

Forms of citizens' participation in governing the socialist state

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In a view of putting into effect the idea of people's sovereignty, in Poland — like in other socialist countries — the virtual significance is attached to the representative system. The very fact that it is a multi-level system of representative bodies in the form of people's councils acting in every territorial unit — in every rural community or town from the bottom up to the top level representative body, the Sejm (the Parliament) as the highest organ of state authority — makes that this system is recognized as the basic form of the rule of working people (1). The Article 2 of the Constitution of the Polish People's Republic, of 1952, say that « the working people wield state authority through their representatives elected to the Sejm of the Polish People's Republic and to the people's councils... ». The recognition of necessity, and the acknowledgement to a highest importance of the organs of indirect democracy (representative bodies) within the framework of state organs does not mean, however, that direct forms of democracy are excluded.

That is also the reason why in the socialist constitutionalism, from the very beginning of its existence, it has been recognized that is necessary to fulfill and to enrich the forms of indirect (representative) democracy by the forms of direct democracy in order to make in this way a comprehensive condition for all citizens to influence upon public affairs directly, and not only through the representative organs of the state authority. Referring to the experiences of Jacobins in the French Revo-

(1) In Poland on January 1, of 1973 were functioning 4.570 people's councils including among them 22 voivodship people's councils, 314 district people's, and 2.366 communal people's councils. In the 1969 election 165.000 councillors were elected for a four year to people's councils of all levels.

lution (2), and to generalized by Marx and Engels experiences of the Paris Commune (3), Lenin especially emphasized the principle of linking together indirect democracy with forms of the direct one.

The Lenin's idea of linking together the indirect democracy with forms of the direct one was set against two trends. Firstly, against the utopian one which identifies a critique of the bourgeois parliamentarism with a negative attitude to the idea of representation at all (4). Secondly, against the trend of negation any importance whatever of forms of the direct democracy in the modern state (5).

The inequity of both these trends has become more and more evident. As it is impossible to imagine in a modern state a system of government performed exclusively by methods of direct democracy (without any representative bodies), so in an equal degree, the awareness of fact that traditional parliamentary forms have proved insufficient, and do not satisfy the needs of modern times (6), becomes in some measures

(2) For the Jacobins' point of view in this matter as most characteristic may be regarded Robespierre's words: « Democracy that is a such state, in which sovereign people governed by laws enacted by itself is doing oneself all that it can do, but through its representatives all that what it cannot do ». This formulation allowing for the necessity to link together of the direct and indirect democracy, emphasizes role of the direct democracy, considering simultaneously the indirect democracy as supplementing the formes.

(3) The experiences of the Commune of Paris impact the socialist constitutionalism through its conceptions assuming the unity of legislative and executive power as well as a broad participation of the society in the government of state and the administration of justice. Cf I. GRAJEWSKA: *Komuna Paryska 1871. Zagadnienia władzy ludu (Commune of Paris of 1871. Problem of the Power of the People)*, Warszawa, 1971.

(4) The abandonment of the bourgeois parliamentarism — as Lenin stressed — « does not consist in the elimination of representative institutions and the elections but it do in the transformation of representative institutions from institutions to gab into working institutions ». Cf I. LENIN: *Works*, Polish Edition, Vol. 25, Warszawa, p. 454.

(5) Actually those trends find their most emphatic expression in technocratic conception, which regard the prospective of the « government of technocracy » as an objective necessity of development, and put forward a proposition to the effect that together with technical progress and a sharpening the social division of work will advance the process of the concentration of power in the hands of a narrow more and more elite. This statement is the main idea of A.F.K. ORGANSKY's book *The Stages of Political Development*, New York, 1967.

