how to defend it, and so on. However, if we see that there are too many separate opinions, we try to formulate the general question to make it as open as possible. And we vote as a last resort. (...) but I would like to emphasise that very often we reach a consensus. (IV / P / p)*

In the respondents' view, it was important to work out a position that would be satisfactory for all members of the SC. At the same time, they were aware of the fact that their views differed. In such a situation, voting was treated as a way of adopting a decision, which, however, did not rule out the deliberative nature of the work of councils and committees (Jeziarska, 2019).

## 7. The relations between the members of social councils and committees

When asked about their preferred form of decision-making, the interviewed SCs' members were not specific. From their statements, it can be indirectly assumed that they treat voting as a solution when the SC's members are not able to reach an agreement. They have relatively often emphasised that although they use voting when they are unable to agree, this does not necessarily mean that there are conflicts and tensions between the SC's members. The quantitative and qualitative research that has been carried out reveals that SCs actually deliberate in an atmosphere of reciprocal openness and with the intention to understand the other participants' reasoning and find a solution that would satisfy (at least to a certain extent) all the members. A friendly atmosphere is an important factor in the deliberation, as it influences the course of the discussion and the development of a shared stance. Mansbridge et al. even pointed out that the positive atmosphere and the quality of deliberation were interdependent. Good emotional relations are as important as rational argumentation. Those participants of the process who are emotionally at ease greatly contribute to the successful flow of information, ideas, and solutions. At the same time, according to Mansbridge et al., inequalities and tensions between the participants pose obstacles that impede the deliberation (2006, pp. 1–2).

Mutual trust and respect between the participants are the features that condition deliberation. They are expressed through being aware of otherness, understanding different needs and positions, and accepting different interests and goals that are represented by the participants of deliberation (Gastil & Black, 2008, p. 4; Mansbridge et al., 2010, pp. 65–66). According to Floridia, deliberation has an ethical function, as it promotes mutual respect and understanding of different interests and needs (2017, p. 332). Rosenberg (2007) argued that the environment of deliberation depends on a number of variables, such as the form of its implementation. In the deliberation, it is important not only to exchange opinions, but also to focus on related emotions, which have a great impact on the quality of communication (which, *de facto*, deliberation is) and on social relations with the other participants. According to the author, the quality of deliberation is influenced by the intellectual and emotional potential of the participants as well

Table 6.8. The use of codes related to the atmosphere within the SCs

Code	The atmosphere in SCs in the opinion of their members	
	Number of observations	% of observations
Agreement	38	24.1
Different opinions – disputes do not lead to any conflict	49	31.0
Disagreement	13	8.2

Source: own work with the use of the QDA Miner v5.0.32 application.

as by the social and cultural background that affects them (Rosenberg, 2007, p. 140). The assumptions behind deliberation – such as mutual respect, understanding, and openness to ideas of other stakeholders – can contribute to the participants’s self-development in this process, but also to their social development. Deliberation is valuable even when no agreement on the discussed matters is reached, because it opens people to pluralism and diversity; this should not be feared but, rather, treated as a norm or even a desirable element in public and social life (Rosenberg, 2007, p. 142). In the academic literature, the role of conflict (emerging on the basis of different interests) is increasingly acknowledged, which to a certain extent provides the dynamics of deliberation rather than making it impossible or difficult (cf. Mansbridge et al., 2010). Disagreement between the members of a deliberation is not a factor that prevents discourse. However, of utmost importance are the right conditions and the participants’ positive attitudes as they keep deliberating despite fundamental contradictions regarding values and interests (Myers, 2018, pp. 25–26).

The research shows that the relations between the SCs’ members are positive and that the overall atmosphere of meetings is consistent. Conflicts, or, rather, “disputes” or “misunderstandings” – as such terms were used by the respondents to describe possible differences of opinions and disagreements – occurred only occasionally<sup>8</sup> (Table 6.8).

Evaluating the working atmosphere of the SCs as “agreeable”, the respondents associated it with mutual respect and providing SCs’ members with the opportunity to both express their opinions and discuss the issue they raised, and even submit it to public authorities. The respondents’ comments show that the council members have mutual respect. They also

<sup>8</sup> When asked about conflicts within the council, the respondents preferred the terms ‘dispute’, ‘disagreement’, or ‘misunderstanding’. Conflict was associated with something more negative. Kołomycew and Kotarba (2018) drew similar conclusions regarding the social perception of conflict (pp. 298–213).

pay attention to every issue and problem submitted by individual members. The following quote can serve as an example:

*No, here it works like that – if anyone notices a problem that they think should be presented to Mr. President [President of the City, i.e. Mayor – A.K.], because we are not, let's say, happy with it, there are no objections, as far as I know. If somebody reports that there is a problem and would like to clarify it, this issue is of course entered in the minutes. Anyway, the minutes are kept, and every statement must have its place there as soon as it is submitted. (XIII / S / c)*

For some of the respondents, the lack of conflicts and disputes within SCs was determined by their organisation, the scope of tasks, and the members' conviction about the role they play within the SC. This view is visible in the statement from one of the members of a security and order committee:

*(...) We are not here to argue or to hold a grudge (...), but to quarrel here like the councillors [city councillors – A.K.] about different things, this is a completely different story. (XVI / B / c / 1)*

Occasionally, the respondents complained about a SC's meeting not being stormy enough. This is what one of the members of a senior citizen council said:

*(...) Well, I would say the council is somewhat sluggish and so cute and correct. Well, of course, there are such inquiries ... (VII / S / c).*

Quite often, the respondents pointed out that despite there being no conflicts, mutual agreement is not always the case. As the interviews reveal, however, all doubts are clarified during the deliberation. Some of the respondents also indicated that if the discussed issue did not arouse any controversy, then there was no basis for any open conflict. Still, the differences of opinions are treated as a natural feature of the collegial body. The following statement seems to prove is:

*The issues are not controversial, of course everyone can express their position, everyone can take it into account, but I did not notice that there were any heated discussions that would make our work difficult, because everyone has a different opinion, right? Above all, some consensus exists so that this council can help the labour office in the implementation of its activities. (IX / R / u)*

The above statement features another important issue. Members of the SCs explicitly consider them as advisory bodies for local authorities and public administration. Possibly more controversial would be meetings where the members would attempt to pursue their own interests. However, no such cases were identified during the interviews. In the statements of the respondents, the prevailing conviction was that their discussion

should be purposeful and constructive. The following words can serve as an example:

*(...) we know what we are there for. It's not about arguing with each other; it's about arguing with the outside world, right? We have a mission. Even if there is any dispute, though I would not like to call it like that, it must be sorted out constructively and give some constructive conclusions. We do not do it directly for ourselves; we just know why we are there. The very name indicates that it is a social council. (X / N / c)*

*(...) In general, disputes do not arise. More substantive issues are discussed here, or some problems are indicated. Problems result from unclear regulations, or simply financial problems, right? (l / b / u)*

Conflicts in SCs appear only occasionally and usually have a personal, political, or financial background. Such conflicts were mentioned by members of councils of NGOs and youth councils more frequently than by members of other types of councils.

The results of the quantitative research are consistent with the results of the interviews. The issues debated during SCs' meetings do not seem

**Table 6.9.** The frequency of controversy, disagreement, and stormy discussions in relation to issuing opinions by the SC (%)

	Type of council (%)								Total
	Council of NGOs	Youth council	Senior citizen council	Council for residents with disabilities	Sports council	Labour market council	Security and order committee	Urban planning committee	
Always	3.0	0.5	6.3	1.0	5.7	2.4	-	4.3	2.8
In more than half of the issues	17.2	4.1	6.6	2.1	7.5	4.0	3.2	11.8	7.0
In half of the issues	6.6	12.4	11.1	5.2	14.2	8.9	1.6	6.5	9.3
In less than half of the issues	33.8	37.7	31.0	32.0	37.7	40.3	37.3	29.0	35.1
Never	11.1	17.8	15.1	38.1	10.4	27.4	28.6	18.3	19.0
Hard to say	28.3	27.4	29.9	21.6	24.5	16.9	29.4	30.1	26.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(p=0,000; C=0,308)

Source: own work.

to be particularly controversial (Table 6.10). The highest percentage of the respondents indicated that controversial topics were raised in less than half of the meetings (35.1% of the respondents). Almost every fifth respondent indicated that controversies and heated debates never arose during the meetings (19% of the respondents). A significant percentage of the respondents provided the 'hard to say' response (26.8% of the survey participants); the respondents were not able to judge to what extent the discussed issues were controversial.

Taking into account the percentage of the first three responses, the largest number of disputes occur at the meetings of sports councils, councils of NGOs, and senior citizen councils (Table 6.9). In the case of councils of NGOs and sports councils, the area of potential conflict can refer to the distribution of public funds, which are allocated on a competitive basis. In such a situation, the SC's members can represent the interests of their community or the organisation they are affiliated with.

## 8. Summary

The results of the quantitative and qualitative research presented in this chapter lead to the conclusion that the examined SCs have a deliberative potential. However, it is difficult to explicitly define them as deliberative bodies, not least because there is no general consent among researchers with regard to the features of deliberative bodies as well as their catalogue. Some researchers consider various types of local social councils or advisory boards that have been operating for decades in different countries as one of the types of deliberative entities (Fung, 2004; Gastil, 2008, p. 180). The focus on a systemic approach in the theory of deliberation has slightly changed the emphasis of research, shifting it away from the creation of next deliberative 'innovations' towards the specificity of deliberation itself and the complementarity of the activities of different deliberative actors, thus focusing less on their specificity and more on their goal, which is to improve public governance.

The plurality of definitions, the variety of deliberative bodies, and the lack of a precise framework for their classification all make it difficult to carry out research on the basis of the theory of deliberative democracy as well as to create new research opportunities. The same goes for the SCs that we have studied, as they constitute a very heterogeneous category. Using the collective category of 'social councils and commissions' (SCs) is a deliberate 'compromise' of the authors, which serves in this section of the book to explore these actors in the theoretical framework of the deliberation.

Therefore, it can be concluded that the SCs do have a deliberative potential, or that the mode of their operation can be described as

deliberative. The elements supporting this assumption are the following: (a) access to public information, which is fundamental for active participation in the meetings, expressing opinions on a given topic, and responding to the opinions of other members, as well as disseminating information and providing it to local authorities; (b) the way of organising the work of SCs (time and the frequency of meetings) that allows for direct meetings and, at least theoretically, 'rational reflection', which results in a shared stance of the SC; (c) the dominant way of issuing decisions, which demonstrates the will of the participants to find a common solution; (d) positive relations and a friendly atmosphere without conflict, which does not mean, however, that there are no divergent stances among the SCs' members.



# The Influence of Social Councils and Committees on Local Decisions in the Opinion of Their Members

*Agnieszka Pawłowska*

## 1. Introduction

The functioning of social councils and committees is based on the premise that their opinions are taken into account by decision-making bodies and that these bodies are willing to modify their original intentions as a result of this social counsel. Alarcón and Rico Motos claim that if participation mechanisms are to have any influence on the decision-making, “there must be an institutional link that transforms participants’ decisions into real policies” (2019, p. 6). If such a ‘link’ is missing – and, therefore, the will of citizens as expressed through various forms of public participation is not considered – it is a sufficient cause and likely to be the most common reason for SCs’ passivity. Still, the authors’ research reveals a limited influence of various forms of social engagement on decision-making. They explain this by politicians’ reluctance to delegate decision-making powers to social organisations; if they do it at all, it is only in matters of little importance whilst often resorting to the manipulation of the results of participation in order to achieve their own political goals. They also point to the unwillingness of non-public actors to take on decision-making obligations, preferring instead to limit their role to that of a protest (Alarcón & Rico Motos, 2019; see Bherer et al., 2016).

