1. Introduction

The research task: ‘Public Participation in Spatial Planning and Formation of Space – Change Directions’ was carried out in the Institute of Space Management and Housing in 2013-2014. The task manager was Waldemar Siemiński and his assistant in the works on the task was Zofia Bida-Wawryniuk.

The undertaking of the task is justified with the general thesis adopted during the research work. It pointed out that: public participation in spatial planning is a recent, newly forming, institution of the democratic system. Representative democracy is changing towards the strengthening and multiplication of the public participation institutions. Public participation in the processes of spatial planning broadens the range of citizen impact on the formation of the most durable component of the human habitat – the material component of this habitat. It is simultaneously a very important component of the public sphere. How is public participation in spatial planning to be reconciled with the technical and functional requirements of spatial planning? How are the particular goals and interests of individual partakers of the space management processes to be reconciled with the public goals?
Without solving these questions social conflicts will escalate. They are probably more frequent in the spatial management field than in other fields of public life. Omitting public participation in spatial planning has and will have impact on the condition of the public sphere (public life). This may deteriorate the quality of taking public decisions and the quality of the life of the future generations (bad condition of the material environment formed by the spatial planning without social control will be inherited by our successors).

The undertaking of this topic was accompanied by the awareness that Polish scientific literature concerned with spatial planning there had not to date been publications that defined the phenomenon of public participation in spatial planning. There is also no wider reflection concerning the division and classification of various types of public participation. There is no discrimination of these types (models) from the tools (instruments) of participation. The only Polish author who devoted two book publications to public participation in space formation, Krystyna Pawłowska, focused on counteracting conflicts regarding landscape protection and design and on the role of the instruments (techniques) of public participation in preventing and mitigating these conflicts.¹ Her extremely valuable and pioneering, on the Polish ground, approach to public participation as a result of this particular profile of her books left the above-mentioned issues of definition and classification of public participation phenomena unexplained. It is also necessary to undertake the very significant problem of defining the uncontrolled (dynamic, spontaneous) public participation in formation of space. It is usually treated as a conflicting and disturbing factor to the process of spatial planning, thus as a functional factor rather than a social one.

In reference to the above-mentioned issues the syllabus of the research task was formulated into the following sub-tasks (chapters):
1. Explanation of the genesis of public participation and of the range of the phenomenon, including the genesis and history of public participation in spatial planning.
2. Types and models of public participation.
3. Public participation in spatial planning as seen by lawyers and space planners

¹ Krystyna Pawłowska: Przeciwdziałania konfliktom wokół ochrony i kształtowania środowiska. Partycypacja społeczna, debata publiczna, negocjacje; Cracow University of Technology; Cracow 2008 and: same author: Idea and Methods of Public Participation in Landscape Protection and Spatial Design; Partnership for Environment Foundation; Cracow 2010
4. Defining the phenomenon of public participation in spatial planning and design.
5. Legal status of public participation in spatial planning and design.

An attempt to answer the question about the range of the public participation phenomenon in space formation was placed in sub-task (chapter) two of the research task. In this chapter spontaneous participation was discriminated as a specific type of public participation. A method of studying it was suggested. The results of studying the range of this type of participation in Warsaw in 2013 were published.

2. Genesis and range of the public participation phenomenon in spatial planning and formation of space

The first scientific articles related to public participation appeared in American urban planning magazines in the 1950s. However, public participation, most of all in the reconstruction of the slum city centres, mostly demonstrated itself in the USA in the form of protests and city riots throughout almost two decades of the mid-20th century. The role of public participation in city design was changing along with the evolution of the Weber model of public administration towards participating Public Governance (PG). In this streamline the access of the society to public information was covered with legal guarantees. When delayed, in comparison with the USA, legal regulations concerning the renovation of the city quarters and districts in the beginning of the 1970s in the FRG, they covered a relatively rich variety of forms of citizen participation in the processes of city district renovation. A bigger transparency of spatial planning became a public issue. A number of actions were undertaken to pursue this goal.

