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Between Civil Society and the Subsidiarity. Social Awareness of the Functioning of Non-Governmental Organizations – Research Analysis

Keywords: NGO's, foundations, associations, public benefit organizations

Słowa kluczowe: organizacje pozarządowe, fundacje, stowarzyszenia, organizacje pożytku publicznego

Abstract

The presented results relate to the study conducted in the period from December 2018 to March 2019, as part of the project “Law and the Economy. Challenges for Poland”². According to the latest statistics, the role of NGOs is very important from a social point of view. In the context of public trust, the situation of NGOs appears much better than, e.g. the situation of the government. Edelman Trust Barometer (2018) results show that 54% of the Polish society trusts NGOs. The business sector comes second (43%), media – third (34%), and the government – fourth and last (25%). By its definition, the non-governmental sector plays the role of a free electron between society and the broadly understood state. However, due to the fact, that the scope of activities of NGOs in social space is significant, and even some tasks of the government sector are carried out by non-governmental organizations, it was justified to verify the public awareness of their function-

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ing. The aim of the research was to verify how such a high trust index translates into social awareness within the area of NGOs³.

Streszczenie

Między społeczeństwem obywatelskim a zasadą pomocniczości. Społeczna świadomość funkcjonowania organizacji pozarządowych – wyniki badań

Prezentowane wyniki dotyczą projektu przeprowadzonego w okresie od grudnia 2018 r. do marca 2019 r. W ramach projektu „Prawo i gospodarka. Wyzwania dla Polski”⁴. Według najnowszych statystyk rola organizacji pozarządowych jest bardzo ważna ze społecznego punktu widzenia. W kontekście zaufania publicznego sytuacja organizacji pozarządowych wydaje się znacznie lepsza niż np. sytuacja rządu. Wyniki badania Edelman Trust Barometer (2018) pokazują, że 54% polskiego społeczeństwa ufa organizacjom pozarządowym. Sektor biznesowy zajmuje drugie miejsce (43%), media – trzecie (34%), a rząd – czwarte i ostatnie (25%). Z definicji sektor pozarządowy pełni rolę wolnego elektronu między społeczeństwem a szeroko rozumianym państwem. Jednak ze względu na to, że zakres działalności organizacji pozarządowych w przestrzeni społecznej jest znaczny, a nawet niektóre zadania sektora rządowego realizowane są przez organizacje pozarządowe, uzasadnione było zweryfikowanie świadomości społecznej na temat ich funkcjonowania. Celem badań było sprawdzenie, w jaki sposób tak wysoki wskaźnik zaufania przekłada się na świadomość społeczną w obszarze organizacji pozarządowych⁵.

³ An international trust and credibility test carried out by Edelman – a company specializing in marketing communications and public relations. The 2018 survey was conducted on a group of 33,000 respondents in 28 countries in the period from October 28 to November 20, 2017, and involved a 25-minute on-line survey; After: <https://goo.gl/cwqYRm>; (23.10.2019). The entire survey is available here: <https://www.edelman.com/trust-barometer>.

⁴ These studies were published in: *Regulacje prawne a funkcjonowanie polskiej gospodarki*, eds. A. Borcuch, K. Szwed, A. Krzysztofek, Kielce 2019; http://know-press.eu/?page_id=42 (23.10.2019). The aim of the project was to verify the effectiveness of legal regulations in the context of economic growth in Poland.

⁵ *Międzynarodowe badanie zaufania i wiarygodności realizowane przez firmę Edelman – specjalizującą się w komunikacji marketingowej i public relations. Sondaż z 2018. roku został przeprowadzony na grupie 33 000 respondentów w 28 krajach w okresie od 28 października do 20 listopada 2017 r. i polegał na 25-minutowej ankiecie on-line*; originally cited in: <https://goo.gl/cwqYRm>; (23.10.2019). Full studies are available on the website: <https://www.edelman.com/trust-barometer> (23.10.2019).