Continuing the above argument, it should be asserted that the ‘quickest way’ to activate citizens is to grant them and the organisations representing them competences to make decisions on certain matters, or at least guarantee in some form – preferably through institutional and legal means – their influence on decisions taken by the local authorities. Currently, the social councils and committees – although according to statutory regulations, some of them are obligatory and obligatorily consulted – have a ‘merely’ advisory role. Such a role, as Fung argues, is somewhere in the

middle of the continuum from a complete lack of influence on decisions to full control over decision-making (2006b, p. 70).

Is this the 'right point' when considering the decision-making processes taking place in local government? Is it satisfactory for the members of social councils and committees? We would like to answer these and other questions in the present chapter. However, it should be emphasised beforehand that the influence of social councils and committees upon decision-making has been explored mainly based on the opinions of these bodies' members. Therefore, this analysis constitutes a subjective view on the role of SCs in local-government decision-making. In order to justify the one-sidedness of this presentation, we should also add that the researchers examining similar issues in other countries also did not present an objective picture of the role of SCs in decision-making, explaining this by research limitations (see Fobé et al., 2013, 2017).

## 2. The participation of social councils and committees in the stages of local decision-making

In the discussion about decision-making in local government with the participation of social councils and committees, attention should be drawn to: 1) decision-making bodies; 2) types of decisions taken by local government; 3) stages of the decision-making process. The analysis below is simplified, i.e. we do not touch upon all elements of the decision-making system, but merely discuss those which are the most relevant to decision-making with the participation of social councils and committees.

Knosala emphasises that the significant proportion of decisions made in an administration are taken as the result of cooperation between many actors. Hence, they are collective decisions (Knosala, 2011, p. 35). Among actors making decisions, the author identifies decision-makers with formal competences and actors with material competences (Knosala, 2011, p. 24). Formal decision-makers are persons legally authorised to choose a solution to a given problem where a decision is required to be made; in local government, these would include municipal bodies (local councils) and executive bodies. Entities with material competences are persons who have knowledge and experience indispensable to decision-making; these include civil servants, experts, representatives of social organisations, interest groups, and citizens themselves. Decision-makers with formal competences and the ones with material competences do not overlap, but they complement each other. SCs belong to the group of actors with material competences; they are not legally entitled to make decisions and they do not replace local authorities. However, they have considerable knowledge and experience that can optimise the decision-making process.

The political and administrative character of local government has an impact on the type of decisions taken and the procedures for adopting them. On the one hand, local authorities are elected in democratic elections and are subject to voters' scrutiny; on the other, they are administrative bodies supervised by the national government. For this reason, for the purposes of further analysis, we divided the decisions of local government into administrative and political decisions. We understand administrative decisions to be settlements in individual cases. Decision-making actors and the scope of decisions are both determined in legal government acts. Local decisions are also subject to specific acts governing the execution of public tasks by the local government. Administrative decisions fall under the code of administrative procedure.

Political decisions made in local government are not addressed to specific natural or legal persons but to the entire local community. It is the addressee and not the result of the decision which is key in differentiating between an administrative and a political decision, as both administrative and political decisions can bear consequences for the entire local community (e.g. a building permit, an agreement to commission a non-public entity to execute a public task). Therefore, the legislator obliges administrative bodies to also consider social interests while taking administrative decisions<sup>1</sup>.

In principle, SCs give opinions on political decisions, even though the provisions of specific acts can impose upon an administrative body the obligation to seek opinion from social councils and committees in individual cases, e.g. labour market councils (see Chapter Three). When talking about analysing the decision-making process with the participation of SCs, we predominantly have in mind their activity in meeting the needs of an interest group.

Whilst analysing the participation of SCs in decision-making, it is worth noting the types of decisions that are distinguished by: (a) access to information and the level of control over the decision process by the decision-maker; (b) stages of decision-making (a sequence of actions leading to the making of a decision). In the first case, one can distinguish decisions on the axis between deterministic decisions – whose parameters are known and fully controlled by the decision-maker, and whose results are explicit; this decision-making is risk-free – and strategic decisions, the parameters of which are not fully identified and controlled by the decision-maker, which is why at least some of their consequences are unpredictable (Pietraś, 2000, pp. 70–71; Kotarba, 2019, pp. 57–58). Due to the stages of decision-making, Knosala differentiates between programmable and non-programmable decisions – the former are characterised by repeatability and, quite often,

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<sup>1</sup> Art. 7 of Act of June 14, 1960. The Code of Administrative Procedure (i.e. Polish Journal of Laws of 2018, item 2096, and of 2019, items 60, 730, 1133).

legally established procedures, while the latter are devoid of defined rules, bearing consequences difficult to assess, since these decisions pertain to issues not previously resolved by the decision-maker (2011, p. 87).

Usually, the decisions taken in local government units are deterministic and programmable, although more and more non-programmable decisions that are strategic in nature are being made (Fig. 7.1). Decisions of the first type result from the repeatability of actions required by public tasks performed by local governments, which are determined in legal regulations. They also define (in local charters and resolutions) procedures for taking collective decisions. Local authorities more and more often have to face decision-making problems which have so far been unprecedented, such as climate change and the related perils to people and property; demographic and economic changes, and – in the case of Poland in the second decade of the 21<sup>st</sup> century – unpredictable politics from central government that has unexpectedly changed legal and financial conditions for the functioning of local government.

SCs can participate in all types of decisions. They support their optimisation through their activity at different stages of decision-making. The optimisation of decisions takes place in three areas: axiological, praxeological, and social (Pietraś, 2000, p. 129). Even making a deterministic decision requires knowledge about current social needs and preferences (social area), and agreeing them with the system of values of those who

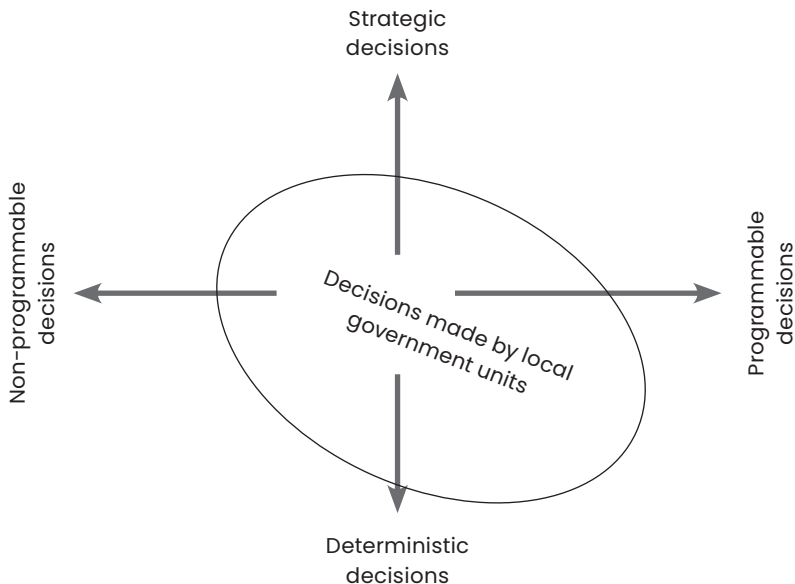


Figure 7.1. The characteristics of decisions taken in local government units

Source: own work.

make this decision and with those to whom it is addressed (axiological area). Taking decisions placed on the opposite end of the spectrum, i.e. strategic decisions, requires expert knowledge about the subject matter of the decision and measures of its implementation (praxeological area). The source of knowledge about facts verifiable by scientific accomplishments, as well as about collective values and preferences that serve to rationalise decisions, are the intermediate 'links' in a 'chain' leading from the means to the end of a political decision (Frederickson & Smith, 2003, p. 162). Social councils and committees can be such a link. Moreover, by ensuring the openness of decision-making, they grant social acceptance of taken decisions and demonstrate the adaptability of the governance system at the local level (Pietraś, 2000, p. 81).

The type of decisions taken in local government strongly determines the flow of the decision-making process. As deterministic and programmable decisions are the most common, they do not have an objective defined each time they are taken; their value hierarchy and decision-making variants are not determined. For this analysis, we used the simplified description of the decision-making process proposed by Herbut (2000), who – based on related literature – identifies the following phases: (1) initiation of the draft decision; (2) presentation of the draft decision; (3) implementation of the decision; (4) assessment of the effects of the implementation of the decision. When analysing the participation of SCs in these phases, we will refer to the results of our research.

Herbut (2000) defines the phase of initiating the draft decision as placing a problem requiring decision-making "on the so-called programme agenda of an actor formally empowered to initiate legislation" (pp. 35–36). The issue of initiating actions (including decisions) is subject to statutory regulations:

- Public Benefit and Volunteer Work Act of April 24, 2003 (Polish Journal of Laws No. 96, item 873) indicates (in Art. 5(2)) the advisory and initiatory nature of panels of public administration bodies and social organisations;
- Act of 8 March, 1990, on municipal government (Polish Journal of Laws of 2016, item 446), in Art. 5c(3) ensures that the municipal council of senior citizens is of a consultative, advisory, and initiatory nature;
- Act of 20 April, 2004, on Employment Promotion and Labour Market Institutions (Polish Journal of Laws of 2015, item 149), in Art. 5 determines the tasks of voivodeship labour market councils, which in the light of Art. 6 are also performed by county labour market councils, including among others: inspiring projects aimed at full and productive employment; submitting motions; and issuing opinions on matters concerning preferred educational programmes;
- Act of 27 August, 1997, on Vocational and Social Rehabilitation and Employment of Persons with Disabilities (Polish Journal of Laws of 2016, item

2046), in Art. 44b defines the scope of activities for councils for residents with disabilities and mentions, among other things, inspiring projects aimed at the professional and social integration of people with disabilities as well as the implementation of the rights of this group.

Therefore, with regard to the SCs mentioned above, the legislator acknowledged their initiatory role. The above regulations, however, do not exhaust the possibilities of initiating a draft decision by the SCs. The municipal legislative or executive body which approves the charter or regulations of the SCs can also influence the type of their tasks. Thus, while the act on municipal government does not indicate the initiatory character of the youth council (as it does with the council of senior citizens), numerous charters of these councils include provisions listing ways of achieving their objectives by: initiating activities related to the life of young people in the city, submitting motions to the local authorities<sup>2</sup>; lodging proposals and demands as well as adopting resolutions and opinions on matters concerning the town, especially in the context of the youth<sup>3</sup>; lodging draft resolutions for the City Council regarding matters within the scope of the SC's activities<sup>4</sup>. The regulations of youth councils most often indicate their role as an initiator of activities related to the life of the youth, in particular in the field of science, culture, sport, and ecology, which is not the same as the initiator in drafting decisions taken by the local government. Nonetheless, the right to initiate changes to the regulations is also mentioned as a competence of youth councils. In comparison with the conservative approach to the actions of youth councils in the studied cities, the above-mentioned provision of the Youth City Council of Jaworzno stands out, as it directly grants them the right to present decision-making initiatives.

Among topics discussed at SCs' meetings, illustrated in table 5.6, there are matters that SCs want to submit in the form of their own initiative to a local authority. We interpret it as an attempt to include in the programme agenda of the local government an issue identified and defined by the SC. Even though the initiatives submitted during the meetings may not necessarily be taken forward for consideration to the relevant local authority, the presence of this type of activity indicates the diversity of SCs in this respect. The greatest activity in reporting matters that may be considered initiatives is shown by senior citizen councils (71.5% of the respondents from these councils hinted at it), while it is much less frequently the subject

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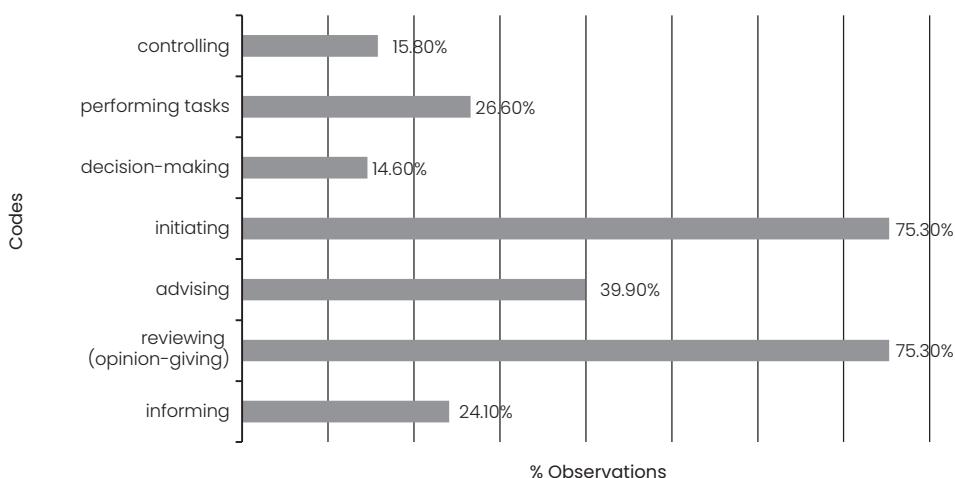
<sup>2</sup> Annex to the Resolution No. 662 of the City Council of Konin of October 30, 2013. The Charter of the Youth Council of Konin.