(6) Characteristic from this point of view is the critique of parliamentarism given by M. JAROSZYNSKI, who wrote: « The influence exerted by the citizen on public affairs exclusively through the Parliament and elections is more than insufficient. In fact it is reduced to a rare, and so to say, very ceremonial act of casting the voting paper into the ballot-box. The citizen's entire, everyday life remains beyond it incessantly catching on public matters, especially those held by administration... In general it could be said that even in a perfect but centralistically organized administration the distance between the average man, especially the one living in far-away provinces, and the state represented by the central organs, is too large and in — direct for that citizen to not only understand but even feel that the state affairs are his own affairs ». M. JAROSZYNSKI: *Zagadnienia samorządu (Problems of local government)*. Part I. London, 1942, pp. 25-27.

more universal. The cognizance of this fact seems to be every day often acknowledged by the western writers on political science (7).

The principle of linking together indirect democracy with forms of the direct one has found its expression in the Polish Constitution of 1952, still being in force. Thus Art. 2, mentioned above, which confirms the principle of representation, is strictly connected with Art. 5 in which has been laid down the principle of the participation of working people in governing the State and in that context there are imposed definite duties on organs of the State (8). Both Art. 2 and Art. 5 cannot be considered separately from the other constitutional provisions which call into being another legal institutions providing to a direct participation of citizens in making decisions on the public affairs. In Art. 49 of the same Constitution, for instance, has been set up the institution of people's assessors in the state courts (9).

The constitutional provisions, quoted above, testify to the fact that the idea of linking together indirect democracy with the forms of the direct one has found its expression in the Polish Constitution of 1952, and in that way was recognized as one of the fundamental principles of the political system of the Polish People's Republic (10).

The second characteristic feature of the approach of the socialist constitutionalism, to the matter at issue, is its treatment of the forms of the

(7) E. Kalk says: « present system of representative parliamentary democracy mainly represents its own interests and those of its signatories, but hardly the interests of the people it is supposed to serve ». The author asserts in his conclusions that: « We can only hope and work for a better society, when the principle of participation and self-government will be introduced gradually in all sectors of society in such areas as housing, urban renewal and development, education, and in such places as our offices, our industries and our schools ». Cf E. KALK: *The impossible participation*. Introductory paper for the IULA Congress on Citizen Participation and Local Government. 11-16 October, 1971. Zagreb, Yugoslavia, p. 4 and 79.

(8) Art. 5 of the Constitution reads: « All organs of State power and administration are supported in the exercise of their functions by the conscious and active cooperation of the broadest masses of the people, and they are bound:

1. to account to the people for their work;
2. to examine carefully and take into consideration, in accordance with existing legislation, reasonable proposals, complaints and wishes of the citizens;
3. to explain to the working people the fundamental aims and guiding principles of the policy of the People's Authority in the various fields of state public, economic and cultural activities ».

(9) Art. 49 of the Constitution reads: « People's assessors take part in the hearing of cases and the pronouncement of judgement, except in cases specified by law ».

(10) It has, however, found only a partial expression in the Constitution, what first of all is due to the fact that the Constitution of the Polish People's Republic was enacted in 1952 i.e. in the initial period of people's power in Poland. A number of constitutions of socialist countries recently enacted approaches these questions in a more distinct way. And thus the constitution of the People's Republic of Bulgaria states in the Article 2 that « the people exercises the power through freely elected representative organs — the National Assembly and the people's councils — or directly ».

direct democracy, is much broader sense than in the other doctrines. It differs both from a concept of direct democracy as it appeared in the Antiquity and from construction of direct democracy of the eighteenth century.

In the Antiquity direct democracy was interpreted as the government of all citizens enjoying political rights realized in form of a periodically summoned people's assembly. This concept identifying direct democracy with the institution of people's assembly prevailed until the half of the eighteenth century.

In the modern period the concept of direct democracy was based on the idea of « the public will » realized in the form of universal suffrage. In that period the institution of referendum (including the people's veto and people's proposition of a bill) was identified with forms of direct democracy. This attitude was being associated with the reduction of the forms of direct democracy almost exclusively to a legislative procedure, what limits (and even denies) the possibility of their application in other spheres of the state's activities. In consequence it is not hardly to see in this way of thinking a fairly clear contrasting with each other both forms of democracy (11).

