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## **COVID-19 and Direct Contact-Free Democracy – Experiences from Poland**

**Keywords:** local government, participatory budget, direct contact-free democracy, participation

**Słowa kluczowe:** samorząd terytorialny, budżet obywatelski, demokracja bezpośrednia bez kontaktu, partycypacja

### **Abstract**

The purpose of this article is to analyze the behavior of local authorities on the issue of participatory budget in the situation of confronting the COVID-19 pandemic. A new category has been introduced here – direct contact-free democracy, which aims to emphasize the need to avoid personal contact while continuing the performance of mechanisms accompanying democracy. To verify the accepted hypothesis, an existing sources analysis, and a survey, in which more than 40 cities with district rights participated, were conducted.

### **Streszczenie**

#### **COVID-19 i demokracja bezkontaktowa – doświadczenia z Polski**

Celem niniejszego artykułu jest analiza postępowania władz lokalnych w materii budżetu obywatelskiego w sytuacji konfrontacji z pandemią COVID-19. Wprowadzona została tu nowa kategoria – direct contact-free democracy, która ma za zadanie uwypuklić

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fakt potrzeby unikania kontaktu osobistego przy jednoczesnym kontynuowaniu realizacji mechanizmów towarzyszących demokracji. W celu weryfikacji przyjętej hipotezy przeprowadzono analizę źródeł zastanych oraz zrealizowano badanie ankietowe, w którym udział wzięło ponad 40 miast na prawach powiatu.

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## I. Introduction

Direct contact-free democracy is a state that I believe has increased with the emergence of the global COVID-19 pandemic. The phenomenon itself is not new. It applies to all situations where political processes take place without personal contact. Direct contact-free democracy coexists with a democracy based on personal contact, adapting evolutionarily to opportunities and social expectations. The mechanism under which I would like to test the proposed category is the participatory budget (further as 'PB'). It is worth emphasizing that since 2018, its implementation has been obligatory for the Polish local government in cities with district rights.

The first Polish quasi PB appeared in the first years of the 21st century in Sopot<sup>2</sup>. Nevertheless, criticism of the solutions adopted at that time, as simulated and undemocratic, prompts us to consider the budget launched in 2011 in Płock as the first<sup>3</sup>. Elsewhere in the world, PB was created much earlier – in 1989 in Porto Alegre, Brazil. It was a response to the needs of the community living in poor districts, neglected by the authorities<sup>4</sup>. It was not about increasing Porto Alegre's budget back then, but about redistributing it in a more egalitarian way<sup>5</sup>.

<sup>2</sup> Z. Osmólska, *Budżet partycypacyjny po polsku*, [in:] *Demokracja w Polsce po 2007 roku*, ed. D. Plecka, Katowice 2014, pp. 262–264.

<sup>3</sup> M. Rachwał, *Budżet partycypacyjny jako nowa forma współdecydowania o finansach lokalnych*, "Przeгляд Politologiczny" 2013, vol. 4, p. 180.

<sup>4</sup> A. Fung, *Democratic Theory and Political Science: A Pragmatic Method of Constructive Engagement*, "American Political Science Review" 2007, No. 101(3), p. 454; J. Marszałek-Kawa, A. Lutrzykowski (eds.), *Samorząd terytorialny w Polsce i w Europie (doświadczenia i nowe wyzwania)*, Toruń 2008.

<sup>5</sup> S. Hong, *Citizen Participation in Budgeting: A Trade Off between Knowledge and Inclusiveness?*, "Public Administration Review" 2015, No. 74(4), p. 2; A. Novy, B. Leubolt, *Participatory*

The research aims to analyze the created mechanisms of the PB in confrontation with the intensification of direct contact-free democracy. Moreover, it is to provide knowledge of what actions are taken to adapt to the new situation. The identification of barriers to transition between the direct contact democracy and direct contact-free democracy model is also an important goal in terms of application potential.

## II. Direct Contact-Free Democracy

Studies known to me do not deal with the issue of democracy without personal contact. It is quite the opposite. People-to-people meetings, as well as commitment itself, are considered essential for the idea behind the civic budget<sup>6</sup>. In the typo-ideological direct contact-free democracy lacks not only conversations with a friend you meet. It is also remodeling of election advertising techniques, including the lack of leaflets or gadgets distributed on the street, etc.

The disproportion between the politics with the use of personal contact and the version without it is most noticeable in the course of the decision-making process. It will be analyzed in terms of the public policy circle, with the help of which it is possible to organize and distinguish individual stages of intervention<sup>7</sup>. For the purpose of this article, the classification proposed by J.R. Adorno and Ch. Blake<sup>8</sup>, who pointed attention to such stages of action as the identification of the problem, the indication of possible solution alternatives, selection of one of the options, implementation of the adopted solution, and finally evaluation to assess the assumptions made at the beginning based on which the correction and/or reform of operations is undertaken.