<sup>3</sup> Annex to the Resolution No. XXII/531/16 of the City Council of Gdynia of June 22, 2016. The Charter of the Youth Council of Gdynia.

<sup>4</sup> The Charter of the Youth Council of Jaworzno (adopted by the Resolution No. XXXIV/503/2017 of the City Council of Jaworzno of October 26, 2017).

of meetings of sports councils. Further – councils of NGOs and youth councils (still over 50% of the responses given by the interviewees from the above-mentioned councils). The least active in this respect are urban planning committees as well as a relatively low level of activity is shown by security and order committees followed by labour market councils. In our opinion, this observation should be related to the scope of competences assigned to social councils and committees in national legislation. We will discuss this issue later in this chapter.

Taking into account the regulations and the outcome of the quantitative research, the outcome of the qualitative research is quite surprising, with an unexpectedly high number of references to the initiatory function of social councils and committees (Fig. 7.2). The frequency of code words ‘initiating’ and ‘reviewing’ (opinion-giving) is identical in the interviews – both code words were present in 75.3% of the interviews. Their co-occurrence index reached a high value of 0.641 (both codes co-occur in 93 interviews). For a significant number of our interviewees, initiating is an important activity of SCs. It should be noted, however, that the code word ‘initiating’ was used to describe any activity of this type, regardless of the subject, which is why it could refer to initiating decisions as well as taking spontaneous actions for the benefit of the citizens. Therefore, the initiatory function cannot be considered as equivalent to another function, namely the primary one for which social councils and committees are established, i.e. reviewing. This function is performed in the subsequent phase of the decision-making process, i.e. presenting a draft decision.



**Figure 7.2.** The frequency of occurrence of certain codes describing the functions of SCs (% of observations = % of interviews where the code occurred at least once)

*Source:* own work with the use of the QDA Miner v5.0.32 application.

Presenting the draft is, in fact, the last activity in this phase of decision-making. Before this happens, it is necessary to define the decision problem and analyse it by using gathered information about the actual facts, needs, and interests of the entities that are the addressees of the decision as well as those that can be affected by its consequences. It is also essential to devise alternative solutions and specify the optimal solution which will become the draft decision.

Social councils and committees are a source of information about a decision problem at both stages – the initiating of a draft decision and then its preparation. If a decision-maker cannot see a decision problem, then SCs can flag its existence to them. If a decision-maker is aware of the problem, then SCs can assist in defining the problem better, especially indicating its axiological dimension (preferred values and expectations of the citizens and their organisations).

Thirty-two percent of the respondents indicated that reporting the problems of social groups and those of local community was a form of their activity in the SC. Relatively few of them (11.5%) look for information on the subject of opinions issued by the SC (Table 5.5). From the quantitative research, it turns out that SCs are not a particularly rich source of information on decision problems. This is confirmed by the analysis of the interviews – the code word ‘informing’ appeared in less than a quarter of them. This activity also differentiates the examined SCs – reporting problems is a major activity for senior citizen councils, while to a smaller extent – although still significantly – the activity is undertaken by youth councils, councils for residents with disabilities, and councils for NGOs.

It happens, even if infrequently, that social councils and committees prepare an assessment of a situation for a specific task for the local government:

*[T]own authorities asked to have an assessment prepared, this assessment about the condition of sports in P., which was supposed to be a working document the results of which would trigger the introduction of a policy. And the members of the council agreed and from among themselves they appointed a special application and analyses team and this team worked quite intensely and this material was created. (V/T/c)*

They can also prepare a draft of a decision or a document that constitutes the basis for further actions by local government:

*[I]n the previous term of the Sports Council I prepared a proposal to create a professional boarding house for athletes in G. This case is already on the president's desk. (III/T/c)*

The above statement equivocally indicates the participation of the social council in the described undertaking. However, the cited member of the



council places his personal actions in the context of information about the council's activity.

The most frequently indicated activity, i.e. providing opinions, is also informative. This function is also best established in law and, in the case of some SCs, quite precisely regulated, both in terms of subject matter (the type of normative acts and documents subject to the opinion of the SC) and procedurally (a stage of the decision-making during which the SC's opinion is consulted).

According to the provisions of laws, local authorities request opinions from:

- councils of NGOs on the following matters: draft strategies for the development of counties and municipalities, draft annual or long-term cooperation programmes, draft resolutions of bylaws relating to the domain of public tasks and cooperation with NGOs; matters relating to the functioning of NGOs as well as public tasks and standards of their performance;
- labour market councils on the following matters: criteria for the distribution of Labour Fund resources and proposals for their allocation as well as reports on their use; directions of education, vocational training, and employment in the county; periodical reports on the activity of county job centres; requests to dismiss a director of a county job centre; purposefulness of special programmes and proposed changes to them; and implementation of the Activation and Integration Programme;
- councils for residents with disabilities in matters concerning: projects relating to action programmes for persons with disabilities and the evaluation of their implementation; draft resolutions, and programmes adopted by local government's decision-making bodies with respect to their effects on the persons with disabilities;
- sports councils regarding matters concerning: the strategy of the local government regarding physical activity, draft budgets relating to physical activity, sports facilities development programmes, in particular local spatial development plans covering areas used for physical activities; draft resolutions on the terms and mode of financing own tasks; public purpose endeavours that relate to sport;
- security and order committee in the following matters: work of the Police and other county services, inspections, and guards, as well as organisational units performing tasks of maintaining public order and guaranteeing citizens' security within the county; draft programmes of cooperation between the Police and other county services, inspections, and guards as well as organisational units performing tasks of maintaining public order and guaranteeing citizens' security within the county; draft county budget, bylaws, and other documents on the performance of tasks related to public order and security of citizens;

- urban planning committees in matters concerning: studies on the conditions and directions of the spatial development of a municipality; local spatial development plans and changes to them; an analysis of changes in the spatial development of the municipality; an assessment of the progress in the development of local plans; and a long-term programme on the preparation of local plans.

Regulations of social councils and committees issued by local authorities may add to the above catalogue documents that are submitted to SCs for their opinion. For example, the tasks of the commission listed in the Regulations of the Municipal Urban Planning Committee in Jelenia Góra include, among others, issuing opinions on draft decisions on planning permissions and construction licences as well as other studies or documents indicated by the competent municipal services (e.g. terms of competitions, tenders, applications for the preparation/amendment of local development plans, requests to amend the study, etc.)<sup>5</sup>

The results of the quantitative research (Table 5.6) show the importance of opinion-giving for members of social councils and committees. Without doubt, the respondents consider it their most important task. The surveyed SCs present different levels of activity in this respect – urban planning committees, councils of NGOs, and councils for residents with disabilities are the most committed to issuing opinions on draft decisions of the local authorities. As for action plans – the most active in issuing opinions on them are councils for residents with disabilities, labour market councils, sports councils, and security and order committees. Apart from sports councils<sup>6</sup>, the above-mentioned SCs are mandatorily appointed in cities and the remit of their consultative activity has been specified in detail in legislative acts. Therefore, once again it should be concluded that there is a relationship between the profile of activity of a given SC and the regulation of its activities in common law.

The analysis of the interviews confirms the key importance of the advisory activity of SCs (see Fig. 7.2). Among the code words describing the content of the interviews, the code 'advising' appeared in nearly 40% of the interviews, further enhancing the importance of the function discussed here.

'Decision-making' was also found among codes listed in Fig. 7.2. It should be emphasised that no normative act confers decision-making powers onto social councils and committees. Therefore, the questionnaire distributed among the members of the surveyed SCs did not contain 'decision-making'

<sup>5</sup> The Regulations of the City Urban Planning Committee in Jelenia Góra. Annex to the Order No. 0050.1252.2017.VII of the City Mayor of Jelenia Góra of December 13, 2017.

<sup>6</sup> Sports councils were obligatorily appointed bodies under provision of Art. 18a of the Act of January 18, 1996, on Physical Culture (Polish Journal of Laws of 1996 No. 25 item 113). As amended by the Act of June 25, 2010, on Sports Activities.

as a form of their activity. Nonetheless, this code occurred thirty-eight times in twenty-nine interviews.

Most often, the decision-making possibilities were mentioned by those members of sports councils, labour market councils, and councils for residents with disabilities who determined the allocation of funds for public tasks. As one of the interviewees related:

*(...) after the meeting with those people engaged in school and club sport activities, we established something like directions and criteria for support based on which the city can subsidise the development of physical culture and sport in our city. (XI/T/c)*

Some members suggested the allotment of these funds:

*(...) there are resolutions [related to the advice given by the SC – A.P.] about the distribution of funds, about some shifts in this fund administered by the County Job Centre, so that it is distributed accordingly to the needs, of course this resolution is probably only a backup of a kind, after all the director has to come up with some distribution. (IX/R/u)*

It is also about the allocation of funds to natural persons:

*People submit applications, the committee [council for residents with disabilities – A.P.] meets up (...) we review all applications and analyse. The truth is that the employees of the municipal social welfare centre do the preliminary verification, we know what budget we have. And we agree on who gets the allocation and who doesn't. (V/N/c)*

While reviewing the proposal for the allocation of funds, some of our interviewees had a strong feeling that they were actually making a decision on this matter:

*(...) we divide funds which remain within a certain margin of the budget, right, and this margin, this extra reserve the mayor can – we of course propose how to do it – but s/he can – as s/he surely has the right to do so – allocate it at their discretion. (XI/T/c)*

SCs also intervene with propositions submitted for their opinion-taking on the role of a decision-maker:

*(...) it happens sometimes that we change the resolution, for instance when distributing funds, when we see that the social need is different – that employers need more welders on the job market – then some of the financial resources are moved to this section. Or we see that there is need for additional training or a big demand for co-financing of additional training – then we also shift. (V/R/c)*

One of the respondents, a member of a labour market council, described it as an “advisory and decision-making body” (X/R/c), and, indeed, his further

statement shows that this council makes decisions on the cancellation of unduly collected funds from the county job centre:

*(...) we have a full picture of what the financial standing of this person is, their family situation, what their ability to repay is. So (...) we advise on cancellations and there are situations in which we actually do cancel the debt, (...) And yes, we are offered a solution based on a presentation of facts. (X/R/c)*

The above statement is confirmed by another interviewee:

*There are also individual cases (...) Of wrongly used or – let's say – improperly used money earmarked for starting some business, (...) here the decisions of the council are probably more binding, as these people would rather not work towards inflicting harm on anybody. (XVI/R/c)*

Let us clarify that the decision to repay/cancel debt incurred due to improper use of funds granted by the county job centre is made by the mayor of the city under an administrative procedure.