There is no doubt that the socialist constitutionalism is opening a new era in the approach to the concept of direct democracy. A large treatment of the direct democracy, as it has already been mentioned, is disclosed in the following features.

1. The forms of direct democracy in socialist constitutionalism are not limited to the field of legislation only, but they extend on the whole scope of state authority so on the sphere of the executive branch of government as well as the administration of justice (12).

2. The forms of direct democracy are not only limited to those ones which enable an universal participation of all citizens in decision-making by voting, as e.g. by referendum. But it should be included to them also such forms which ensure participation of several groups of citizens in governing, e.g., the village's assembly in the countryside.

(11) Cf A. ESMEIN : *Droit constitutionnel*, Paris, 1921, p. 233.

(12) As Lenin emphasized, it is the question of ensuring an active participation of the working people « not only in discussing the general directives, decisions and statutes, not only in control over their implementation, but also directly in their implementation ». It is essential to « engage the entire population with no exception into the participation in Soviet organization... and to serve in the field of governing the State ». LENIN : *O pracy radzieckiego aparatu państwowego (On the Work of the Soviet State Apparatus)*, Warszawa, 1956, pp. 72 and 68.

3. It must be remembered also that in the socialist constitutionalism there are included to the forms of direct democracy not only those ones in which the people declares its will in powerful way (e.g. in referendum of binding force) — but various forms of advisory character (e.g. the people's consultation on the bills being under the Sejm's deliberation) or forms of civic control (e.g. the Labor Inspection attached to the Trade Unions), too.

Such a vast sense of direct democracy is of essential importance for the development of institutional forms what gives a large extent of possibilities for citizens' impact the public affairs.

Apart from the institutionalized forms of indirect and direct democracy, it may be remembered of citizens' contribution in governing the socialist state, which are performed by their participation in the political parties — or influence on their activities — the trade unions and other civic organizations allied in mass civic movement known in Poland as the Front of National Unity.

In order to elicit a different approach of the socialist constitutionalism to the direct democracy is should be distinguished the traditional forms of direct democracy (i.e. direct democracy *sensu stricto*, like referendum, people's veto and so on) from the direct democracy *sensu largo*, covering those forms of citizens' direct participation in governing the state (decision-making process on public affairs) which outstep beyond the representative system. And then they are not included into the forms of indirect democracy.

In political science till now there is no uniform classification of the forms of direct democracy in socialist countries. In the light of the hitherto existing political practice of the functioning of the forms of direct democracy the following criteria may be accepted as a basis for their classification: 1) a way of the exercising the state authority, 2) their territorial extent, and 3) their legal effectiveness.

Taking as the ground for classification the first of the mentioned above criteria it may be distinguished following forms of the direct democracy.

1. The first of all there are the forms of contribution of citizens in activities of the organs of state authority i.e. the Sejm and the people's councils. Forms of people's consultation which lies in a participation of citizens in public discussion on parliamentary bills or draft resolutions of people's councils, should first of all be included in that sort of forms of direct democracy. The range of that consultation varies according to the rank of the parliamentary bills or people's council's resolution. There are many interesting examples of public discussions on the parlia-

mentary bills of last ten years (13). The most essential — from the view point of interests of local population — resolutions of the people's councils become the subject of consultation with a local community. In recent years a consultation with the crews of big state enterprises with reference to important public decisions has acquired an ever-increasing rôle.

All these forms are of essential importance both from the point of view of the elaboration of the optimal legal solutions and shaping the political and legal culture of the society.

Here we may indicate also the form of participation in legislation in way of referendum (14).

Another form of a community's participation in the activities of state organs on local level are the standing commissions of people's councils composed, next to councillors, of citizens elected by the people's council itself. Their number cannot exceed the half of a full number of the commission's member. Taking into account the fact that the standing commissions of this kind are acting on all levels of the people's councils (in all about 33 thousands), it is possible to include 80-100 thousands of local organizers of social activists, being not elected directly to the people's councils, in the exercise of important advisory and civic control functions performed by those commissions.