Sherry R. Arnstein had already before (in the second half of the 1960s in the USA) constructed and published her still famous ‘public participation ladder’ (classification of public participation techniques). It was most of all applied – as intended – in spatial planning. There were great hopes surrounding the form of the so-called ‘advocacy planning’ (the role of an advocate – a representative of the public interests in the planning process). Until the beginning of the 21st century when J. Fishkin

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2 Waldemar Siemiński: Geneza i historia partycypacji społecznej w kształtowaniu przestrzeni; Człowiek i Środowisko no. 1/2014; IGPiM; Warsaw 2014; str. 45-62
suggested applying the method of deliberative poll, the progress in the enhancement of public participation techniques delivered new participation tools (a lot of them based on computer and Internet use). However, it was the introduction to the legal resources (laws) of most democratic countries which had a larger impact on the strengthening of the idea of public participation. The so-called Aarhus convention (Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters) was a significant step. J. Jendrośka and W. Radecki did not hesitate to call it ‘an extremely significant step forward not only in environmental protection but also in the development of democracy’. They described it as ‘… the first attempt of introducing to the binding norms of the international law of a comprehensive approach to the issues of the functioning of the so-called ‘open civil societies’’.3 Also the introduction of one of the so-called basic rights – ‘the right to the city’ of H. Lefebvre and David Harvey to the public sphere echoed widely.

In his generic, but aiming at synthesising the to date experiences of social participation in spatial planning, study J. Goździkiewicz – Biechońska states that: ‘in the western countries a crisis of public participation in spatial planning is noticeable’. There have been difficulties and failures in applying participation methods when working on spatial management plans’. The author also refers to Polish experiences and also says that: ‘Undoubtedly in the Polish system there are also noticeable phenomena and tendencies that were recognised in the western countries as the symptoms of a crisis of public participation in spatial planning’.4

However, it is impossible not to notice that the idea of public participation is exceptionally strong even despite the crisis. The range of domains in which it appears is still growing. Participation does not cease to be a ‘hot’ topic of the public debate, research and the subject of innovative solutions that broaden and deepen public participation in formation of space.

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3 J. Jendrośka, W. Radecki: Konwencja o dostępie … z komentarzem. Wrocław 1999
4 J. Goździkiewicz-Biechońska: Partycypacja społeczna w tworzeniu prawa na przykładowie miejscowego planu zagospodarowania przestrzennego; Samorząd Terytorialny 7-8/2008; Warsaw 2008
3. Types and models of social participation

The results of the conducted works include the enhancement of the way of classifying the types of public participation (including participation in spatial planning)\(^5\).

The public participation phenomenon evades simple and unambiguous classifications. It is new and in statu nascendi. So far there were four criteria for classifying public participation. This allows for discriminating a series of types (models) of participation.

The first method of classifying is carried out in reference with the addressee of participation undertakings and contains three types of participation: public participation, civil participation and individual participation\(^6\). The second method of classifying the phenomena of participation is carried out in reference to the ‘social technology’ of running participation activities. The kind of participation which most of all pursues the achievement of public agreement and understanding of the participants is sometimes defined as ‘consensual’ participation.

This type is juxtapositioned to the ‘conflicting’ model of participation in which tensions and conflicts during volunteered actions serving the public good are considered a more creative and fruitful method of participation than the consensual one. Consensual participation with its paradigmatic assumption of the necessity of agreement between the participants, is questioned here\(^7\).

The third way of discriminating types of participation is division into types that differ with the attitude of the participants to the problems of their direct responsibility for the effects of their participative actions. In this way of classification public participation is discriminated from partnership\(^8\).