SCs – as advisory bodies and also as co-decision-makers – were mentioned in the statement below:

*To advise on the one hand, but also to co-decide on the other. It is obvious that we have to distinguish between the two. (...) I was just yesterday (...) in a session of the Council of NGOs where people who are in this Council in fact decide about certain matters. (V/P/u)*

Summing up, there are comparatively few indications on the decision-making function of SCs. However, especially members of those SCs that review decisions regarding funds – their distribution or repayment – share a strong conviction that they do actually decide on matters submitted to them. It may stem from the fact that – immediately after the officials in the local administration – they are the first to get acquainted with a given case, where they not so much give their opinion but, rather, suggest a particular solution to adopt to the administrative authority making the decision.

The next stage of the decision-making process is the implementation of decisions, indicated in the interviews by just over a quarter of our respondents, most often members of councils of NGOs, senior citizen councils, youth councils, and councils for residents with disabilities. When coding the interviews, we agreed upon certain simplifications as dictated by the contents of the statements, recognising that – although indirectly – SCs execute decisions of local authorities by participating in the implementation of the tasks of the local government.

This participation has different dimensions: from informing the community about projects run by the local government (I/S/p, VII/S/c, II/N/c, VIII/P/u), through contacts with individual citizens addressing local government

(XVI/N/p, IX/B/u), to assistance in organising various events (XI/S/c, XIII/S/c, IX/N/f, IX/P/c/2, IX/B/u). All of these were greatly emphasised by one of our interviewees:

*Every year we co-organise large events, such as Babie Lato, the festival of the City of T., and various other outdoor and city events. In fact, it can be said that no event takes place without the participation of seniors, we are basically everywhere. (VII/S/c)*

Additionally, senior citizen councils mentioned in the quotation above take part in the implementation of the statutory provision on promoting intergenerational solidarity by delegating their representatives to participate in lessons at schools and take care of groups of children during various events (II/S/p, VII/S/c). The case is different with youth councils – some interviews reveal that these councils ‘find’ tasks for themselves and execute them:

*As a council, we were given freedom to act and we were told that we can (...) do whatever we dream of, only that we were, as students in the City Youth Council, thrown in at the deep end, as we did not quite know what we could do, and what we wanted to do, and what actually should have been done or changed, but we organised a few contests and a few campaigns (...) many times we were volunteering in the City Hall campaigns and we organised a clean-up of the Bolko swimming area. (...) The fact is, it is a bit neglected and nobody was taking care of it. (IX/M/c)*

It also happens that the city authorities ask for help in the realisation of their plans:

*(...) this concerned the youth civic budget [participatory budget – A.P.], which was not so much separated as funds were additionally allocated, apart from the civic budget that has been in place for many years. (...) the city asked us to propagate this idea among pupils, explain to them what it was all about and encourage them to submit their own projects and to vote, so as council members we had (...) some number of voting cards or – at this project stage – some forms to submit a project and we just handed them over to whoever was interested and we also organised various campaigns in schools. (XI/M/c)*

Alternatively, they turn to the youth council for help whenever it seems that they do not have any good ideas on how to solve a problem:

*(...) there was one campaign, but this was it. It was a campaign to teach people clean after their pets. This was what we were asked for. (XVI/M/p/2)*

The last stage of the decision-making process is the assessment of the effects of implementing the decision. When it comes to SCs, neither statutory acts, nor analysed regulations of the studied SCs contain provisions obliging to present SCs with the results of decisions and plans reviewed by them.

What is more, the analysed normative acts do not commit local authorities to inform about to what extent a given opinion had an impact on the taken decision<sup>7</sup>. For this reason, we have not studied the feedback mechanism<sup>8</sup>. Nevertheless, the selected SCs are granted by statutory provisions the power to control the implementation of tasks executed by local government. This was the subject of both the quantitative and the qualitative research.

For the purposes of this study, we adopted a broad understanding of control competencies to include reading the reports of local authorities and reviewing them, as well as evaluating the execution of programmes under which certain local tasks are financed. Under statutory acts, the supervising competences are vested in:

- county labour market councils in the scope of issuing opinions on: periodic reports on the implementation of the National Action Plan and annual reports on the activities of the Labour Fund; and evaluation of the management of resources in this fund (Art. 22(4) of the Act of April 20, 2004, on Employment Promotion and Labour Market Institutions);
- councils for residents with disabilities for the evaluation of the implementation of county action programmes for people with disabilities (Art. 44b (2) of the Act of August 27, 1997, on Vocational and Social Rehabilitation and Employment of Disabled Persons);
- security and order committees for reviewing the work of the Police and other county services, inspections and guards, as well as organisational units performing tasks related to public order and citizens' security in the county (Art. 38a (2) of the Act of June 5, 1998 on the County Local Government);
- urban planning committees in the scope of reviewing the results of analyses of changes in the spatial planning in the municipality, submitted by the municipal executive body, and assessing progress in the development of local plans (Art. 32(1) and (2) of the Act of March 27, 2003, on Spatial Planning and Area Development).

It should be assumed that the control activity of the examined councils and committees is determined by their provisions in law; in other words, the above-mentioned councils and committees will use it during their work to a greater extent than other SCs. However, the results of quantitative research

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<sup>7</sup> For example, among the regulations of city urban planning committees operating in 16 cities where the research was conducted, only one contained a provision obliging the local administration to provide feedback on the opinion given by the committee (Art. 8, Annex No. 2 to the Order No. 132/2007/P of the City Mayor of Poznań of February 22, 2007. The Regulations of City Urban Planning Committee).

<sup>8</sup> A problem with receiving feedback from the decision-making centres has also been reported by Alarcón and Rico Motos. According to their research, only 11.4% of advisory councils have been provided with formal mechanisms that allowed them to monitor their motions and recommendations (Alarcón & Rico Motos, 2019).

do not confirm this assumption. As shown by the data in Table 5.7, ensuring social control over decisions taken by the authorities is most often indicated as an advantage for the functioning of SCs by members of councils for residents with disabilities, then by members of county labour market councils, and then by councils of NGOs, which, under statutory laws, are not the recipients of reports of local authorities regarding the execution of public tasks. Security and order committees and urban planning committees, whose controlling function is quite well-anchored in the provisions of law, feature the lowest percentage of indications of control as an advantage for the functioning of the SCs.

It is also noteworthy that the controlling function of SCs is rarely named in the interviews (Fig. 7.2): it was mentioned in 24 interviews, whereas the code itself was used 30 times – mostly (8 times) in the interviews with the members of labour market councils. The analysis of the content of the interviews shows that the controlling function of SCs can surpass the statutory framework, as evidenced by the appraisal of the reports on the activity of council job centres, which was pointed out by one of our respondents:

*(...) there is a close co-operation of the County Labour Market Council with the management [of county job centre – A.P.], we meet mainly in sessions, and then we always ask the director to report on current activities. (V/R/c)*

Another interviewee confirmed the fact that the county job centres are controlled by labour market councils:

*(...) the most important aspect is control over job centres, and especially over the director of the job centre. Which means that we receive reports, not only for information, but we also vote on them, and therefore we have unlimited opportunity to ask questions. This does not necessarily mean that, for example, we vote against, actually it has never happened yet, but the very fact that there is such a social body that asks questions and is inquisitive probably makes the job centre operate differently than if this council wasn't there. (VI/R/r)*

Yet another member of a labour market council used the word 'supervision' when describing the relationship between the council and a job centre, which was explained as follows:

*(...) [SCs are – A.P.] social bodies that not so much control as advise (...), and the officials have to produce certain materials for reviews, for assessment, all this results in officials being constantly under some positive pressure, that they have to try harder, because people will come (...) and they will evaluate their work and this spurs the officials to intensify their efforts. (XIII/R/p)*

Although social councils and committees – through closer contact with local government officials – are also 'closer' to the executive body, in matters important to them they also 'supervise' the activities of the city council:

Table 7.1. The most frequent subjects of SCs' meetings

	Social councils and committees (%)								Total
	Council of NGOs	Youth council	Senior citizen council	Council for residents with disabilities	Sports council	Labour market council	Security and order committee	Urban planning committee	
Draft decisions (resolutions, ordinances) of local authorities submitted to the SC for opinion	57.1	27.1	15.5	59.8	43.4	29.0	23.8	69.9	35.3
Problems reported by the community (citizens, age groups, professional groups, experts, etc.)	10.6	25.1	35.4	13.4	10.4	9.7	16.7	-	19.3
Matters that the SC wants to submit to the local authority in the form of an initiative	12.1	24.0	37.3	8.2	15.1	4.0	7.1	5.4	18.6
Action plans submitted by the local authority to the SC for opinion	15.2	14.7	5.9	13.4	25.5	40.3	23.0	17.2	17.0
Reports on the execution of tasks submitted by the local authority	3.0	4.4	1.8	3.1	3.8	4.8	20.6	-	4.8
Other issues	2.0	4.7	4.1	2.1	1.9	12.1	8.7	7.5	5.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(p=0,000, C=0,502)

Source: own work.

*(...) sometimes you have to put pressure on City Council, so that the budget forecast is done early enough so that, for instance, community centres and day care homes can operate without interruptions, and can use their money and benefit from competition, etc. So, apart from being such an advisory council, we also monitored certain things that are of concern to the NGOs. (IX/P/c/2)*

The analysis of the research material shows that SCs are least involved in the last stage of the decision-making, i.e. the assessment of the effects of the implemented decisions. Without doubt, their activity focuses on



reviewing decisions by local authorities – the activity designated directly in statutory regulations. However, it is worth noting that the profile of activity of SCs varies, as evidenced by the data in Table 7.1.

Table 7.1 contains data representing the most frequent subject of meetings of SCs as indicated by respondents. The statistical test showed a considerable dependency between the most frequent subject of meetings and the type of SC, although the strength of this dependency is moderate. This data also indicates a relationship between legal regulations and the activity of the examined councils and committees. It is most evident in the case of the youth councils and senior citizen councils, which are the least regulated in statutory acts; they are optional bodies, but at the same time very often appointed – unlike sports councils, which are quite rare. These SCs compensate for their limited opinion-making activity by increased activity in articulating problems of the represented social groups and initiating actions for their benefit. Other SCs with which local government is compelled to consult its decisions with focus on statutory tasks seem to treat other forms of activity marginally.

### 3. The influence of social councils and committees on the functioning of the city

In order to assess the influence of social councils and committees on the functioning of the city, as well as the need for their presence in local public life, let us first present the views of their members on the importance of opinions issued by the bodies in which they participate. We have already mentioned that the local government units are not statutorily obliged to inform the SCs about the use of their counselling. This is why the data included in Table 7.2 is based on the respondents' opinions about the facts.