2. The second group of forms of citizens' participation in governing the socialist state is a participation in the activities of the organs of state administration. It is the question of various citizens' teams, which perform advisory and civic control functions, assisting the organs of state administration on the central as well as on the local levels. These teams, functioning as civic organs, through their consultative activities impact the administration organs' policy and through their controlling activities contribute to the implementation of that policy.

Talking about citizens' teams we take into account only a some collective bodies functioning within the system of administrative organs. « On the civic character of the team decides its composition, comprising either

(13) Thus public consultation had a widest scope in case of all-nation discussion in 1952 on the draft of Constitution. Vast participation of citizens was noted in the discussions on such bills as the Civil Code and Family Code (in 1962 and 1963), the Penal Code (in 1968 and 1969) and the Code on Non-indictable Offenses (in 1970 and 1971).

(14) The Constitution of the Polish People's Republic does not mention either the constitutional referendum or a possibility to pass laws by way of the referendum. It cannot, however, be concluded from that fact the Sejm's resolution on putting a bill to the referendum would not be in accordance with the constitution.

exclusively or in the overwhelming majority the civic factor (15), (elected or nominated one). Thus various administrative collective bodies composed of civil servants, or invited experts, do not constitute citizens' teams even if several representatives of population participate among them... Citizens' teams are appointed directly or indirectly by the people's councils, and constitute an extension of representative bodies in the administration » (16).

Among citizens' teams in the administration can be distinguished :

a) Collective bodies, composed of elected civic factor, to which are granted the status of administrative boards and which acting as local organs of administration, such as e.g. civic committees for physical culture and tourism ;

b) Collective bodies of the civic character attached to the presidia of people's councils not granted the status equal to administrative board but vested in autonomous powers, such as e.g. commissions for non-indictable offences ;

c) Citizens' teams, attached to the presidia of people's councils or to their administrative boards taking individual decisions in specific kind of matters, such as e.g. commissions on land or license taxes, commissions for allotment of residence or commissions on state-owned apartments ;

d) Citizens' teams, called into being by the presidia of people's councils, or their administrative boards, acting in advisory capacity, such as e.g. scientific and technical councils attached to Voivodship (County) People's Councils or advisory commissions attached to local boards of trade and industry (to advise on decision-making in the fields of granting license to run private trade, handicraft of services) (17).

Proceeding from different assumptions Z. Rybicki carries out another classification indicating that the civic factor put in appearance within the system of People's Councils in three basic organizational forms as follows :

(15) The term « civic factor » is generally in use in political language in Poland and it means the participation in public activities of laymen in opposition to professionals : civil servants, career judges and so on.

(16) Cf Z. IZDEBSKI : *Zespoły obywatelskie w administracji jako wyraz realizacji konstytucyjnej zasady udziału mas w rządzeniu państwem (Citizens' Teams in the Administration as an Expression of the Realization of the Constitutional Principle of Participation of the People in Governing the State). Problems of the People's Councils*, nr 1/1964, p. 64.

(17) This classification is based on proposals formulated by Z. IZDEBSKI. See above, p. 129.

a) As singled-out organs with an autonomous powers granted by statutes, such as e.g. the People's Council itself acting on a session, the standing commissions of the People's Council or commission for non-indictable offences ;

b) As singled-out organs of advisory character (e.g. technical and economic councils) ;

c) As a participation of the civic factor in bodies of mixed composition (or professional and civic factors) with various scopes of competence, such as e.g. commissions of revision for taxes and commissions on state-owned apartments, as well as local commissions for economic planning of local committees for physical culture (18).