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*Budgeting in Porto Alegre: Social Innovation and the Dialectical Relationship of the State and Civil Society*, "Urban Studies" 2005, No. 42 (11), p. 2023.

<sup>6</sup> H. Dekker, *Democratic citizen competence: Political- Psychological and Political Socialization Research Perspective*, [in:] *Democracy, Socialization and Conflicting Loyalties in East and West: Cross-National and Comparative Perspectives*, eds. H. Dekker, R.F. Farnen, D.B. German, R. Meyenberg, London 1996, p. 398.

<sup>7</sup> B.W. Hogwood, L.A. Gunn, *Policy Analysis for a Real World*, Oxford 1984.

<sup>8</sup> J.R. Adorno, Ch. Blake, *Comparing Public Policies. Issues and choices in six industrialized countries*, Washington 2001.

The second sphere of analysis will be derived from the notion of political culture. Political behavior that accompanies a PB is appropriate to its highest level of development. I understand it here as commonly shared goals and rules, as well as values, beliefs, and emotional attitudes towards how governance should take place and what should it consist of<sup>9</sup>. Political behavior accompanying a properly developed PB therefore corresponds to the participant type of the political culture of Gabriel A. Almond and Sidney Verba. This type means being ready to act in political life – also to exercise power. The model is distinguished by a high level of knowledge of political mechanisms<sup>10</sup>.

At the first stage of the public policy circle, the problem is identified, which means that a socially important issue is noticed, which results in placing it on the political agenda. We are then dealing with an act of lobbying for the proposed public change<sup>11</sup>. The diagnosis of a problem may occur in the mind of an individual, but at the same time, the available legal solutions strongly indicate that further on it must still be collegial. Personal contact may then take place unless the adopted mode of work is remote. The situation is similar in the case of lobbying or an initiative to hold a referendum<sup>12</sup>. At the stage of identifying possible alternatives to solving the problem, we are dealing with a public debate, which aims to reveal how we can deal with the perceived problem. This stage may be twofold. Developing alternatives may be a task set for an expert in a given field, but it can also take place in the forum of a social or political body or among a dozen or so experts. Choosing one option relates to the very act of deciding between alternatives, but in a broader sense, it also includes deliberating on options and their promotion<sup>13</sup>. For example, when organizing a referendum, it will be preceded by a proper discussion on the

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<sup>9</sup> D. Kavanagh, *Political Culture*, London 1972, p. 10.

<sup>10</sup> G.A. Almond, S. Verba, *The Civic Culture: Political Attitudes and Democracy in Five Nations*, Princeton 1963, p. 20; H. Sommer, *Wybrane komponenty kultury politycznej i ich wpływ na percepcję państwa*, "Humanities and Social Sciences" 2015, vol. 22, pp. 219–230.

<sup>11</sup> F. Aitken-Turff, N. Jackson, *A mixed motive approach to lobbying: applying game theory to analyse the impact of co-operation and conflict on perceived lobbying success*, "Journal of Public Affairs" 2006, vol. 6, pp. 86–88.

<sup>12</sup> P.V. Ulieri, *Introduction*, [in:] *The Referendum Experience in Europe*, eds. M. Gallagher, P.V. Ulieri, London 1996, p. 10.

<sup>13</sup> M. Popławski, *Between Legitimization and Deliberation. Participatory Budget in Dąbrowa Górnicza*, "Przeгляд Prawa Konstytucyjnego" 2018, vol. 6(48), p. 411.

possible effects of various decisions<sup>14</sup>. The very selection of one of the options takes the form of voting. Discussion, promotion, and voting can again be devoid of personal contact or based on it. The implementation of the adopted solution, from the point of view of the research problem, is a much less interesting issue. Implementation is most often the responsibility of the auxiliary apparatus of the government or local self-government and therefore does not involve a wide body of people.

To sum up, we now have tools that enable the implementation of democratic mechanisms, both in a traditional way, based on personal contact, and those that allow to eliminate it. Thus, democracy can be implemented without stepping away from the computer<sup>15</sup>. However, one cannot forget about the limitations of technologies that enable the elimination of personal contact. There are still two main reasons why most governments decide not to introduce electronic voting. The first is security and the second is digital exclusion<sup>16</sup>.

### III. Hypothesis

In line with the assumptions presented earlier, the research field is the PB in Polish cities with district status. The research problem is how to deal with the barriers to the implementation of the PB in the above-mentioned cities, arising in connection with the coronavirus pandemic. The adopted research hypothesis is as follows: “Cities with district rights overcome the barriers to the implementation of the PB, resulting from the COVID-19 pandemic, by adapting procedures to the assumptions of direct contract-free democracy”. For the research hypothesis formulated in this way, I developed the following research questions:

1. What is the nature of the barriers to the implementation of the PB in cities with district status in connection with the COVID-19 pandemic?