I. Introduction

Speaking of NGOs, we can say about some kind of prosperity, because there is no single definition in the Polish legal order of what such an organization is or can be. On one hand, NGO is defined by the Act of 24 April 2003 on public benefit activities and volunteering⁶, on the other hand, regulations regarding what is/what should be understood as a non-governmental organization can also be found in two other acts: on professional and social rehabilitation and employment disabled people⁷ and in the Act on employment promotion and labor market institutions⁸. In addition, the Constitution of the Republic of Poland does not refer in its content directly to non-governmental organizations⁹, but in Articles e.g. 12, 59 and 63 the Constitution refers to social organizations, although with a distinction on social organizations (Article 63), trade unions (Article 12 and 59), socio-professional organizations, associations, civic movements, other voluntary associations and foundations (Article 12), employers' organizations (Article 59). In the multitude of these terms, one thing is certain. Undoubtedly, these terms also include non-governmental organizations¹⁰.

Direct reference to the *subsidiarity principle* in the Preamble to the Polish Constitution allows for a presumption that it is the basic norm (one of) functioning in a democratic state¹¹. Similar optics was appropriate already for Thomas Paine, who wrote: “[...] man had to exist before governments arose. There was definitely a time when governments did not exist. If so, there were no rulers who could sign contracts with anyone. It is then a fact that it was individuals, sovereign and endowed with rights, who agreed with each other to form

⁶ Dz.U. No. 96, item 873 as amended.

⁷ Dz.U. 1997, No. 123, item 776 as amended.

⁸ Dz.U. 2004, No. 99, item 1001 as amended.

⁹ M. Babula, *Uwarunkowania prawne funkcjonowania organizacji pozarządowych*, [in:] *Regulacje prawne a funkcjonowanie...*, pp. 7–17; P. Kledzik, *Działalność organizacji pozarządowych na rzecz realizacji celów publicznych. Studium administracyjno-prawne*, Warsaw 2013.

¹⁰ P. Kledzik, op.cit., p. 57.

¹¹ M. Halszka Kurleto, *Organizacje pozarządowe w działalności pożytku publicznego*, Warsaw 2008, pp. 36–40.

a government. Only a government thus born has the right to exist, only in this way can a government be legitimized¹². Translating this into the legitimacy and purposefulness of non-governmental organizations, I would like to underline that it is reasonable and justified to find the answer to a question whether such a high trust given to NGOs is proportional to our knowledge of their practical scope of operation (both in procedures and possibilities). Of course, navigating in the sphere of concepts, one must reach the nucleus, and thus determine the core and vector of this subsidiarity. The more because, as Dorota Moroń writes, “the law creates a framework that can be filled by the actions of individuals independent of the state. Of course, legal norms alone do not make civil society, but without them, real civil society would not be possible¹³. Grzegorz Makowski makes an interesting analysis in this regard. The author cites a commentary to the law on public benefit activities and volunteering, indicating four aspects of this principle: autonomy, independent activity of citizens, cooperation and complementarity between citizens and public institutions in the pursuit of the general interest¹⁴. For civil society to exist, it is necessary to implement the rules of trust, shared responsibility, solidarity and care for the common good¹⁵.

Bearing in mind the results of the Edelman Trust Barometer cited in the abstract, a deeper reflection on two issues is justified. First, is the confidence of Polish society in NGOs reflected in the knowledge about the specifics and forms of NGO activities? Perhaps it is only a blind faith in ideals, which is a kind of alternative, also understood as a reaction to a low level of trust in government structures (on an action-reaction basis)¹⁶. Of course, it will be difficult to know the answer to such a question, therefore, the conducted research aims to look at/verify how high the percentage of trust translates into the socio-legal awareness of society. Especially that (and here the second issue

¹² T. Paine, *Rights of Man*, [in:] *Literary Classics of the US*, New York 1995, p. 467; C. Hitchens, *Thomas Paine, Prawa człowieka. Biografia*, Warsaw 2008, p. 96.