In fact there is no branch of administration which would not be based on broad participation of citizens. This involves the traditional state administration as well as economic and social services rendered by several state enterprises of state institutions. Shop committees in co-operative or state-owned shops, parents' or tutorial committees at schools, voluntary teams of citizens to maintain public order in residential estates, civic councils called into being at social and cultural centers, and so on, can serve as a further examples (19).

3. Another form of citizens' participation in public life is their contribution to the administration of justice and to the conciliation of disputes. In this respect the position of people's assessors, based on the Act of 1960, is of fundamental importance. This Act has given possibilities for about 45 thousands of citizens to taking part directly in the adjudication of civil and criminal courts on equal rights with career judges.

When it is remembered that cases settled by courts are of vital importance from the viewpoint of safeguarding both the State's interests and the civil rights, the taking part of people's assessors at the state

(18) Cf Z. RYBICKI : *System Rad Narodowych w PRL (The System of People's Councils in Polish People's Republic)*, Warszawa, 1971, p. 313. By the « civic factor » the Author defines « ...such individuals or teams, which realize by a relatively permanent and organized way certain general tasks not treating these functions professionally, while eventual allowance acquired for the execution of these functions do not constitute payment for the work performed » (*ibidem*, p. 312).

(19) Participation of the « civic factor » is particularly marked in the field of social welfare. Thus for instance in the Warsaw central district of 200.000 inhabitants, the social welfare problems are handled professionally by 8 civil servants in collaboration with the nonprofessional 236 social tutors (in residential estates in workshops and in schools). Thus beside the professional factor the civic factor is widely represented and it participates in the distribution of 20 million zł a year in that district for the social welfare purposes. The number of nonprofessional social tutors throughout the country amount to 64.000.

courts' trials is of a great significance as one of forms of citizens' participation in dealing public affairs (20).

Commissions for non-indictable offences, attached to the presidia of people's councils, are also of essential importance in that field. In accordance with the Act of 1971 these commissions are collective civic bodies which can pass sentences of arrest, or restricted liberty, up to the period of three months as well as impose fines.

Both people's assessors and members of commissions for non-indictable offences are elected by people's councils, for 4 years, from among candidates proposed by crews of workshops, village's assemblies or by political and civic organizations. In 1971 through-out Poland people's councils had elected to these commissions about 22 thousands of local civic leaders of high involvement in public affairs.

Next form of citizens' participation in this sphere of public life are conciliation commissions acting in state enterprises, which settle individual disputes resulting from industrial relations. In nearly 8.000 conciliation commissions about 24 thousands of employees' representatives take their seats beside representatives of enterprises' managing staff.

Last but not least form of citizens' contribution to the administration of justice and conciliation of disputes are civic courts acting in accordance with Act of 1965. These courts, being purely civic bodies, put in an appearance in two different forms — as the worker's courts and as the civic reconciliation commissions.

Worker's courts are called into being in workshops, mainly in industrial factories, under the protection of the trade unions. They are elected by crews of workshops and they are established to settle some cases of minor law-breakings as well as cases resulting from infringement of social principles of living together.

The civic reconciliation commissions are acting on the other hand in smallest local territorial units both in towns and in the countryside. They are called into being by the community of given local territorial unit under the protection of local organizations of the Front of National Unity. These commissions function on the basis of disunited parties' own will to go before such commission, instead of going before the state court. The civic reconciliation commissions in case of neighbours conflicts first of all try to reconcile such disunited parties. These commissions are

(20) Juvenile courts can serve as an example of the particular assistance provided by «civic factor». Thus the juvenile court of Warsaw staffed with 8 career tutors performs its functions in collaboration with the 120 people's assessors, 320 social tutors and 150 social inspectors. Activities of professional social tutors are assisted throughout the country by 8.195 nonprofessional tutors.

endowed with moral and educational measures only. The element of punishment and repression is totally eliminated from their powers (21).

In case of civic courts the «civic factor» decides alone (without participation of «professional factor», i.e. career judges or civil servants) on matters transferred by statutes from state courts' cognizance to civic courts.