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5 W. Siemiński: Partycypacja spontaniczna a kształtowanie przestrzeni in: Partycypacja społeczna w planowaniu przestrzennym’, TUP; Office of the Capital City of Warsaw; 2014

6 This way of classifying the phenomena of public participation awakens a lot of interest in contemporary Poland and relatively most research is devoted to it. Probably the most comprehensive research programme was managed by Anna Olech publishing its results in the volume: Partycypacja publiczna. O uczestnictwie obywateli w życiu wspólnoty lokalnej; Institute of Public Affairs; Warsaw 2011 and in the volume: Dyktat czy uczestnictwo? Diagnoza partycypacji publicznej; ISP; Warsaw 2012

7 This type of classifying public participation is presented by Marcus Miessen in his work ‘Koszmar partycypacji’; Wyd. Bęc Zmiana; Warsaw 2013

8 It is difficult to point publications devoted to this type of participation. However, it is legally regulated in Poland in the form of the law on the public-private partnership.
### Spatial conflicts in Warsaw featured by Gazeta Wyborcza daily in 2013

<table>
<thead>
<tr>
<th>Conflict topic groups</th>
<th>No</th>
<th>KIND OF SPATIAL CONFLICT</th>
<th>Number of articles</th>
<th>Percentage in the total number of articles</th>
<th>Percentage of conflict topic group in total number of featured conflicts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conflicts concerning the appearance of public space</td>
<td>1.</td>
<td>Conflict concerning projects and objects that deface the space (ugliness in the city)</td>
<td>8</td>
<td>1,85</td>
<td>8,33</td>
</tr>
<tr>
<td></td>
<td>2.</td>
<td>Conflicts concerning inappropriate care about the quality of space</td>
<td>3</td>
<td>0,69</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3.</td>
<td>Conflicts concerning advertising space in the city</td>
<td>25</td>
<td>5,79</td>
<td></td>
</tr>
<tr>
<td>Conflicts concerning protection of greenery</td>
<td>4.</td>
<td>Conflicts concerning space management (Ursynów)</td>
<td>10</td>
<td>2,31</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5.</td>
<td>Conflicts concerning protection of greenery areas (Other conflicts concerning parks and greenery)</td>
<td>12</td>
<td>2,78</td>
<td>15,97</td>
</tr>
<tr>
<td></td>
<td>6.</td>
<td>Conflicts concerning protection of nature</td>
<td>8</td>
<td>1,85</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7.</td>
<td>Conflicts concerning transformation of arranged public space (Krasinski Garden)</td>
<td>39</td>
<td>9,03</td>
<td></td>
</tr>
<tr>
<td>Conflicts concerning noise in the city</td>
<td>8.</td>
<td>Conflicts concerning clubs and noise in the city</td>
<td>38</td>
<td>8,80</td>
<td>10,65</td>
</tr>
<tr>
<td></td>
<td>9.</td>
<td>Conflicts concerning calm place to live (aircraft noise)</td>
<td>8</td>
<td>1,85</td>
<td></td>
</tr>
<tr>
<td>Conflicts concerning the quality of the environment</td>
<td>10.</td>
<td>Conflict concerning the location of new projects considered to be burdensome to population (sorting plants, incinerating plants)</td>
<td>5</td>
<td>1,16</td>
<td>1,16</td>
</tr>
<tr>
<td>Conflicts concerning symbolic space</td>
<td>11.</td>
<td>Conflicts concerning the need of preserving the (city) view corridor</td>
<td>3</td>
<td>0,69</td>
<td></td>
</tr>
<tr>
<td></td>
<td>12.</td>
<td>Conflicts concerning preservation of buildings coming from the communist era</td>
<td>5</td>