¹³ D. Moroń, *Organizacje pozarządowe – fundament społeczeństwa obywatelskiego*, Wrocław 2012, p. 77. For more about civil society see: M. du Vall, *Efektywność działań polskich organizacji pozarządowych w dobie nowych mediów*, Kraków 2017, pp. 40–44.

¹⁴ *Ibidem*, p. 108; H. Izdebski, *Ustawa o działalności pożytku publicznego i wolontariacie. Komentarz*, Warsaw 2003.

¹⁵ D. Moroń, *op.cit.*, p. 77.

¹⁶ For more about NGOs credibility see: P.A. Gourevitch, D.A. Lake, J. Gross Stein, *The credibility of Transnational NGOs*, New York 2012.

starts up) research conducted by CBOS in February 2018 indicates that 82% of Poles (four fifths) believe that by joint action with others one can achieve more than alone (the opposite opinion is 8% of respondents, i.e. every tenth)¹⁷. Still, it is quite interesting, that some people do indeed support the giving of aid even when they know that it does not necessarily have to be effective¹⁸.

II. Research. General Information

Quantitative research, in which 119 respondents took part, was carried out from April 1 to May 15, 2019. The study was dominated by women who constituted 75.6% of all respondents. The age structure of the respondents was as follows: 57.1% are people aged 18–24; 26.9% are people aged 25–34; 14.3% are people aged 35–44. The remaining part of the respondents were 55–64 years old (1.7%). The structure of respondents' education was as follows: 50.4% were people with secondary education; 49.6% are people with higher education. In turn, the majority of respondents indicated employed in the private sector as their current professional status.

Table 1. Education and age of respondents

Features of respondents	Frequency	Percent	Percent of valid
Education			
Medium/College	60	50,4	50,4
Higher/University	59	49,6	49,6
Age			
18–24	68	57,1	57,1
25–34	32	26,9	26,9
35–44	17	14,3	14,3
55–64	2	1,7	1,7

Source: Own study.

¹⁷ CBOS, *Gotowość Polaków do współpracy*, February 2018, p. 1; https://cbos.pl/SPISKOM.POL/2018/K_030_18.PDF (27.10.2019).

¹⁸ R.C. Riddell, *Does Foreign Aid Really Work*, New York 2007, pp. 114–117.

Respondents as current professional status primarily indicated: student (44.5%) and white-collar worker 40.3%.

Table 2. Occupational activity of respondents

Respondents features	Frequency	Percent
Student	53	44,5
White-collar worker	48	40,3
Worker	6	5,0
Running a bussiness	7	5,9
Unemployed	3	2,5
Other	2	1,7

Source: Own study.

The survey was conducted among hybrids of 9 provinces, with the largest group being the respondents from the Świętokrzyskie province (53.8%).

Table 3. Region of residence of respondents

Respondents features	Frequency	Percent
dolnośląskie	15	12,6
łódzkie	5	4,2
małopolskie	4	3,4
mazowieckie	14	11,8
podkarpackie	7	5,9
podlaskie	2	1,7
śląskie	5	4,2
świętokrzyskie	64	53,8
zachodniopomorskie	3	2,5

Source: Own study

People living in the countryside did not participate in the study. In relation to cities, the largest group were respondents from cities up to 20 thousand. Residents (38.7%).

Table 4. City of residence of respondents

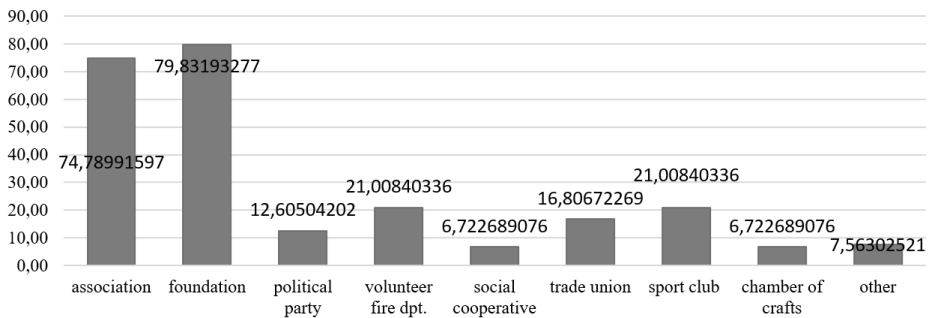
Respondents features	Frequency	Percent
City of up to 20k citizens	46	38,7
City of 20,1k–100k citizens	21	17,6
City of 101,1k–200k citizens	23	19,3
City of 200,1k–500k citizens	18	15,1
City of 501k and more citizens	11	9,2

Source: Own study.