4. Forms of citizens' participation in the shape of various types of civic self-government are worthy of special noticing. They appear under Polish conditions in the following types :

- a) workers' self-government in state enterprises ;
- b) peasants' self-government in the countryside ;
- c) residents' self-government of urban population in their place of residence ;
- d) the co-operative self-government.

To include the civic self-government into the set of forms of direct democracy is rightfull inasmuch as it is not covered by the representative system and certainly oversteps its limits. On the other hand, however, one should show a number of self-government's characteristic features which do not permit us to classify it into forms of direct democracy. Thus we have to deal with a complicated composition, difficult to examine in categories of classic democracy, the both direct and indirect one, for following reasons.

1. The civic self-government is not included in the system of state organs and should be treated as non-state forms of the organization of public life. In this sense it is not covered by the classic concept of democracy as a form of the organization of the state. In a case of civic self-government we have to deal in a certain measure with a transfer of functions of the state to the community itself and its self-governmental organizations. It could then be seen as a symptom of the transformation of the state into a form of the social and political system of the future, i.e. communist self-government.

2. The civic self-government appears both in indirect forms (e.g. workers' council as a representation of crews in factories or residential

(21) The goals of setting up of the civic courts are explained in the preamble to the Act of 1965, on Civic Courts. They are called into being «to support the civic initiative, pronounced by crews of workshops and inhabitants of town and country themselves, providing to ground the social principles of living together ; to present disputes and to advance correct human relations as well as to safeguard the public order and the respect of law ».

estate committee as a representation of a group of the urban population) and in the direct ones (e.g. meeting of the full crew of a factory, meeting of inhabitants of a block of flats, village's assembly, and the like).

For the above stated reasons it would be right to consider civic self-government as a form of citizens' participation in handling common economic and social problems, much the same — it is true — like the classic forms of indirect and direct democracy, but differing none the less from both.

In spite of these theoretical difficulties in reference to classification of the forms of socialist democracy, however, those various types of the civic self-government provide to the citizens conditions for a direct influence on the management of public affairs, and on handling the common problems of given community. This important function of civic self-government is doubtless and unquestionable.

From the viewpoint of development of the socialist democracy the establishment of workers' self-government has been of a particular importance. In accordance with the Act of 1958, on workers' self-government, it is a form of the participation of crew in the management of socialist enterprises. Owing to the powers, vested in its organs, to vote economic plans of production for enterprise, to repartition of the special fund being at a disposal of the crew, etc., the workers' self-government plays an important role in the process of the administration of national economy. In the organs of workers' self-government in 8 275 state enterprises over 90 thousands workers are elected to the workers' councils and about 260 thousands members are taking seats at workers' self-government conferences.

What is concern with forms of peasants' self-government in the country, we have to mentioned above all the agriculture circles which exist in fact in every village. They are a mass form of autonomous farmers' organization to improve the agricultural production, to set up common mechanical parks, and so on.

The village's assembly in which adult inhabitants of a given village participate is a universal form of direct democracy in the countryside. In all over the country about 140 thousands village's assemblies are held a year. These assemblies give possibilities to the rural population to express their opinions on the activity of the Communal People's Councils (people's councils of a lowest level in the countryside), of communal offices and other rural institutions, to submit claims adressed to authorities of various levels as well as to solve in their own capacity, and within the framework of their village, a number of problems by voluntarily taking up common actions aiming at the improvement of living standarts of the population. Village's assemblies vote resolutions on self-taxation

for the given purpose (e.g. for a construction of social and cultural centers, a recreation hall, a firestation and so on).

In urban areas, where now live over 50 per cent of the Poland's population, the residents' self-government has significant functions to play. The Act of 1958, on people's councils, creates a legal basis for its activity. According to the Art. 72 of this Act «block of flats' committees (residential estate's committees, house's committees or street's committees) are set up in the urban areas as a permanent representation of residents and are called for strengthening ties between municipal (district) people's councils and inhabitants of towns as well as to ensure a cooperation of the inhabitants with people's councils in the fields of: carefulness about buildings and their surroundings, management of houses, improvement of living and cultural standards of the residents and putting to a good use of their civic initiative.»