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<sup>14</sup> M. Suksi, *Bringing in the People: A Comparison of Constitutional Forms and Practices of the Referendum*, Dordrecht 1993, pp. 5–6.

<sup>15</sup> C. Costopoulou, F. Ntalianis, M. Ntaliani, S. Karetsos, E. Gkoutzioupa, *Participation Provision and Demand Analysis for Greek Municipalities*, [in:] *E-Democracy – Privacy-Preserving, Secure, Intelligent E-Government Services*, eds. S.K. Katsikas, V. Zorkadis, Cham 2017, pp. 3–4.

<sup>16</sup> A. Stoppel, *Nowe media w polityce: na przykładzie kampanii prezydenckich w Polsce 1995–2015*, Poznań 2020, p. 100.

2. What is the scale of the modifications required to the regulations on PBs in cities with district status in connection with the pandemic situation?
3. Will cities with district status strive to permanently replace the PB assuming personal contact, with a version without it?

#### **IV. Methodology**

The necessary data was collected to answer the research questions formulated. First of all, this is information contained in existing sources, including key legal acts – the Act of 8 March 1990 on commune-level self-government<sup>17</sup>, which regulates the fundamental principles of the implementation of the PB. The survey also used a questionnaire carried out via the Internet. Representatives of all 66 Polish cities with district status were invited to complete it.

In relation to the research question (1.) about the nature of the barriers, the institutional and legal method was used. The individual stages of the model PB implementation procedure have been identified, as well as detailed activities within them. They are grouped into two categories: (a) with personal contact and (b) without personal contact. The second category created a set of barriers within which typologization was performed. Barriers which: (i) can be eliminated by transforming the procedure without changing its substantive content, and (ii) requiring substantial changes to the content of the procedure to be eliminated were distinguished.

In the case of the research question (2) about the scale of the necessary changes, quantitative methods were used. Data for this part was collected using the above-mentioned questionnaire. The structure of the questions takes into account the previously developed stages of the model PB activities. The results were processed in various stages. The typology was created based on three circumstances: (a) no need to modify the main part of the procedure (b) the need to modify selected elements of the procedure (c) the need to modify most of the procedure.

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<sup>17</sup> Ustawa z dnia 8 marca 1990 r. o samorządzie gminnym (Dz.U. 1990 No. 16 item. 95).

As part of the research question (3) on the preservation of modified solutions, the required data was also provided by the questionnaire. It was important whether the relevant provisions, temporarily changing the mode of PB implementation, were permanently entered into the regulations.

## V. Results

In question (1.), the subject of interest is the barriers to the implementation of the PB in the times of COVID-19. In connection with the introduced research category – direct contact-free democracy – attention has been focused on those barriers based on personal contact with people or objects. The first stage of the analyzed mechanism is the call for applications. A list of signatures supporting the idea must be attached to the application. The next stage is the verification of the application in terms of formal and content. An element that appears quite often in the Polish regulations of PBs are open meetings with residents, but persuading others to your idea can also take place in various other ways<sup>18</sup>. The next stage is the selection of the winning proposals by the residents in a popular vote. Among the voting methods used, the most common are both paper and electronic methods<sup>19</sup>. The final stage of the procedure is the implementation of the winning projects.

Among the elements assuming personal contact, one can distinguish between short and long meetings. The first group will include: personal delivery of the application, personal delivery of the correction of the application, personal collection of signatures, and voting in a dedicated place. The group of behaviors assuming long meetings includes: the need to submit explanations to the application in person, participation in the debate on submitted applications, implementation of projects involving personal contact of the beneficiaries (e.g., concerts, trainings). The PB procedure also contains a number of elements that are devoid of personal contact. These include: electronic submission of the application, remote submission of explanations to the application or its completion, discussion of applications with the use of ICT, voting with

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<sup>18</sup> M. Popławski, *Budżet obywatelski w Polsce. Model i lokalne rozwiązania*, Toruń 2018, p. 183.

<sup>19</sup> *Ibidem* p. 159.

the use of ICT, remote consultation of winning projects at the implementation stage, and participation in the winning projects using ICT.

To verify the research question (2.) on the scale of necessary modifications to the regulations of PBs in the event of the COVID-19 pandemic, a questionnaire survey was conducted. Ultimately, the questionnaire was completed by representatives of 41 cities. At the outset, it should be noted that among the vast majority of respondents, the pandemic resulted in a general limitation of personal contacts related to the implementation of the PB (85.4%). Interestingly, in the opinion of the majority of respondents, carrying out a PB in times of a pandemic is only slightly more difficult (65.9%) than normal, and every fifth found it to be much more difficult. If the implementation of the procedure is only slightly more difficult, it means that they are ready to cope with the new situation, and therefore the necessary changes are so insignificant that they see an opportunity for their easy implementation.