III. Substantive Part of the Study

Respondents associate NGOs primarily with foundations (79.83%) and associations (74.79%).

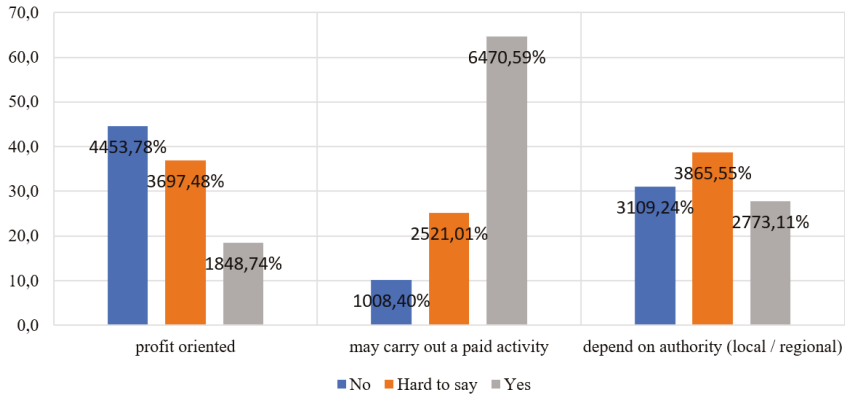
Chart 1. Distribution of answers to the question: What type of organization do you associate with NGOs? (data in%)



Source: Own study.

According to the respondents, NGOs are not profit-oriented (44.5%), but they can engage in gainful activity (64.7%).

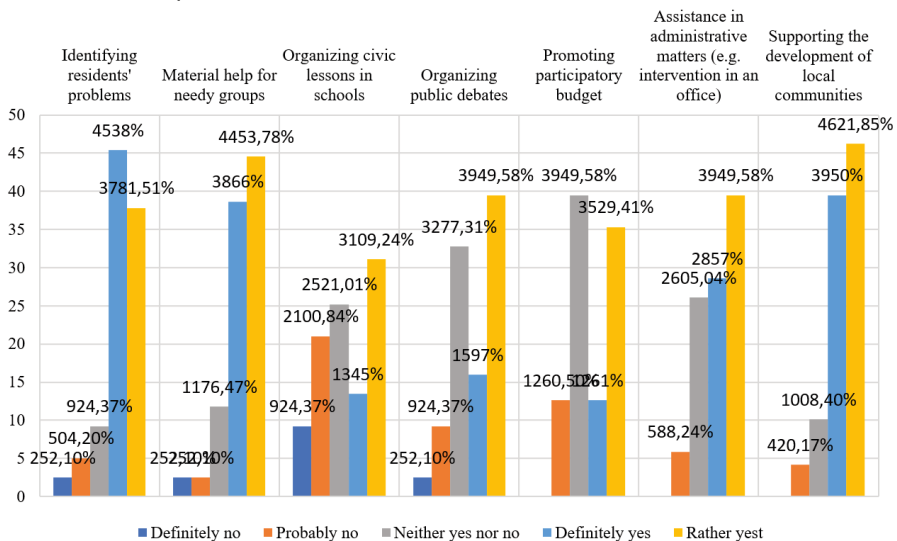
Chart 2. Distribution of answers to the question: In your opinion, NGOs... (data in%)



Source: Own study.

Respondents stated that the role of non-governmental organizations in the city should be primarily to recognize the problems of residents (45.4% – “definitely yes”), support the development of local communities (39.6% – “definitely yes”) and material help for groups those in need (38.7% – “definitely yes”).