The respondents most often indicated that, in their view, the decision-making bodies always, or in more than half of the cases, take into account the opinions of SCs. It is also worth noticing a relatively high percentage of 'hard to say' answers, which – in our opinion – is associated with the lack of feedback and/or low interest of SCs' members in the effectiveness of their advice. It should also be emphasised that the answers are highly dependent on the type of SC. Members of labour market councils are most convinced that the decision-making body considers their opinions, at the same time they were in the lowest percentage of respondents who were unable to answer this question. A high percentage of positive responses to this question was provided by security and order committees, councils for residents with disabilities, urban planning committees, and sports councils. It is worth reiterating that – except for sports councils – these SCs are obligatorily appointed and have well-defined tasks relating to the provision

Table 7.2. The consideration of opinions issued by SCs' by the decision-making body in the assessment of the respondents

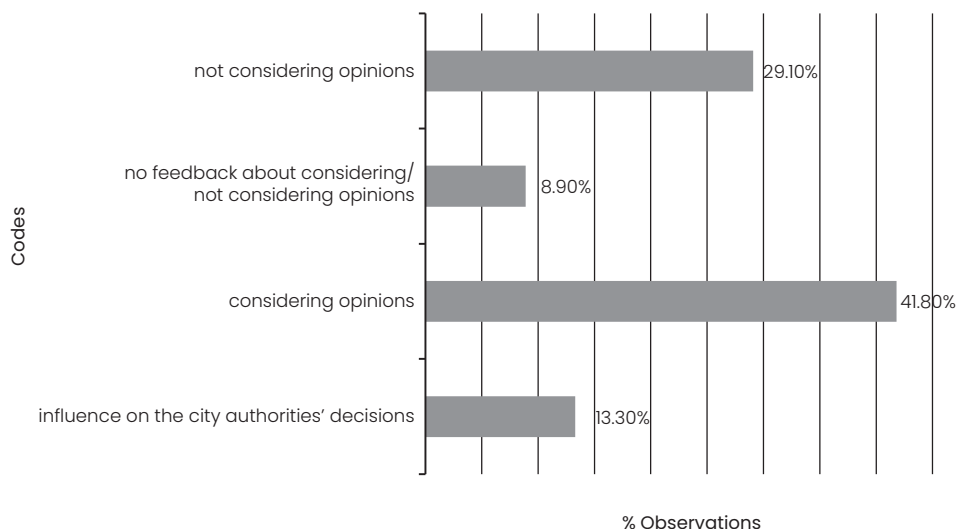
How often are SCs' opinions taken into account by the authority issuing the decision?	Type of council (%)								Total
	Council of NGOs	Youth council	Senior citizen council	Council for residents with disabilities	Sports council	Labour market council	Security and order committee	Urban planning committee	
Always	39.4	29.7	30.3	55.7	46.2	72.6	62.7	47.3	42.2
In more than half of the cases	23.7	30.0	30.6	16.5	26.4	15.3	13.5	26.9	25.0
In half of the cases	5.6	12.4	9.6	2.1	0.9	0.0	0.8	3.2	6.6
In less than half of the cases	8.1	5.4	8.1	1.0	8.5	0.8	3.2	7.5	5.8
Never	1.0	1.8	1.1	5.2	0.9	0.0	0.8	0.0	1.4
Hard to say	22.2	20.7	20.3	19.6	17.0	11.3	19.0	15.1	19.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

( $p=0,000$ ,  $C=0,335$ )

Source: own work.

of opinions on decisions made by local authorities. Nearly three quarters of all the respondents assess that the opinions of SCs are taken into account in half of the cases or more. However, the fact that a decision-making actor considers an opinion is not tantamount to the opinion exerting influence on the decision made.

The above issue was also the subject of interviews (Fig. 7.3). In the interviews, the respondents flagged that the SCs do not receive feedback regarding the extent to which their opinion was taken into account when the final decision was formulated. This was probably the reason for very cautious and sparse statements regarding the influence of the SCs on the decisions taken by local authorities. The interviewees more readily used the terms 'considering – not considering' with regard to an issued opinion, meaning the modification or change of the original intentions of the local government, or the acceptance of the proposal put forward by the council/commission. As one of our respondents stated: "[opinions by SC – A.P.] are always taken into account, not always considered" (IX/P/c). A consideration of opinions of SCs was mentioned in 66 interviews, whereas non-consideration – in 46 interviews.



**Figure 7.3.** The frequency of occurrence of specified codes describing the influence of SCs on decisions of the local authorities (% of observations = % of interviews where the code occurred at least once)

Source: own work with the use of the QDA Miner v5.0.32 application.

SC members usually did not try to 'prove' that their opinion contributed to modifications made to the decision of the local authority. The statement below is exceptional:

*(...) when we saw that the document was faulty, we asked to have it changed as soon as possible and the city approved; it was significant that the city responded to our vigilance, otherwise it would be a precedent case in Poland. But because we found it quickly, it was possible to change it. (IX/P/c/2)*

Note that the above statement contains two threads: firstly, a positive reaction by local authorities to the comments made by the SC regarding errors in the draft document; secondly, the document was clearly not submitted to the SC for an opinion. It was the SC's own initiative to monitor the decision-making process; they noticed errors in the document and therefore acted as an 'early warning system'. This role – regarding the same SC in the same city – was confirmed by another member:

*We rather try to monitor what is going on in the city on an ongoing basis (...) The council is not only an entity (...) that waits for a document to be sent by email or arrive at the desk, but it indeed initiates some ideas, prompts certain solutions. As I have already said they do not always end in the form of a resolution issued by the City Council, as it is not always necessary. We try our best to have the council participate in city life and to co-operate with the city and NGOs. (IX/P/u/p)*

The interviewees quite often shared a conviction that their role starts and ends with giving opinions, which was quite bluntly expressed by one member: *"We work for the mayor and he has a right to do with it [opinion – A.P.] whatever he pleases"* (XIII/A/c/1). However, uncompromising stances also happen:

*(...) with very strong protest and stamping of feet, it has never happened that it [opinion – author's note] was completely ignored. (VI/A/c)*

Ignoring the advice of the SC or undermining the significance of its opinion was brought up in the following statement:

*It happened (...) that the opinion of the council was unanimous about something it did not agree upon, for example to cancel [funds unduly collected from the county job centre – A.P.], as it was evident that the centre was – so to speak – stolen from, whereas (...) the voivode [governor – A.P.] decided to cancel and in the justification he stated that the fact that council was of a different opinion did not matter as this opinion was not binding. So (...) on the one hand we talk about establishing councils so that they... And on the other in some situations it is concluded that their opinions are not binding and that they do not meet expectations. (I/R/p)*

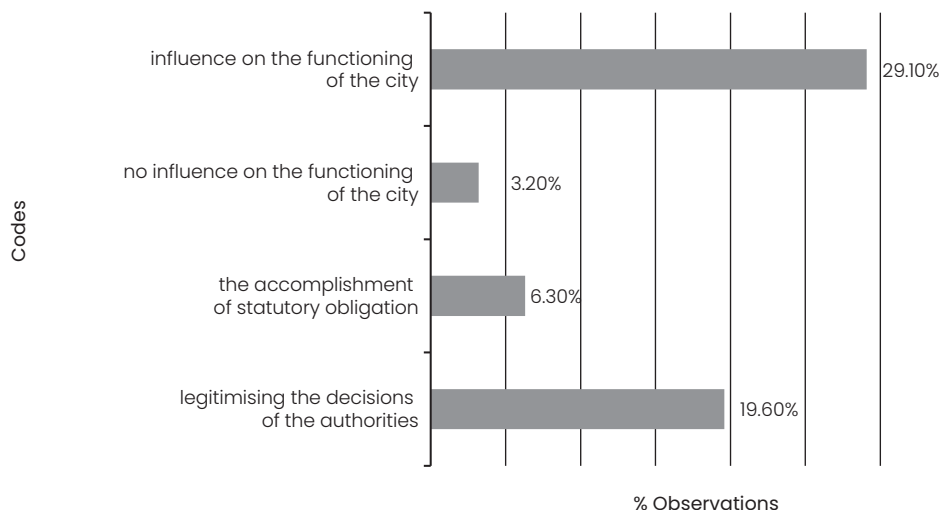
The described action of the voivode – as a higher-level authority within the meaning of the provisions on administrative proceedings – was lawful; the justification for repealing the decision of a lower-level authority indicating the non-binding nature of the council's opinion, which is also confirmed by the provisions of law, was opposed. For us, what seems the most important is that this statement draws attention to the treatment of advisory bodies by public authorities (in this particular case – not local authorities, but national<sup>9</sup>), allowing the 'social factor' in administrative and political decisions on the one hand, and, on the other, treating its counselling in a selective way. The issue of the role of SCs in local public life as well as their influence on the city development was also the subject of qualitative research (Fig. 7.4).

In order to illustrate the roles played by SCs, we analysed the occurrence of two codes in the contents of the interviews: 'accomplishment of statutory obligation' and 'legitimising decisions of authorities'. These codes described statements proving the 'minimalist' approach of local authorities to the role that can be played by SCs. As one of our respondents stated:

*(...) sometimes they [local government bodies – A.P.] ask for opinion, only so that they have an opinion on some decision. Opinion issued, the council responded and then life goes on. (V/N/c)*

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<sup>9</sup> A voivode (governor) is the representative of the national authorities in a given voivodeship (region).



**Figure 7.4.** The frequency of occurrence of specific codes describing the role and impact of social councils and committees on the functioning of the city (% of observations = % of interviews in which a given code occurred at least once)

Source: own work with the use of the QDA Miner Lite v2.0.6 application.

Therefore, by providing opinions, SCs legitimise these decisions in the eyes of the authorities supervising local government bodies and all other interested parties (e.g. citizens) who demand that decisions made by public authorities undergo social consultation.

Few of the interviewees indicated the appointment of the SC only in connection with their statutory obligation. Let us remember that there is no such obligation with regard to the councils of NGOs (unless at least five NGOs request its appointment), youth councils, senior citizen council, and sports council. Therefore, the members of these councils did not assess the creation of these SCs in the context of legal provisions. Most often, the issue of meeting a statutory obligation was raised by members of the security and order committee. The code 'accomplishment of statutory obligation' appeared in 10 interviews with members of these committees out of 16 conducted. This opinion carries some weight, although it cannot be treated as evidence that the local authorities perceive the committee to be important.

The code indicating the legitimising role of the SC appeared in 31 interviews. Interviews with members of the security and order committee had the greatest share of them (9), while the second place was taken by the urban planning committees (6) and the third place – by youth councils (5). The mechanism of legitimising the decisions of local authorities, even when going against the opinion of the SC, was described by one of our respondents in an interesting way:

*I remember one controversial situation, (...), when I filed a motion about quite substantial changes to the plan, it was accepted by a large majority of council members [social council – A.P.], and then, two, or three weeks later there was another session where I expected the authors of the plan to present the changes proposed by us, instead (...), these conclusions of mine that were previously presented were not acknowledged, (...) the same solution was presented and the council [social council – A.P.] agreed – against its previous stance – on this new proposal – ‘new’ old. (IV/A/c)*

However, the recognition of the SC as a body that legitimises the decisions of local authorities can mean something completely different, as a local official relates:

*We faced the following situation: the committee gave a negative review of my plan, (...) for me if the opinion is negative it means that I have to put my work on hold and clarify why the committee gave me a negative review. I convened a meeting and asked the committee members directly what happened that an ‘innocent’ project – with no grounds to be assessed negatively – received a negative evaluation. (XIII/A/c/2)*

The statement above indicates the ‘power’ of a SC, which – by issuing an opinion – can stop works on a draft decision. It also reveals the ‘agitation’ of the official due to – in his view – an unjustified opinion given by the advisory body. This statement stands in contrast to the one below, where an opinion given by a SC not only legitimises the decision of the local authority to a supervisory authority, but also helps to correct it:

*(...) we do not go into details (...) it is more about saving this project from further procedure which ends with the voivode’s supervisory judgement. (XIV/A/p)*

The opinion of the SC is also a useful argument in discussions between local government and other stakeholders, as it proves that the local government’s decisions have the support of a social panel:

*(...) in some discussions or political differences. One can always refer to the opinion of the Sports Council. Also, when the community... the mayor or deputy mayor in charge of sport meets them [the community – A.P.]. He meets with the sport community so he can always refer to it [to Sports Council opinion – A.P.]. (IX/T/c)*

It can also be a strong argument in negotiations between the city mayor and a city council:

*the mayor used council’s [social council – A.P.] decisions as leverage (...) for example in the case of the construction of a stadium, (...) it was also necessary to convince the council [city council – A.P.] to finance it, the project was worth over 100M PLN, that is a serious financial decision and here the support of the council, the opinion of the council [social council – A.P.] on this project was quite important. (IX/T/c)*

In some situations, the support of the SC seemed to be valuable to local government bodies as a way of vouching for their actions. For this purpose, they specifically addressed the social body:

*In some situations, when the authorities were making a decision or building something, they asked for an opinion so that the council would support some decisions, that a positive opinion would be given by the council. (V/N/c)*

The legitimising role is given not only to the opinions issued by SCs with regard to specific decisions, but also to the SCs themselves. They become actors legitimising actions of local authorities:

*(...) sometimes it can be that these councils are appointed because so-called democracy is well seen (...) 'so that nobody objects that it was my [mayor – A.P.] sole decision', it is a bit like a cover and in O. it also happened, because I talked to the previous members of the councils (...) and they were often disgusted by the fact that they were asked and then they ended up being just a fig leaf. (IX/T/c)*

This 'symbolic' role of social bodies was most strongly and most often emphasised by members of youth councils:

*(...) it seems that even the City Youth Council is City Hall's mascot, I mean not only in O., but in general, if it is a mascot then it is a very necessary one, as without this mascot it would look very bad, so I think, both in the media and with PR, it would be totally bad. (IX/M/r)*

*(...) it is just an illusion which is necessary to create the appearance of a youth-friendly city and a city that is open and it sends a message that we respect you, young people, we want to listen to you, but we all know what the truth is. It's complete BS. (VII/M/p)*

The above quotations represent the opinions of members of social councils and committees about the role assigned to them by local authorities as well as their relationship to local authorities. However, the bodies we are interested in play certain roles in relation to citizens and represent their expectations and interests (see Chapter Five). Do the members of SCs feel that they have some influence on city matters? Since a lack of such an impact was mentioned in only five interviews, let us focus on the statements of those respondents who tried to describe this influence.