In 1971 there existed in every town all over Poland nearly 1.500 residential estate's committees, 8.500 block of flats' committees and 24.000 house's committees with about 166 thousand members. The scope of activity of those civic bodies of the residents' self-government is very wide, and it pertains: the housing management, the educational and cultural activities, the health protection and social welfare, the public order, and the organization of public services in given residential estate.

Organs of residents' self-government in field of the housing management have, for example, the rights to control the administration board of their estate, to vote plans of capital renovations of apartment houses, to take part in buildings inspections. In sphere of the educational and cultural activities they collaborate with local cultural and social centers in the province of taking care of children, of organization of leisure for children and youth, as well as they take initiative in doing the common inhabitants efforts for building children's playgrounds, sports fields or grass plots. In domaine of the health protection and social welfare residents' self-government bodies stimulate forms of mutual neighborly aid and take care of sick and lonely persons. What is concern with public order they are acting for confirmation of the social principles of living together as well as for the elimination of quarrels and disputes between tenants. In field of the organization of public services residents' self-government has, among others, the rights to lay inhabitants' claims or pronounce their opinion on tracing public transport lines, and dislocation its stops, in area of given residential estate or to be consulted in placing of shops and other services network, and so on.

The exemplified above functions of the residents' self-government provide vast possibilities for the urban population to influence (not merely by their representatives elected to people's councils) the governing of their

town and strengthens the ties between municipal authorities and the community of residents (22).

The rôle of cooperative self-government is closely linked with the fact that in the cooperative movement take part about 13 million members. In various organs of the cooperative self-government functioning in all branches of that movement there are about 400 thousands cooperativists.

The importance of all these forms of the civic self-government was particularly emphasized in the resolution of the Sixth Congress of the Polish United Workers' Party, and was expressed in the following words: « The constant raise of the role of workers' and peasants' self-government, of residents' self-government, should contribute to the development of socialist democracy... » « ... Workers' self-government, peasants' self-government and residents' self-government, like the autonomous functions of the civic, professional and cooperative mass organizations together with the democratic, representative institutions — are the uniform political system of a socialist state » (23).

The whole set of forms of direct democracy as well as various types of self-government presented above merely for illustration provides, within the framework of legal system enacted by the state organs, possibilities for a broad participation of citizens in the process of governing the socialist state and for solving problems which directly interest them.

As far as the territorial extent is concerned (admitted as the second criterion of classification), these forms can be divide into those of the all-over the country extent (e.g. people's consultation on draft of a constitution of a bill), or those of a local extent, within the limits of a definite territorial unit, as well as those of the « branch » extent (within the limits of a definite section of administration or social relations), e.g. the parents' committees at schools or the conferences of workers, self-government in the state enterprises.

When, however, legal effectiveness is taken as a ground for classification the following forms of direct democracy can be distinguished:

- a) forms of advisory character;

(22) Residents' self-government in Warsaw illustrates this point. Warsaw's representation amounts at present of 150 councillors in the Warsaw People's Council and 560 councillors in District People's Councils. Owing to the setting up of 160 residential estate's committees and 707 block of flats' committees a possibility arose to include about 12.000 local civic leaders to collaboration with the municipal authorities as well as to exercise of control over various activities of the municipal services.

(23) Cf *For a Further Socialist Development of the Polish People's Republic*, Resolution of the Sixth Congress of the Polish United Workers Party. Warszawa, 1971, p. 47.

b) forms of the binding force in cases when a civic organ is granted powers to make decisions of a power full character ;

c) forms of participation in decision-making (e.g. participation of people's assessors in the state courts ;

d) forms of civic control.