<td>1,16</td>
<td>20,37</td>
</tr>
<tr>
<td></td>
<td>13.</td>
<td>Conflicts concerning defence of historic values and cultural heritage</td>
<td>25</td>
<td>5,79</td>
<td></td>
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<tr>
<td></td>
<td>14.</td>
<td>Conflicts concerning monuments in the city</td>
<td>3</td>
<td>0,69</td>
<td></td>
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<tr>
<td></td>
<td>15.</td>
<td>Conflicts concerning symbolic value of the space (including The Rainbow)</td>
<td>45</td>
<td>10,42</td>
<td></td>
</tr>
<tr>
<td>Conflicts related to public transport</td>
<td>Conflicts concerning the historic buildings (Finnish Cottages)</td>
<td>4</td>
<td>0,93</td>
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<tr>
<td>17. Conflicts concerning public space management (Piłsudskiego Square)</td>
<td>3</td>
<td>0,69</td>
<td></td>
<td></td>
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<tr>
<td>18. Fight for building of the south bypass of Warsaw</td>
<td>21</td>
<td>4,86</td>
<td></td>
<td></td>
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<tr>
<td>19. Conflicts concerning quality and extension of transport network in the city</td>
<td>19</td>
<td>4,40</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>20. Conflicts concerning protection of buildings because of building new transport infrastructure (Underground Line 2)</td>
<td>11</td>
<td>2,55</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>21. Conflicts concerning car parking space</td>
<td>18</td>
<td>4,17</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>22. Conflicts concerning space for transport (bicycles, pedestrians)</td>
<td>36</td>
<td>8,33</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Other conflicts</th>
<th>Conflicts concerning projects that block construction sites and projects that were damaged during construction</th>
<th>7</th>
<th>1,62</th>
</tr>
</thead>
<tbody>
<tr>
<td>23. Conflict concerning using space by population</td>
<td>2</td>
<td>0,46</td>
<td></td>
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<tr>
<td>24. Conflicts concerning ownership of properties (Bierut Decree, Warsaw reprivatisation)</td>
<td>11</td>
<td>2,55</td>
<td></td>
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<tr>
<td>25. Conflicts concerning lack of expected planned projects (projects blocked by the authorities)</td>
<td>2</td>
<td>0,46</td>
<td></td>
</tr>
<tr>
<td>26. Conflicts concerning deficiencies in spatial planning</td>
<td>3</td>
<td>0,69</td>
<td></td>
</tr>
<tr>
<td>27. Conflicts concerning borders of decency (Fritz advertisements)</td>
<td>4</td>
<td>0,93</td>
<td></td>
</tr>
<tr>
<td>28. Conflicts concerning fences</td>
<td>8</td>
<td>1,85</td>
<td></td>
</tr>
<tr>
<td>29. Conflicts concerning the need of space reinstatement and neglected spaces</td>
<td>6</td>
<td>1,39</td>
<td></td>
</tr>
<tr>
<td>30. Conflicts concerning spaces for dogs and their owners</td>
<td>17</td>
<td>3,94</td>
<td></td>
</tr>
<tr>
<td>31. Conflicts concerning assignment of planned and existing buildings</td>
<td>2</td>
<td>0,46</td>
<td></td>
</tr>
<tr>
<td>32. Conflicts concerning assignment of areas (location of objects and breach of regulations)</td>
<td>18</td>
<td>4,17</td>
<td></td>
</tr>
<tr>
<td>33. Conflicts concerning abundance of shopping galleries and their location</td>
<td>3</td>
<td>0,69</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL**: 432 100,00 100,00