Members of the SCs assessed their impact on the functioning of the city in various dimensions. Our respondents sometimes perceived it as a 'defence mechanism' which protects citizens from incorrect decisions that public authorities might otherwise make:

*Serious [impact – A.P.] maybe not, but it is a type of safety net which may block some completely crazy ideas and I think we can count on it. Also, the*

*awareness that it [committee – A.P.] exists and can contest, (...) perhaps prevents them [the officials – A.P.] from presenting any of these somewhat reckless projects. (IV/A/c)*

It was also perceived as a 'mechanism facilitating' life and activities of citizens and their organisations. When asked about the influence of SCs on the functioning of local community, one of our respondents said:

*I would not say they help the community itself, but rather they simplify mechanisms that make things easier for this community. So, we for instance have some influence on how money is spent, on what the support procedures from city offices are. And this is what helps local community organisations, the fact that procedures they have to use are made a bit easier for them. So, it is a kind of indirect support. (I/P/p)*

The role of the SCs as a 'publicising mechanism' for matters important to the city was also noted:

*Yes. They do [bring new value to the functioning of the city – A.P.] even the worst functioning ones, provided they do work, no? I do not mean those that do not meet, but even such really badly functioning ones – in a sense – I don't know – 'everything is always wrong', etc., even these have value as they raise certain topics (...) and even if officials assess them negatively and do not see any sense in engaging into any discussion with a given Council, or about certain things, even then their functioning is a plus as at least some topic starts to exist in the public space, in media (...) for the Mayor or city councillors it is also important to see how some topics resonate within the community. (II/P/c/1)*

The members of SCs indicated their participation in the creation of programmes adopted by local government, which, in our opinion, constitutes a significant contribution to the development of local community:

*This programme [a programme of solving social problems, including problems of people with disabilities – A.P.], (...) everybody contributed to this programme, (...) my part was an entire project to launch sheltered housing for people with intellectual disabilities, also a Day Care Centre for the disabled people who can no longer receive support from their families. (XIII/N/u)*

One of the city councillors we interviewed attributes the social council with a causative role in the execution of a particular city policy:

*If we have a look at the senior policy in P, I do not have any doubt that what this policy looks like is mainly due to how the City Senior Citizen Council operates. (I/r)*

Another councillor and – at the same time – a member of the social council stresses that its potential depends on its members:



*I think that statutory provisions are universal, and they show that the influence of this council can be whatever its members really want it to be.*  
(VI/R/r)

As s/he adds:

*(...) I see that we have a driving force, but it is just dormant at present.*  
(VI/R/r)

#### 4. The assessment of the need for social councils and committees, and changes in their functioning

The assessment of the need to appoint social councils and committees, apart from the statutory obligation, depends on how beneficial these bodies are to the local community. We have already partially presented this issue in the previous section, indicating the potential to influence matters relevant to the city through social councils and committees. The evaluation of benefits resulting from the functioning of SCs was the subject of the quantitative research – the results are presented in Table 5.7. It is worth reiterating that in the view of the respondents the most important advantages included a better identification of problems in the city and the ability to adjust the activities of the authorities to the needs of the citizens. The analysis of answers featuring just one, the most important, advantage resulting from the activity of the SC indicated by the respondent showed that the hierarchy of these benefits did not change in relation to the results obtained in the multiple-choice question. More than one in three members stated that the greatest benefit is better identification of the city's problems (37.5%) and then the ability to tailor the activities of the authorities to the needs of the citizens (33.5%). It is also important that only 2.7% of the respondents (38 people) do not see any benefits resulting from the functioning of social councils and committees.

The results concerning the most important benefits resulting from the functioning of SCs were confirmed in some statements collected during the interviews:

*(...) it is [SC – A.P.] necessary so that tasks executed to the advantage of the citizens are carried out reliably and effectively, to know what they need in order to tailor some services for the citizens. (I/N/u)*

The respondents rarely explicitly assessed that the role of the SC was redundant, e.g.:

*(...) this body [social council – A.P.] in reality is just a fiction, (...) it is set up just to give young people an illusion that they can decide about things related to their policy, the youth policy. Otherwise, this Council has no sense and*

*shouldn't exist, because it's just a redundant formality that annoys a lot of people. (VII/M/p)*

Rather, whenever they wanted to indicate the redundancy of establishing such bodies, they pointed out – especially the officials who are members of SCs – the formal requirements arising from statutory provisions. Of course, this argument can be put forward with regard to SCs which were appointed under such a requirement. This is how the need to appoint social councils and committees was assessed in 20.9% of the interviews, while 50.1% of the interviewees indicated the need for their functioning, and this indication went beyond the SCs appointed under statutory regulations.

The assessment of redundancy was most often given by officials with regard to obligatorily appointed SCs:

*As I say, this council is not necessarily needed, for us, the officials, it unfortunately interferes with our daily operations. (IV/R/u)*

*Unnecessary. I mean it results from a statutory obligation, but I personally cannot see any effects of this committee's activities, except that everybody reports on recent events. (IX/B/u/2)*

*(...) we have ticked off the statutory box, but it doesn't fulfil the role it should fulfil under statutory regulations. (IV/P/c)*

Officials also happened to formulate similar assessments concerning optional entities:

*Youth Council was established, Senior Citizen Council was established but, as I say, they had to be nudged all the time: 'go, do'. We were organising these meetings. We were mobilising them to meet up and, really, because of all this for me it was a dead body. A good effect of such a Council, as I see it, would be if the Council comes to me, the mayor, and says that we want to do something or we have an idea, or that we need to pay attention to something and then it makes sense. And not that I still have to come up with ideas, for that I do not need this Council. (...) Councils are appointed, but at the same time there are a lot of new possibilities which let me get together with a few people, collect signatures and ask that in J. or another city something is done within the civic budget [participatory budget – A.P.]. And now, what is the Council to do, what is the Council for? Some of its capabilities are gone. (XV/u/1)*

The above statement contains two relevant points: firstly, the passivity of SCs' members and the superficial nature of these entities as well as the role of officials who have to energise these bodies. Secondly, the interviewee observed that such councils can be replaced by other forms of civil engagement – possibly ones that are *ad hoc* and temporary in nature, but more effective, as they resemble grassroots movements more closely.

Officials also perceived SCs with 'indifference' (*It's neither an obstacle, nor an aid*) (VI/N/c/1). They also came up with more sympathetic evaluations:

*Maybe we could do without it [social council – A.P.], but it is very convenient for us (...) there is always somebody to review things, and having an opinion is often useful. (...) it is very good that such a body exists, which gathers different... the members come from different backgrounds and everybody has their opinion on matters related to the labour market. (XVI/R/u)*

'The entities of interest to us' scored better with city councillors:

*(...) I have a feeling that it is really useful for us as nobody is omniscient, especially that we, as local government, decide about matters in many different spheres of life and feedback about how things are received by the citizens is never too much, (...) of course it also happens that some people treat them as platforms for social engineering and publicity and then, indeed, it can be dangerous. (I/r)*

This group has also emphasised that asking for opinions from social councils is a form of consultation:

*(...) their role and presence also support the ideas of the City Council and, in fact, it is a broad consultation, as it is a form of consultation. (XIV/r)*

The opinions quoted above were given by councillors who were not members of SCs and, therefore, their knowledge about the functioning of these bodies was limited. Of interest here is the statement of a councilwoman who was also a member of SC:

*I considered them [SCs – A.P.] important until I become a member of this Council. (...) I even suggested that at the current organisational stage of our city it is expendable. (...) I mean, it was fundamental when there was no full democracy and elections. I concluded that our meetings, all this effort does not work; (...) even though the chairwoman was fantastic, deputy chairwoman – too; but other men (...) one kept complaining a lot (...), other one did not show up, somebody else did not show up either. (...) The Department of Social Affairs searched for new people, informed that we wanted to continue, and nobody responded. There were no applicants. (VIII/r)*

The quotation above shows the inertia of social councils and their paralysis resulting from the members' insufficient activity. At the same time, it suggests that establishing these types of bodies in the city may no longer be needed. It has to be highlighted, though, that it was an isolated opinion. Other members of SCs were generally convinced that the functioning of these bodies was needed and important; however, they do mention factors limiting the activities of SCs, e.g. marginalising their activities (VI/N/c/2) or attributing them with a buffering function<sup>10</sup>:

<sup>10</sup> When analysing roles assumed by advisors and experts in decision-making centres, Pietraś lists their functions: analytical, prognostic, axiological, and buffering.

*(...) the very idea of appointing such a council and assigning to it some range of activity is accepted in society, however it all depends what arrangement this council [social council – A.P.] has with executive and legislative powers, i.e. the City Council. The council [SC – A.P.] is such a 'cool' body as it gets all the thrashing instead of other institutions subordinate to the City Council. Just in case something happens the council [SC – A.P.] will take it all upon itself and that's it. (XII/N/c)*

Other respondent commented on the meaningfulness of the SC that he is a member of in the following way:

*(...) it all depends if it is treated as something resulting from a statute, something to tick off or (...) as an expert committee. (...) It can be a great thing, really solid and important or it can be completely random and insignificant. (XIII/A/c/2)*

At the end of the interviews, we asked our respondents about the necessary and expected directions of changes in social councils and committees. If during the interviews the question of the scope of competences was raised and the interviewees decided to provide an unambiguous answer, then most of them (albeit constituting a small percentage of all the interviewees – Fig. 7.5) expressed the expectation as to the extension of the competences. Only one interlocutor (a member of a council who was also an official) suggested that competences of one of the SCs should be limited:

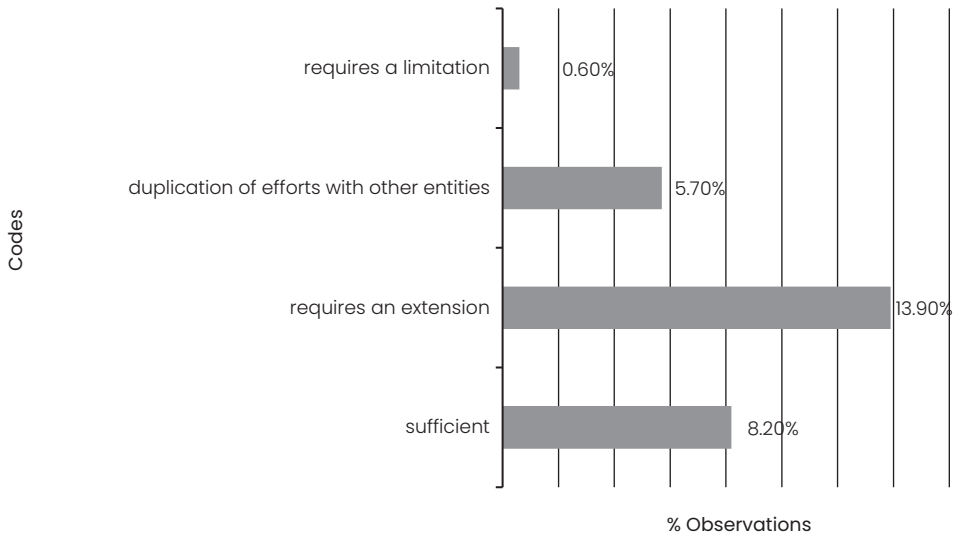
*(...) some of the matters could not be reviewed by the council [SC – A.P.], since we, as a City Council, know the particularities of our work (...) based on our regulations and we know what legal provisions say at the moment about certain issues and how we need to proceed. (VI/R/u)*

It is an interesting statement in that it represents a bureaucratic approach of an official following the regulations which have 'all possible answers to all possible questions.'