The respondents were then asked how much has already changed within the PB due to the outbreak of the pandemic. The schedule changed in more than half of the cases (57.5%). It turned out that the method of applying (35%) and the method of voting (22.5%) were often deemed necessary for modification.

Waiting for government implemented changes and how the pandemic will develop can be seen very clearly in the next question – on the likely changes in the rules of the PB for the following year. As many as 70% of respondents, when asked what would change, replied “I don’t know/hard to say”. Those who already knew what they would change mostly – 17.5% – declared a different method of application submission. Another 12.5% will change the way of voting or the schedule.

The anticipation of what the future will bring can also be seen in the question about the possible elimination of the possibility of submitting projects that could conflict with sanitary restrictions. As you can see, the PBs have not reacted to the situation yet, because in as many as 80% of cases it is possible to submit projects that conflict with the restrictions, in comparison to only 5% of cases that prohibit it.

In the question of suggesting the electronic form of settling matters related to the PB to residents, one can notice a strong tendency to switch to the



mode without personal contact. Over 80% of respondents declared that they were persuaded to deal with the above-mentioned matters electronically, and nearly 10% said that everything was done this way before the pandemic. Only 5% found the electronic form redundant. It is even more visible in the more detailed questions that reveal the possible scale of needed changes. More than three-quarters of cities indicated that after the outbreak of the pandemic, they do not have to introduce the possibility of electronic submission of applications because they already have such an option. Interesting answers were obtained in the question about the resignation from the requirement to submit the bill of support for the project as an attachment. As many as 80% of the answers were “no”, but it is extremely interesting, that 10% declared such a resignation.

The respondents were also asked about the fact of having an internet place to discuss the needs or submitted applications. In the vast majority of cases – 61% of the examined cities did not offer such a form of communication before the pandemic. It was available in 36.6% of cases. Interestingly, in response to the emergence of COVID-19, only 5% of cities introduced it. We observe a different trend concerning online voting, although it must be clearly emphasized that almost all respondents had offered them before – over 95% of cases. Its launch was declared by other respondents. The survey also asked about paper voting forms. Before the pandemic, they could be used in a smaller number of municipalities (80.5%) than electronic voting. Over 57% declared to keep them.

With regard to the research question (3.) whether cities will strive to permanently replace the PB, assuming personal contact, with a version without it, it can be stated that the results are inconclusive. The vast majority of respondents (73.2%) see the need for national authorities to regulate the new pandemic situation. Only 12.2% of the respondents consider such activities unnecessary. When asked about a rather radical solution – the possibility of temporarily suspending the PB, as many as 58% see the need to introduce such an option. Only 14.6% oppose it. It is interesting that the respondents rarely declare a future modification of the PB regulations to eliminate personal contact. About half of the respondents do not want to modify them definitely or are inclined not to modify them.

## VI. Conclusions

With regard to the nature of the barriers to the implementation of the PB, it can be stated that the same activities, although not all, may be included in a group that assumes both the presence of personal contact and its lack. In other words, if a given local government unit focuses on digital contact and operation, then there will be very few barriers. However, they will still exist. The barriers here are, firstly the Polish law, which does not keep pace with reality. Secondly, digital exclusion, which, of course, concerns mainly senior citizens, is still an extremely important barrier.

As far as the scale of the necessary modifications to the regulations of PBs is concerned the situation is more complicated. The pandemic triggered a need to change the calendar in a way that would allow more time to adjust to the new situation. Moreover, the discernible desire to postpone everything in time is also an expression of waiting for possible decisions on the part of the central government, which could take the obligation to implement the PB off. Subsequent introduced modifications were much less frequent. However, the answers received do not indicate any desire to change the entire regulations. Cities, although unintentionally, were already ready for a pandemic.

However, the conclusion which comes to mind after a deeper analysis is that the cities did not so much react to the pandemic, but maintained the already existing solutions. Of course, they persuaded their citizens to limit personal contact, but would rather wait with more significant modifications. The municipalities are still of the opinion that paper voting must remain at least as an alternative to electronic voting. However, the sudden digitization of personal contacts has not been properly used, although new opportunities have opened up, most designers of the PB see no need to discuss it on the Internet, and the pandemic has not changed their view. Summing up, based on the data obtained, it can be concluded that the necessary changes implemented by the local authorities cover only selected elements of the PB procedure.

Nor can it be concluded that the cities strive to regulate the situation permanently by replacing the solutions assuming personal contact with a version without personal contact. They expect further instructions from the central government rather than relying on mechanisms that are safe in a pandemic. Most do not want to permanently change their regulations to prepare for the

eventuality of being in a democratic environment without personal contact. They prefer to be able to temporarily suspended the PB, to return to it, probably in the old version, when it is safe.

## Literature

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