*Source: Own analysis of all the articles and news describing conflicts published in Gazeta Stołeczna (an extra to Gazeta Wyborcza daily) in 2013*
The fourth way of classifying participation types is division by the relation of participative actions to the legal standards regulating participation of citizens in public life. I suggest the following division: legislative participation (conforming to the binding law), ‘around-legislative’ participation (conforming to the ’spirit of the law’) and ‘spontaneous’ participation (‘instantaneous’). It occurs when, for some reason, the participation of citizens in public life takes the form of protests, contesting the acts or actions of legal public authorities. It proves that the participants are unable or do not want to accept the binding legal rigour.9

Because the phenomenon of participation is relatively ‘fresh’ it is to be expected that other classification methods are going to arise.

The types of participation are not to be mistaken with the instruments of participation. Information, consultation, cooperation, co-decision making, etc. are the techniques of participation that may be applied to various types of participation. Currently, the progress in the sphere of enhancing the tools seems to be dominating over the sphere of pointing the goals of instrument application. The types of participation discriminated here are directed more at the goals of participation than at the efficiency of participative actions by applying particular instruments of participation.

Spontaneous participation (instantaneous) in spatial planning and design is not widely studied in Poland. Therefore, we devoted a special place to its definitions and actual extent. We assumed that it is expressed (reflected) by city conflicts recorded by the press. Using the press discourse analysis method we recorded all city conflicts described in Gazeta Stołeczna, the extra of Gazeta Wyborcza daily, in 2013. The recorded conflicts were classified from the point of view of the subject of conflict. The conflicts were divided to such that had a spatial dimension and such with a non-spatial (social) dimension. It was assumed that the conflict situations we identified (via press) are examples of spontaneous public participation of the conflicting type. The table below presents the kinds of spatial conflicts featured by Gazeta Stołeczna in 2013. The number of articles devoted to the individual conflicts may be considered as a factor showing how intensive the given type of conflict is. It is simultaneously a representation of the intensity of the social protest on the subject of conflict, or an index of spontaneous participation.

9 This is how I classified public participation in spatial planning, e.g. in W. Siemiński: Rola dyskusji publicznej w planowaniu przestrzennym; Ministry of Infrastructure; IGPiM Warsaw 2004 pp. 14-15.
The analysis of spontaneous participation in Warsaw was co-authored and completed by Zofia Bida-Wawryniuk. The analysis of the press discourse published by Gazeta Stołeczna shows that in 2013 the biggest intensity of city conflicts was related to matters strictly connected with the space and its management. 65.1 per cent of publications were dedicated to spatial conflicts whereas only 39.9 per cent were concerned with non-spatial conflicts. This presents the scale and intensity of public participation (instantaneous, expressed in a contesting confrontation with the public authority or with a developer). The results of other studies carried out in 2010 concerning the efficiency of the official mechanisms of public consultations conducted by public authorities revealed that only 14 per cent of Poles think that they should be consulted in matters concerning protection of the environment and only 16 per cent of our society reckon they have a right to be consulted with in matters of spatial management.\textsuperscript{10}

Both the results of 2010 (studies of public participation organised by public authorities) and the results of our studies of spontaneous participation in 2013 show what the actual impact of the society on spatial planning and formation of space looks like.

4. Opinions of lawyers and spatial planners concerning public participation in spatial planning

Discriminating the opinions of two professional groups (lawyers and urban planners) concerning public participation in spatial planning is a result of a significant role of these specialists in the process of spatial planning.

The opinions of two lawyers, Ewa Olejniczak-Szałowska and Igor Zachariasz were analysed.

E. Olejniczak-Szałowska writes about two problems in her publications devoted to public participation. The author analysis the right of the Polish citizen to have impact on the public matters in the whole system of Polish law. She also carries out detailed analyses of the legal conditions of participation in particular fields of public life, including public participation in spatial planning.

\textsuperscript{10} Final report of the study of the efficiency of public consultation mechanisms; ed. Z. Matejczak; Pracownia Badań i Innowacji Społecznych Stocznia; SMG/KRC Poland Media S.A. Warsaw, February 2011
Within the latter topic the author describes the details of the legal situation concerned with using two instruments of public participation: consultations and local referendum. Significantly, she notices that ‘Legal regulations concerned with consultations are scattered,… some detail regulations that evidently introduce consulting procedures do not even use the term ‘consultation’.¹¹ This status quo concerning public participation is permanently visible in subsequent laws that regulate spatial planning in Poland.

About any possible attempts to organise the other instrument of participation – a local referendum the things look this way: ‘It would be an infringement of law to carry out a referendum to resolve issues for which a particular way of conduct and precisely defined procedures are assumed, consultations and asking for opinion are required in order to protect the constitutional rights of the citizen’. Pursuing this way of understanding – writes E. Olejniczak-Szałowska further on – it is to be stated that a referendum may not cover issues… for which the legislator assumed particular formalised procedures to protect constitutional rights and freedom. Thus, it is not possible to proclaim a legal act as a result of referendum with omission of the binding procedures if they are regulated in detail… Hence, a referendum may not replace a general legal act, e.g. a normative act such as the local plan of spatial management’.¹²

The efforts of E. Olejniczak-Szałowska are aimed at the enhancement of the binding legal regulations concerning public participation. Most of all, on creating such statutory interpretations that may be applicable in practice. In principle, the author does not exceed the borders of this field of interest. Igor Zachariasz goes a little further towards the analysis of the ways of applying the law and states: ‘The law on spatial planning and management as a result of the conventionally adopted case-law of administrative courts gives the opportunity to claim that legal interest is infringed since there is an inherence of an illegally resolved local plan of spatial management or study of conditions and directions of spatial management in ownership rights. However, legal protection, and consequently the process of spatial planning, does not cover a series of other laws of public nature such as the binding rights participating in the actions of the state or protection of individual interests in the planning process not only in connection with ownership but also with other private rights bearing natural interests in opposition to