An interesting issue was raised by the identification of overlapping competences of social councils and committees and other actors in local government. These were flagged by the members of councils for residents with disabilities, councils of NGOs, and security and order committees. One of the members of a council for residents with disabilities believed its activities *duplicated the duties of the Mayor's proxy for disabled residents (XIII/N/u)*, while others recognised a duplication of the activities of associations and that of organisational units of the city hall (IV/N/c, IX/N/f). Members of security and order committees join sessions held by crisis management teams, discussing the same or similar issues (XIII/B/c/1), which is why both bodies convene together occasionally (XIV/B/u, XVI/B/c).

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The last one is used not only to base the decision on the authority of science, but also to shift responsibility for wrong decisions to advisors (Pietraś, 2000, pp. 94–95).



**Figure 7.5.** The frequency of occurrence of codes describing an assessment of the scope of competences of social councils and committees (% of observations = % of interviews in which a given code occurred at least once)

Source: own work with the use of the QDA Miner Lite v2.0.6 application.

Those respondents who spoke out in favour of expanding the competences of SCs pointed to the following: limited financial possibilities (X/N/c), missed opportunities to act in the field determined by the provisions of the statute (XIII/N/u), the need to expand the catalogue of actors invited to the council (XIII/R/p), but also the need to distance the SC from the city hall:

*(...) I am definitely all for that, so that it is a body with no links to the municipality, (...) it means (...) that nobody has any personal connections. (XIII/A/c/2)*

Most often, these respondents reported the need to amend the provisions of national legislation. Such were the expectations of members of the youth councils, who expected to be empowered with opinion-giving competencies:

*(...) I personally believe that in the case of the Youth Council dealing with charitable organisations, campaigns, or volunteering it is unnecessary, as this is not the role of the Youth Council. The Youth Council should review the work of the City Council and City Hall, and the Mayor. And that is all, it should take care of youth policy and try to build and be a strong voice, a strong essential voice in this policy. (VII/M/p)*

*The Youth Council should have much greater competencies regarding (...) protection of students' rights or co-deciding about city events. At the*

*moment, let's be frank, opinion-giving by the Youth Council is non-existent. (II/M/p)*

The insufficient regulation of the activities of SCs was reported by a member of an urban planning committee:

*If the legislator, in its wisdom, adopted the formula that the urban planning committee is so important in the process of creating planning documents, then I have a strange conviction that this opinion, this power of the committee was not properly emphasised in the act. (...) this role (...) in creating planning documents should be clearly defined, with clear expectations regarding what exactly the committee should do, what it should pay attention to, how important its position is (...) not an opinion but an agreement of the position. (XIII/A/c/2)*

At the end of his statement, the respondent expressed his expectation to have the role of the committee strengthened, which would transform it from an expert body into a genuine participant in the decision-making process. One of the members of a council for residents with disabilities also expressed a desire for greater involvement in decision-making:

*(...) so that it had a greater decision-making power, power to submit proposals, and not only be limited to providing opinions. (...) For example, if there is a new building opened, and there is a building delivery-acceptance process (...) that the County Social Council for Residents with Disabilities is always notified about it so that it can send its representatives, and check together with the building inspector if the building is in some way adopted for the needs of disabled people. (XIII/N/u)*

The strongest expectation regarding greater powers granted to SCs in decision-making was heard in a statement by a member of an urban planning committee:

*I have no clue how it would be made formally and legally binding (...) a veto of the committee against something that is planned, but it is wrong. (...) But, for some reason, the city stands up for it. It's like in some companies – you are not the owner, but you hold the so-called golden share, right? And then I say: no. (VI/A/c)*

The above statements reveal the expectations of the members of SCs. Although this was not often articulated, it is worth noting that the responses feature ambitions as to playing a more serious role in the local decision-making process, or in the local public life in general.

## 5. Summary

As was already indicated in the Introduction, neither these studies nor similar research on comparable bodies carried out in other countries gave a clear answer about SCs' impact on local decision-making. It was possible, though, to identify roles which these actors play in subsequent stages of the decision-making process. Hence, we found that despite the fact that their opinion-making and advisory role is emphasised as a primary one, initiating local decisions is also an important part of their activity. It seems that the less defined the scope of opinion-making activities of a SC is, the more important the role of an initiator is.

Our study does not explicitly prove that SCs are a serious source of information for decision-makers. The role of an information-provider, although it appears in the research, was not particularly emphasised by the respondents. It should be stressed, however, that opinions issued by SCs can potentially carry a considerable amount of information about the needs and preferences of the addressees of a given local decision. Undoubtedly, providing opinions is the most important contribution of SCs to the local decision-making, although an extent to which decision-makers take this advice into consideration varies. How to 'measure' this degree of considering issued opinions is the most significant challenge researchers are faced with today. For the time being, they are limited to examining how the members of SCs and the representatives of local administration assess this influence. What we found problematic when researching this issue was the lack of feedback from decision-makers regarding the extent to which opinions prepared by advisory bodies are taken into account in the decision-making process. Therefore, the assessments given by our respondents could be a reflection of their expectations rather than knowledge.

The remaining roles played by social councils and committees and mentioned by their members – namely control, legitimising, decision-making, participation in the decision implementation process – are of lesser importance. Particular SCs also perform them to a varying degree. The extent to which these bodies participate in decision-making is a factor influencing the assessment of the need for their presence in local public life. Emphasising the benefits of the functioning of SCs related to a better identification of the city's problems and relevant decision-making, the respondents generally made a positive evaluation of these bodies. However, quite often the need for these bodies was motivated by necessity resulting from the provisions of the relevant act. Therefore, it can be concluded that if it were not for the statutory obligation, some councils and committees would not have been established at all. The redundancy of such bodies was, although rarely, flagged up mainly by officials.

Expectations as to changes in the rules of the functioning of social councils and committees operating under city mayors are mainly related to their statutory competences. They concern the matter of strengthening their impact on local decisions by introducing the requirement to have selected decisions agreed with the SC, or even blocked if the SC considers them detrimental to the local community.





## Concluding Remarks

Embarking on the project titled *Social Councils and Committees as (Not Quite) Present Actors in Local Decision-Making Processes*, we intended to attain both scholarly and practical goals. It is our firm belief that the research focus on social councils and committees was axiologically, praxeologically, and legally justified. Hardly analysed, these bodies subscribe to the existing – long-established in Western European countries and gradually introduced into Poland – benchmark of involving citizens in public decision-making. Believing that the subjects under discussion do not constitute a provisional measure, but a permanent one – as corroborated by their firm grounding in the law – we decided to attract the attention of not only scholars, but also local decision-makers, local administration, members of NGOs and the private sectors, as well as – perhaps most importantly – local communities.

We undertook the task of researching the subject that, until now, had been analysed only incidentally. Few previously available legal and political academic monographs concentrated on selected SCs, as these publications primarily consider the formal and legal aspects rather than the bodies' participation in public life. Shedding light on SCs as participants in local decision-making enabled us to acknowledge these actors and define their place in local decision-making, as well as showcase their potential, which, until now, had remained overlooked by local policymakers and local communities alike. Simultaneously, the research we conducted has uncovered a number of constraints and interdependencies, which result in their frequent underestimation or neglect both in academic studies on forms of public engagement and in the practice of local governments. Aiming to understand the essence of the SCs under discussion, it was crucial to analyse not only the binding legislation constituting the formal framework of their functioning, but also the regulations (local law and internal documents produced by the SCs) stipulating the modes of appointing their members, their internal organisation, their activities, and, most importantly, the procedures of formulating opinions and consulting on issues submitted by the authorities.

While researching SCs, we attempted to verify the root cause of their relative neglect on the part of scholars and practitioners, which appears intriguing in the context of the years-long rising popularity of different forms of participation and deliberation, the creation of democratic innovations,

and social experiments in local government. It is our steadfast conviction that SCs are in concert with the trend of involving citizens in local decision-making, which is further complemented by their strengths, such as stability, continuity, and legal basis. We hope that highlighting the importance of these bodies will contribute to the blazing of a new research trail in terms of participation. We also hope they will come to feature in the catalogue of subjects construed as forms of citizen participation in public matters.

Having initiated a demanding empirical study into an untapped subject, we have demarcated a new scholarly territory that we are planning to explore further by conducting comparative research both domestically and internationally. At the same time, we have also noticed major limitations in the methodology of social sciences. A typical academic toolkit does not always prove effective when applied to a new research subject – one that is under-analysed and highly diversified – especially when drawing on the already available literature is not feasible. The need to, first, identify the number of the formally established social councils and committees; second, verify their activities; and, third, reach their members, most of whom are non-public persons, made us consider finding new modes of conducting social research.

Although the research thus conducted has revealed a number of unknown issues pertaining to the functioning of SCs, it has not enabled us to unequivocally measure their impact on local decision-making. Even though this might be subsumed under academic disappointment, what seems comforting is the fact that an analogous problem befell the Spanish scholars who conducted comparable research on non-public actors and their translation into local decision-making. To a considerable degree, this limitation stems from the role that the legislator assigned to such entities, i.e. opinion-giving and advisory. As corroborated by our research, this role is universally accepted by SCs' members. Apart from providing opinions and advice, their activities include initiating action. It is worth emphasising here that this last function seems to be the more prominent the lesser impact the legislator has inscribed in the law regulating the functioning of the SC as an advisory body. What ensues in consequence is the following: the imprecisely defined competence of the SCs in question spurred their members to seek new forms of activity and, therefore, they focused on initiating actions and generating ideas. Whenever the competence of a given SC was, in accordance with the binding regulations, limited to providing opinion and consulting the proposals put forward by the local authorities, the councillors or committee members typically did not undertake any other, additional activities. Thus, they remained faithful to their role as appointed by the authorities despite the fact that the regulations did not prohibit them from performing any auxiliary activities.

Having investigated the work of SCs, the organisation of their meetings, the chairing of discussions, the measures taken in preparation for the participation in meetings, and the nature of the discussions conducted

therein, we are justified in stating that the subjects in question are vested with a deliberative potential. And although, as we have numerously emphasised in the present book, these entities are highly diversified – also with regard to the mode of giving opinions and formulating positions on the matters submitted for consideration – they all function as forums for a matter-of-fact debate whose participants strive for a consensus of opinion, rely on argumentation, and exercise their right to express a separate position.

Taking into account the practical goals of our project, we undertook a series of activities leading to the dissemination of knowledge about social councils and committees among diverse milieus, including teenagers, local government officials, representatives of non-public actors, and local communities. We spread information about the councils and their activities through workshops (conducted in the university centres participating in our research project, i.e. Rzeszów, Lublin, Poznań, as well as their vicinity), seminars, academic conferences, as well as the project Website and scholarly publications.

Whilst working with teenagers, we aimed to draw their attention both to the mechanisms of civic participation in decision-making and to the importance of social activity in public life. During our meetings with this social group, we primarily focused on youth councils, which constitute bodies that young people can actively be involved in.

Addressing our message to the local government officials, local communities and the SCs' members, we intended to showcase their potential and cooperation opportunities aimed at increasing the efficiency of local decision-making and raising the quality of local governance. Implementing benchmark mechanisms, we presented examples of effective cooperation between local decision-makers and non-public actors.