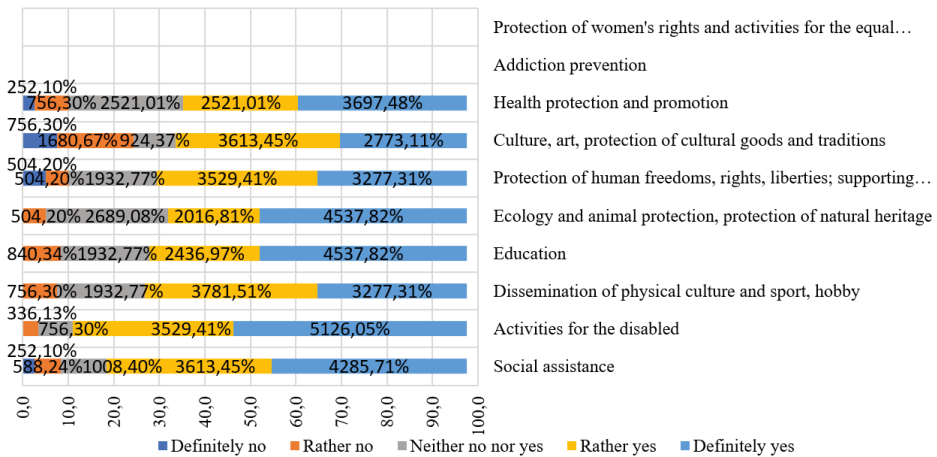
Chart 3. Distribution of answers to the question: In your opinion, the role of NGOs “in the city” should be: (data in%)



Source: Own study.

According to the respondents, the role of non-governmental organizations “in general” should primarily consist of actions for the benefit of the disabled (51.3% – “definitely yes”) and protection of human freedoms and rights, as well as activities supporting the development of democracy (49.6% – “Definitely yes”).

Chart 4. Distribution of answers to the question: In your opinion, the role of NGOs “in general” should be based on... (data in%)



The list omitted missing answers. Source: Own study.

Most respondents believe that only public benefit organizations (54.5%) are entitled to obtain 1% from personal income tax.

Table 5. Distribution of answers to the question: Please mark the answer that you think is correct¹⁹

Respondents features	Frequency	Percent
All NGOs can raise 1% from personal income tax	28	23,5
Only public benefit organizations are entitled to obtain 1% from personal income tax	65	54,6

Source: Own study.

¹⁹ 21.9% of respondents did not answer this question.

The analysis of the table below shows that Spearman's correlation coefficient values showed that there is a statistical relationship between public education and other "roles" of NGOs in the city.

The most significant correlation exists between the education of society and the promotion and protection of women's rights, and activities for equal rights for women and men ($Rho = ,0724$; $p < 0.001$).

Table 6. Spearman's correlation coefficient: the relationship between public education and the assessment of individual roles of NGOs in the city

		In your opinion: the role of NGOs in the city should consist of education of society
Social care	Rho Spearman's The significance	,356 ,000
Activities for the disabled	Rho Spearman's The significance	,448 ,000
Dissemination of physical culture and sport, hobby	Rho Spearman's The significance	,605 ,000
Ecology and animal protection and protection of natural heritage	Rho Spearman's The significance	,513 ,000
Protecting human freedoms and rights, as well as civil liberties, as well as development support measures	Rho Spearman's The significance	,703 ,000
Culture, art, protection of cultural goods and traditions	Rho Spearman's The significance	,576 ,000
Health protection and promotion	Rho Spearman's The significance	,630 ,000
Addiction prevention	Rho Spearman's The significance	,643 ,000
Dissemination and protection of women's rights and activities for the equal rights of women and men	Rho Spearman's The significance	,727 ,000

Source: Own study.