¹¹ E. Olejniczak-Szałowska: Konsultacje we wspólnocie samorządowej: Samorząd Terytorialny 1-2/1997; Warsaw 1997; p. 103
¹² E. Olejniczak-Szałowska … op. cit. p. 148
the changes introduced by the plans concerning the assignment of land and also rights of public nature’.13

Some architects and spatial planners emphasise the opportunities and limitations created by the Polish law in terms of public participations. Krystyna Pawłowska formulates them very similarly to Igor Zachariasz: ‘on the one hand the law puts precise and narrow borders of imposed participation and on the other hand it opens them to everyone without assuring any real efficiency’.14

The attitude of architects, urban planners and spatial planners to public participation in spatial planning very often results from something different that only respective laws. They fulfil a variety of social roles apart from the role of implementing the legal regulations adopted in the acts that regulate spatial planning and formation of space.

Probably the only wider debate of Polish urban planners and architects concerning public participation in spatial planning was held a long time ago in completely different political conditions. It was organised in the publishing house of the ‘Człowiek i Środowisko’ quarterly published by the Institute of Environment Formation in Warsaw in 1981. It was featured on 45 pages of this quarterly. It was the time of ‘total urban changes’15 imposed by the state by subjecting spatial planning to the centralised economic planning.

It is surprising but the opinions about public participation published by the partakers of this debate are still reflected in the rare currently appearing views. This proves that the opinions about public participation expressed 30 years ago in other political conditions were never verified later on. Only 30 years later there was someone who put this issue in the centre of her creative interests and undertook intensive activities to propagate public participation in architecture and spatial planning. This person is Krystyna Pawłowska working in Cracow. She dedicated a series of her works to the idea and methods of public participation in the protection of landscape and formation of space.

13 Igor Zachariasz: Partycypacja w procesie planowania przestrzennego jako prawo podmiotowe; in ,,Partycypacja społeczna w planowaniu przestrzennym” TUP; City Office of the Capital City of Warsaw; 2014; p. 8
14 Ed. K. Pawłowska: Idea i metoda partycypacji społecznej w ochronie krajobrazu i kształtowaniu przestrzeni; Partnership for Environment Foundation, Cracow 2010, p. 66
15 Term created by B. Jałowiecki used in relation to socialist urban planning in the article „Wartości nowoczesnej urbanistyki”; Studia Socjologiczne no. 1/1984; p. 206
In 1982 Polish leading urban planners considered public participation as a medicine to the oppressive state’s policy of total urban planning. Public discussions about it was an act of protest against the public system in the communist Poland. Krystyna Pawłowska considers public participation in the context of development of architectural ideas. From this point of view ‘…participation is one of the significant components of protest against modernism’. In this architectural school – Pawłowska writes – ‘the confidence it was possible to reach universal architectural solutions by way of science was very strong. The space for a model human being and model human groups seemed possible to be precisely designed, transformed into indexes and formulas that could be successfully used everywhere and always. This thought was accompanied by enlightened social ideas with the principle of evenness in the first row. It was a pursuit to meet the needs of not particular individuals but hypothetical needs of an ‘average everybody’. This way of thinking proved – K. Pawłowska writes – to be ‘erroneous’.16

In the West, one of the solutions of this situation in architecture and urban planning was applying public participation in the planning procedure. Both the discussion of 1981 and – in particular – K. Pawłowska’s books describe the techniques of participation that are useful to an urban planner. Also changes of planners’ attitudes, social roles and of the very model of spatial planning are discussed too. In both of the above-mentioned approaches there is relatively less reflection on what public participation should be in spatial planning (or what it is) to the population of the area subject to a planning process.