Emphasizing the importance of the forms of direct democracy in the social and political system in socialist countries it is necessary to draw attention moreover to the following facts :

1. Owing to the mass character of these « small forms » of democracy this is possible to engage a very large group of citizens in the public affairs, and in fact a much broader group than would be possible within the framework of the representative system only.

2. Variety and flexibility of these forms allow for a certain specialization of the « civic factor » and of engaging in public affairs citizens of various, and sometimes a very narrow and specialized interests ; this gives a possibility to enlarge the circle of local civic leaders and to increase their initiative.

3. Direct forms of socialist democracy give a possibility for confrontation of opinions of the « civic factor » with proposals and attitudes of the professional-officials on every level and in every branch of the state administration, what means an enlargement of the range of ways in the struggle with the bureaucracy.

4. Forms of direct democracy pertain to those fields of public life which are closely connected with meeting the most vital everyday needs of the citizens ; this makes the ties between the state apparatus and the society more solid.

As has been emphasized before, forms of direct democracy appear in close connection with the functioning of the representative system. It is however necessary to see in a more comprehensive versatile and complex light the close connection of both. It is, among others, manifested by the fact, that on the one hand within the framework of the representative system put in an appearance a whole set of elements of citizens' direct participation and on the other hand, in various forms of direct democracy exist many elements of indirectness.

What is concern the principle of directness within the framework of the representative system, it must be remembered above all, of direct suffrage in elections of Sejm and people's councils as well of the constitutional duty of the people's representatives (the both members

of the Sejm and councillors) involved in the socialist imperative mandate to reports to their constituents. This duty implies from the concept of socialist imperative mandate and the principle of direct political responsibility of representatives to their constituents. Much the same is with the vital in Poland institution of postulates submitted to the representatives by constituents both in the course of electoral campaign and during the term of office. At the same time the elements of indirectness (representation) appear in various forms of direct democracy, particularly in forms of self-government as it has already been stated above. Those examples illustrate such a close connection is between the forms of indirect and direct democracy and that drawing in many cases a distinct line between them presents serious difficulties.

While indicating that close connection and the significance of the forms of direct democracy, it is nevertheless necessary to emphasize that they can in no way substitute for the forms of indirect democracy. Analogically the representative system cannot ensure advantages which give the forms of the direct democracy. This points to another subjection, namely to a close connection between strengthening the role and importance of representative organs in the mechanism of state authority and raising the rank and fuller use of the forms of direct democracy.

As forms of the direct democracy are incapable to substitute for the forms of indirect democracy they are also incapable to substitute for the organs of state administration. Thus there is no contradiction — on the contrary, there is a close connection between raising the rank of the forms of indirect and direct democracy and the necessity for a further improvement and modernization of state administration. To raise the standards of work of the state apparatus administration is not only one of the fundamental premises of the realization of socialist development programme but also one of the factors determining the enlargement of the people's participation in governing the socialist state. That participation could not be effective without the implementation by the civil service of directives from the representative organs, elected by the population, and drawing conclusions from the rank and file's critique.

The increase of citizens' participation in governing the socialist state should be regarded as a long term process. It is depend on many factors of political, economic, cultural, technical and organizational nature. The fundamental premise of the increase of that participation in socialist countries is the very nature of the state authority of working people as well as the socialist nationalization of means of production, being the economic basis for the integration the society. Much the same is with growth of the general standards of living and cultural life as well as the increase of a dimension of time of working off. These factors, too,

should be included in general premises which play an important role in this process jointly with the correct both legal and institutional solutions of that problem. The increase of the effectiveness of the already existing forms of socialist democracy depends at the present moment to a large extent on the composition of representative organs and various citizens' teams. This is closely connected with the standard of bargaining of civic leaders for performing functions entrusted to them and with putting to a good use of the democratic institutions, what in turn is closely connected with the raise of the standard of the political culture of the society as a whole. It also demands a development of research on factors stimulating or impeding the increase of citizens' participation in governing the socialist state, what is one of the important tasks facing political sciences.