Reaching out to local governments, to the SCs' members, and to local communities, we meant to prove that the results of the academic research could be conducive to the everyday activities of territorial units as well as to the functioning of local groups. It was our intent not to curtail our scope to a narrow academic discourse, but to work out a platform for a wider civic dialogue on the participation of non-public actors in local decision-making. This is also the purpose behind the present monograph. Scholarly as the book may be, we strove to make it reader-friendly and accessible to people outside of the academia. We made every effort to guarantee its wide availability and broad readership owing to the e-book format and the English translation. We hope that the volume will attract the attention of scholars and practitioners alike, and that it will serve as the germ of further projects, leading to more in-depth analyses and expositions of the diverse reality of social councils and committees.

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## The questionnaire form addressed to the members of social councils and committees

What stakeholder do you represent as a member of your council/committee?	
An NGO (association, foundation)	A local/national authority
A business (economic entity)	A public institution (school, centre for culture, healthcare facilities, etc.)
A natural person (physical person)	Other – please specify .....

What is your role in your council / committee?
President
Vice-president
Secretary
Member
Other – please specify .....

As far as you know, who initiated the establishment of the council/committee of which you are a member?
A natural person (physical person)
A group of residents
The city council/a member of the city council
The mayor
Other – please specify.....
Hard to say

How did you become a member of the council/committee?

I was formally invited by a local official (the mayor/a councillor/an official of the local administration).

I was formally invited by the chair of the council/committee on which I now sit.

I was delegated by the institution I work for or an organisation I am active in.

I was invited by an acquaintance who is a member of the council / committee.

I have been asked by a group of people (neighbours, members of an organisation, residents of a city/neighbourhood) to represent their voice in the council/committee

I self-applied.

Other – please specify.....

What is your contribution to the council/committee?  
(You can indicate more than one answer)

My knowledge and experience

I represent the 'voice' of the residents

I represent the interests of a social group (age group/occupational group)

I represent the interests of an institution/organisation

I represent the position of a local authority

Other – please specify.....

How often does the council/committee meet?

At least once a month

Once every two months

Once every three months

Once every four months

Once every five months

Once every six months

Less than once every six months

No fixed intervals – meetings are called as needed

Hard to say

What is the subject of the meetings of the council/committee?  
(Please indicate all applicable answers and underline the most important or the most typical one)

Planned or draft decisions (resolutions, directives) of local authorities (city council, mayor) submitted to the council/committee for consultation.

Plans of activities submitted by a local authority to the council/committee for consultation.

Reports of performed activities submitted by a local authority.

Issues that the council/committee wishes to submit as an initiative to the local authorities.

Problems reported by the local community (residents, age or occupational groups, experts, etc.)

Other – please specify.....

Please provide some examples of issues that the committee has dealt with over the last two years (e.g. issues submitted for consulting by local authorities, issues submitted by residents, examples of initiatives taken by members of the council/committee)

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On average, how much time does the council/committee devote to a single project/plan/report in order to issue an opinion about it?

The project is submitted and discussed, and the opinion is formulated during the same meeting  One week  Two weeks	One month  Two months  Three months  Longer than three months  Hard to say
--	--

Does preparing an opinion by the council/committee involve conducting a consultancy with a given interest group (residents, age groups, professional groups, experts, etc.)?

Yes	No (skip question no. 11 and proceed to question no. 12)
-----	--

How often are consultations held?

In all cases  More or less in half of the cases  In half of the cases	Less often than in half of the cases  Never  Hard to say
---	--

Are the opinions put forward by councils/committees ever subject to controversy, discord, or heated debates?

In all cases  More or less in half of the cases  In half of the cases	More or less in half of the cases  Never  Hard to say
---	---

What is the mode of accepting the final opinion by the council/committee, which is later passed on to the local authority?

Voting  Negotiation of a shared position without voting  Circular resolution (draft opinion is sent to council/committee members and the lack of dissent or critical remarks is tantamount to the opinion being voiced)  Other – please specify.....  Hard to say
---

<p>What does your participation in the council/committee primarily involve?  <i>(Please select no more than three most important answers)</i></p>
<p>Participation in meetings</p> <p>Participation in decision-making and issuing an opinion</p> <p>Advising/preparing an opinion concerning a decision, plan, etc.</p> <p>Initiating projects that the council/committee will later propose</p> <p>Signalling problems affecting social groups, local communities, etc.</p> <p>Preparing documentation</p> <p>Liaising with the local authorities</p> <p>Acquiring information about the issues that are subject to opinions issued by the council/committee</p> <p>Other – please specify .....</p>

<p>Is it possible for you, as a member of the council/committee, to express an opinion that is dissimilar to the opinion of the majority of the fellow members?</p>
<p>Yes, it is possible – such situations have already occurred.</p> <p>Yes, it is possible – such situations have not occurred yet.</p> <p>No, it is not possible. However, a difference of opinions among the council/committee members occasionally occurs.</p> <p>There has never been a situation involving a difference of opinions among the council/committee members.</p> <p>Hard to say</p> <p>Other – please specify .....</p>

<p>As far as you know, the opinions issued by the council/committee are taken into consideration by the decision-making organ:</p>	
In all cases	In fewer than half of the cases
In more than half of the cases	Never
In half of the cases	Hard to say

<p>Which of these best describes the relations between your council/committee with the city authorities?</p>
<p>Close cooperation</p> <p>Loose cooperation</p> <p>Co-existence (independent)</p> <p>Incidental contact in specific situations (such as the need to provide an opinion on a draft normative act or another decision)</p> <p>The domination of city authorities over the council/committee</p> <p>Other – please specify.....</p>



Are there conflicts between the council/committee that you are a member of and the city authorities?	
Yes	No (skip questions no. 19 and no. 20, and proceed to question no. 21)

How often do the conflicts occur?			
Very frequently	Frequently	Rarely	Very rarely

If conflicts between the council/committee and city authorities occur, what do they concern most of the time? (Please indicate the option indicating the most frequent situation)
<p>The contents of the consulted projects</p> <p>Planned activities and directions of the development of the city</p> <p>The way in which the council/committee operates</p> <p>The personal composition of the council/committee</p> <p>Other – please specify .....</p>

In your opinion, what benefits does the functioning of the council/committee in your city bring? (Please indicate all that apply and underline the most important benefit)
<p>A better diagnosis of the problems of the city (municipality)</p> <p>The opportunity for residents to express their views on matters of importance to the city (municipality)</p> <p>The possibility to tailor the activities of the authorities to the needs of the residents</p> <p>Ensuring social control over the decisions taken by the authorities</p> <p>Ensuring the transparency of the decision-making process</p> <p>Other – please specify .....</p> <p>None</p>

**Details of the respondent and the council/committee they represent**

M1. City:	
-----------	--

M2. Name of the council/committee:	
------------------------------------	--

M3. Number of members of the council/committee:	
---	--

M4. Age (in years):	
---------------------	--

M5. Gender:	
female	male

M6. Education			
secondary education or primary education	basic vocational school	high school/post-high-school education	college/university

M7. Current professional status:
Public administration employee
Public institution employee (e.g. school, public utility company)
Private company employee
NGO employee/volunteer
Self-employed/freelancer
Pensioner
Pupil/student
Unwaged
Other – please specify .....

## Number of returned questionnaires in cities where the research was held

	City	No.	%		City	No.	%
1.	Gdynia	28	2.0	34.	Bydgoszcz	4	0.3
2.	Gliwice	37	2.6	35.	Bytom	23	1.6
3.	Gorzów Wielkopolski	32	2.3	36.	Chełm	25	1.8
4.	Jaworzno	26	1.9	37.	Chorzów	27	1.9
5.	Jelenia Góra	15	1.1	38.	Dąbrowa Górnicza	3	0.2
6.	Konin	42	3.0	39.	Gdańsk	9	0.6
7.	Lublin	61	4.4	40.	Jastrzębie-Zdrój	11	0.8
8.	Łomża	7	0.5	41.	Katowice	37	2.6
9.	Opole	18	1.3	42.	Kielce	23	1.6
10.	Piotrków Trybunalski	20	1.4	43.	Kraków	16	1.1
11.	Płock	47	3.4	44.	Legnica	26	1.9
12.	Poznań	34	2.4	45.	Łódź	5	0.4
13.	Rzeszów	45	3.2	46.	Ostrołęka	15	1.1
14.	Słupsk	17	1.2	47.	Piekary Śląskie	26	1.9
15.	Tarnobrzeg	31	2.2	48.	Przemyśl	10	0.7
16.	Tarnów	44	3.1	49.	Ruda Śląska	57	4.1
17.	Elbląg	4	0.3	50.	Rybnik	25	1.8
18.	Koszalin	21	1.5	51.	Siedlce	26	1.9
19.	Częstochowa	46	3.3	52.	Siemianowice Śląskie	18	1.3
20.	Zielona Góra	7	0.5	53.	Skierniewice	12	0.9
21.	Kalisz	12	0.9	54.	Sopot	10	0.7
22.	Grudziądz	7	0.5	55.	Suwałki	11	0.8

	City	No.	%		City	No.	%
23.	Nowy Sącz	16	1.1	56.	Szczecin	35	2.5
24.	Mysłowice	21	1.5	57.	Świętochłowice	1	0.1
25.	Leszno	18	1.3	58.	Świnoujście	19	1.4
26.	Biała Podlaska	3	0.2	59.	Tychy	27	1.9
27.	Krosno	32	2.3	60.	Wałbrzych	22	1.6
28.	Sosnowiec	46	3.3	61.	Włocławek	18	1.3
29.	Toruń	16	1.1	62.	Wrocław	14	1.0
30.	Radom	11	0.8	63.	Zabrze	6	0.4
31.	Olsztyn	21	1.5	64.	Zamość	16	1.1
32.	Białystok	13	0.9	65.	Żory	24	1.7
33.	Bielsko-Biała	3	0.2	In total		1402	100.0



## Authors

**Agnieszka Pawłowska** – professor of political science and administration at the University of Rzeszów, Poland; the Head of the Department of Public Administration and Social Policy at the Institute of Political Science. Her research and publications revolve around comparative local government, governance, local democracy, and partnerships in the public sector. Her recent publications discuss the local government and public policy in the United States. She is a Fulbright fellow and the fellow of the Kosciuszko Foundation.

**Robert Kmiecik** – professor of political science and administration at the Adam Mickiewicz University in Poznań, Poland. He manages a team of political scientists affiliated with the Department of Local Authority and Self-Government Research. His scientific interests revolve around the issues of territorial, economic, and professional self-government as well as regional policy. He is the author of several works on the topic of self-government.

**Anna Kołomycew** – assistant professor at the Institute of Political Science at the University of Rzeszów, Poland. The author, co-author, and editor of numerous publications relating to public governance, public policies, civil society, and forms of public engagement, as well as social entrepreneurship and social economy systems. She took part in national and international research projects financed by the National Science Centre (Poland), the Ministry of Science and Higher Education, Visegrad Fund, and other external institutions.

**Katarzyna Radzik-Maruszak** – associate professor at the Department of Public Administration, Faculty of Political Science and Journalism, University of Maria Curie-Skłodowska, Lublin, Poland. In her research, she focuses on comparative local governance – particularly the roles and responsibilities of elected and administrative officials in the European local governments – as well as the citizens' engagement on the local level. She was an investigator in international and national research projects financed, e.g., by the National Science Centre (Poland), the Ministry of Science and Higher Education, the (Polish) National Agency for Academic Exchange, and other external institutions.

**Paweł Antkowiak (1984–2020)** – professor at the Department of Local Government and Self-Government Research at the Department of Political Science and Journalism of the Adam Mickiewicz University in Poznań, Poland. Recipient of numerous scholarships, including ones granted by the Minister of Science and Higher Education, the Adam Mickiewicz University Foundation, and the AMU programme 'The Unique Graduate'. He was the Dean's Proxy for Organisation of Education of the AMU; an expert and adviser of a number of local authorities; associate professor at the WSB Universities in Poznań. His scientific interests revolved around territorial, professional, and economic self-government as well as around local politics.

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