Two Polish urban planners having long years’ experience of planning in West Europe add a lot to the above-mentioned views of Polish urban planners on public participation. In his publications Krzysztof Skalski is most of all interested in the significance of public participation in the processes of revitalisation of degraded city areas. He considers material interest of the population with the effects of revitalisation processes as the appropriate attitude in animating public participation. The right of property ownership is treated as the ‘starting point of any participation of individual people’.17 However, participation on the financial background does not only mean draining the resources of the people living in the renewed areas. Such financial participation of the population has to be organised in advance making it possible for the people to get advantageous bank credits, guarantees, etc. In France, this is the role of the public authorities – both central and

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16 ed. K. Pawłowska … op. cit.; p. 63
17 Krzysztof Skalski: O budowie systemu rewitalizacji dawnych dzielnic miejskich; Cracow Institute of Real Estate; Cracow 1996; p. 160
local. Financial participation of the population in revitalisation activities (either based on private resources or on credits) is a form of participation called partnership. This relation is more equal than in classic participation where the relation is between a private participant (actor) and a public one. In partnership the private actor should be more independent and determined to participating than in ‘ordinary participation’. In the light of French experiences of K. Skalski it appears, however, that also participation in the partnership form may or even has to be animated (encouraged) with widely drawn social and economic programmes run by public authorities.

Andreas Billert is interested in other aspects of public participation in spatial design. He locates spatial planning in a wider model of development planning, the so-called ‘integrated planning’ adopted in the West, including Germany where his experience comes from. ‘Planning city development has a two-stage nature nowadays – A. Billert writes. – The first of these stages is carried out before any formal processes and significant planning start – this is a consensus reached as a result of a debate in which varied interests are discussed and weighed. It is a process of simultaneous relativisation and attachment of spatial planning to social and economic policies, and integration of financial strategies. At this moment we come across the EU system of integrated city development planning. Such a plan, based on the vision of the city and development goals constitutes a basis of formulating tasks and designs. Only after preliminary agreement is achieved it is possible to announce statutory – formal – plans. These are nowadays understood not as plans that create the space but as instruments that secure agreement and compromise reached before. In this way the planning process in its basic dimension has an informal nature secured with a political resolution and then formal statutory procedure. … The crucial task for implementing formal and informal policy of city development is to introduce non-public actors to the process. Only if institutions and actors of the civil society is involved and collective interests and a collective system of decision making are created, there may be a chance to implement the European city model’.

In Billert’s perspective ‘public participation in the process of city development is … an element of the planning system implemented as part of a defined commonly accepted social and political culture…’19, in which

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18 A. Billert: Polityka rozwoju i rewitalizacji miast w Polsce na tle standardów unijnych w zakresie planowania… pp. 2/3
19 A. Billert: Problemy rewitalizacji miast w Polsce na tle doświadczeń niemieckich; a presentation during the International Conference in Lubań Śląski; City Revitalisation; 2006, p. 5
integrated planning is carried out. Its basic element is a socially controlled component of public participation in planning or the ‘system of informal agreements’ reached by the actors of the local development. Billert is sceptical about the chance of quick implementation of such political and planning ‘culture’ in Polish conditions.

5. Defining the phenomenon of public participation in spatial planning and formation of space

Having become acquainted with a series of attempts to define and classify the phenomenon of public participation (public participation in general and public participation in spatial planning and formation of space) it seems obvious that an independent attempt has to be undertaken to create definitions and classifications. It was necessary also because the existing definitions and classifications of public participation (including participation in spatial planning) are simplified and have a lot of gaps and deficiencies.

Public participation may be defined as unforced volunteer participation of the citizens of the states functioning in the system of indirect (representative) democracy in the widely understood public life (public sphere) of these states. The volunteer nature of the participation is a significant difference between the new indirect (representative) democracy and the classic democracy of small local societies.

In classic direct democracies (ancient Athens, mediaeval cities of northern Italy, Swiss communes) the participation of the citizens in public life was forced by the conformism of behaviour regulated with powerful repressive social control. This is a dominant feature of collective life of local communities until these days. It is hardly possible to call the participation of the members of small direct democracy communities voluntary. Therefore, it may not be called public participation.