The analysis of the table below indicates that the Spearman's correlation coefficient values showed that there is a statistical relationship between the promotion and protection of women's rights and activities for the equal rights of women and

men, and other “roles” of NGOs in the city. The most significant correlations occurred between the dissemination and protection of women’s rights and activities for the equal rights of women and men, and health protection and promotion (Rho = ,0789; p <0.001); protection of human freedoms and rights as well as civil liberties as well as development support measures (Rho = ,0763; p <0.001); education of society (Rho = ,0727; p <0.001); addiction prevention (Rho = ,0725; p <0.001) and dissemination of physical culture and sport, hobby (Rho = ,0701; p <0.001).

Table 7. Spearman’s correlation coefficient: the relationship between “Dissemination and protection of women’s rights and activities for the equal rights of women and men” and the assessment of individual roles of NGOs in the city

		In your opinion: the role of NGOs in the city should consist of: Dissemination and protection of women’s rights and activities for the equal rights of women and men
Social care	Rho Spearman’s The significance	,447 ,000
Activities for the disabled	Rho Spearman’s The significance	,519 ,000
Dissemination of physical culture and sport, hobby	Rho Spearman’s The significance	,701 ,000
Public education	Rho Spearman’s The significance	,727 ,000
Ecology and animal protection and protection of natural heritage	Rho Spearman’s The significance	,692 ,000
Protecting human freedoms and rights, as well as civil liberties, as well as development support measures	Rho Spearman’s The significance	,763 ,000
Culture, art, protection of cultural goods and traditions	Rho Spearman’s The significance	,731 ,000
Health protection and promotion	Rho Spearman’s The significance	,789 ,000
Addiction prevention	Rho Spearman’s The significance	,725 ,000

Source: Own study.

Analysis by Student's t-test for independent samples showed that the role of NGOs in the city should consist of social assistance for students ($M = 4.32$; $SD = 0.827$) is statistically significantly higher than for white-collar workers ($M = 3.71$; $SD = 1.557$), $t(118) = 2.432$; $p < 0.018$.

Table 8. The average together with the standard deviation and the value of the Student's t test: in your opinion, the role of NGOs "in the city" should consist in...

	Student		White collar worker		Test t-Student	
	M	SD	M	SD	t	p
Social care	4,32	,827	3,71	1,557	2,432	,018
Activities for the disabled	4,40	,599	4,23	1,356	,787	,434
Dissemination of physical culture and sport, hobby	3,68	,894	4,10	1,372	-1,861	,066
Public education	3,96	,784	3,96	1,543	,016	,987
Ecology and animal protection and protection of natural heritage	4,04	,919	3,75	1,578	1,105	,273
Protecting human freedoms and rights, as well as civil liberties, as well as development support measures	4,21	,863	4,31	1,257	-,493	,623
Culture, art, protection of cultural goods and traditions	3,75	1,090	4,17	1,326	-1,711	,090
Health protection and promotion	3,77	1,103	3,63	1,539	,553	,582
Addiction prevention	3,55	1,234	3,42	1,569	,461	,646
Dissemination and protection of women's rights and activities for the equal rights of women and men	3,87	1,001	3,77	1,519	,375	,709

Source: Own study.

The following table shows the value of the chi-square test, which is: $\text{Chi-square} = 35.062$; $p < 0.001$. This means that there are grounds to believe that the opinion of NGOs: they are dependent on (local/regional) authority and the place of confusion is interrelated. Analyzing the frequencies in the table, we can see that the inhabitants of larger cities more

often than smaller believed that NGOs: are dependent on (local/regional) authorities.

Table 9. In your opinion, NGOs: are dependent on (local/regional) government

		No	Hard to say	Yes
City of up to 20k citizens	Quantity	12	25	6
	Expected numbers	13,7	17,1	12,2
City of 20,1k–100 k citizens	Quantity	0	9	12
	Expected numbers	6,7	8,3	6,0
City of 101,1k–200k citizens	Quantity	10	4	9
	Expected numbers	7,3	9,1	6,5
City of 200,1k–500k citizens	Quantity	7	5	6
	Expected numbers	5,7	7,1	5,1
City of 501k and more citizens	Quantity	8	3	0
	Expected numbers	3,5	4,4	3,1

Source: Own study.

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