The freedom to participate in public life may be defined as a clear advantage of the right to participate over the duty to participate. In direct democracies the duty was much more important. The freedom to participate is attached to another feature of public participation – with lack of direct responsibility of the participant for the results of his or her participation in public life. Yet, this feature of public participation is changing throughout the short history of this phenomenon. The ‘participation without responsibility’ is accompanied by participation bound with responsibility that is called ‘partnership’.
Attempts to define what public participation is and what it is not are sometimes bound with the values that the actions of the participants are going to achieve. Often questions are asked if it is public participation if citizens defend (or multiply) particular (individual) values if they exceed the borders of the public sphere. The right to individual ownership is often analysed from this angle especially if it collides with the goals (values) of the public sphere. If situations of this kind occur in spatial planning it is unacceptable to agree to the view which is nowadays often adopted in Poland that the right of ownership to a property automatically gives the owner such rights as localisation rights bound to this property. The rights of localisation should first be subject to public goals such as rationality of localisation, spatial order or sustainable development.

Respecting this pro-social priority of values it is necessary to remember what Krzysztof Skalski said analysing the functioning of social participation in the processes of revitalisation of old city districts in France. He defined the right of ownership and its respecting as the ‘starting point of participation of individual people’. The way in which an individual owner is treated by public administration governing the public sphere (or a particular part of this sphere) may evoke trust or suspicious hostility of a private owner, may be just or unjust. It is necessary to assume that only such public sphere whose functioning evokes trust, such that is clear and considered just may be able to make private owners to undertake actions in which their ownership rights will harmonise with the interest and goals of a wider public sphere.

In none of the up-to-date historical epochs creating their characteristic types of human spatial environment ordinary average people were the actors of this creation. Only if we realise this historical fact and the newness of the postulation of public participation in spatial planning we will understand the sceptic voices doubting if vox populi is able to impose reasonable impact on the formation of space in a democratic way.

In this context the ideas of public participation in shaping and planning of space has to be seen not only as postulations of public participation (broadening of the range of democratic authority of the people) but also as a cultural issue. It is comprised in the question if the so-called average members of democratic societies that are asked to participate in spatial planning are culturally prepared and equipped to do it. Are there any sources of cultural pattern transmission (family, school, church and other)

20 Krzysztof Skalski: …op.cit. p. 172
that gave (transferred to) these people appropriate skills to participate in space formation?

And one more definition issue in describing the basic features of public participation. The dictionary meaning of the term ‘participation’ says it is participating, taking part in something.\textsuperscript{21} This is almost identical to co-commitment. This means that public participation has a collective nature. The role of public administration results from the collective nature of public participation. Public group actions need to be not only initiated but also coordinated.

6. Summary

Because of the spaciousness of the analyses carried out in the last sub-task of the research task (Legal status of public participation in spatial planning) they are going to be presented in a separate article. The above description of the 4/5 of the research task leads to a number of conclusions that are not taken into account often enough in discussions and postulations concerning public participation.

The feverishness and haste in waiting for the effects of public participation in spatial planning should be tempered with a short history (short life) of this phenomenon. Additionally, it is not possible to treat public participation, particularly in spatial planning, exclusively as a fulfilment of the democratic postulation of giving more authority to citizens. In this respect the citizens should acquire appropriate knowledge and skills without which it is not possible to imagine spatial design.

It is nowadays typical that types (models) of public participation are confused. Informing, consulting, etc. are only tools of participation. The type of spontaneous participation we discriminated seems to be the most frequent way of civil participation in spatial planning in Poland right now. It is often conflicting participation that does not have its place in public participation based on consensus as is initiated and coordinated by official institutions or public administration. This shows that Poland’s spatial management has a conflict triggering nature.

As a phenomenon that broadens democratic practices public participation in spatial planning and formation of space may be developed and enhanced. However, it is too often considered that this enhancement should

\textsuperscript{21} Słownik Wyrazów Obcych; PIW; Warsaw 1964
rely on creating new (and enhancing the existing) instruments of participation – methods and techniques whereas also pointing at new fragments of social environment and social and spatial problems that are unsolvable without social participation is also a way of enhancement and broadening.

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