

IMPROVEMENT OF DEMOCRATIC SOCIAL STRUCTURES AS A RESULT OF PERSON IDENTITY, RECOGNITION AND TRUST

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Abstract. The author outlines reflections on perfectly democratic social structures pointing to contemporary social theories on social capital while taking into account the existence of person identity, culture and national identity, trust and recognition. He emphasizes the importance of these, concepts as significant factors in the formation of social and cultural ties, which undoubtedly have an impact on the improvement of democracy. He points to the dialogue that should occur in a democratic society linked to responsibility for the common good. The paper refers to the reasons for Polish democracy's weaknesses, the problems of the functioning of modern democracy that have an impact on its quality. Democracy is a challenge and requires full involvement of civil society, correct interpersonal relations, dialogical justice. Social sciences oriented to the world, person-to-person must constantly take into account potentially occurring events and real threats to a functioning democracy in order to meet all challenges.

Keywords: democracy; personal identity; trust; recognition; social capital; dialogue.

INTRODUCTION

At present, we are living in a special socio-political and economic situation, which for many reasons is completely new to us. Therefore, the democratic model, the political system, as well as the forces of social representation must take into account the considerable social instability, which cannot be indifferent for a lawyer. The cognitive realism of philosophy shows that social life is inherently multicultural due to the multiplicity of people who make up the community and the rationale of human multiplicity, which individually and uniquely experience cultural reality. This is the basic aspect that allows to notice the ambiguous or multicultural entity nature of law and politics. Politics and law are analogous in their existence and impact.

The modern world is characterized by new features of the kind of great complexity, chaos, emergence and fluidity, as well as a great diversity of societies, economies and cultures. The new times require new ways of thinking, new social theories and the presentation of challenging perspectives

and surprising innovations on multidimensional processes in modern societies. Social theorists take widely varying perspectives in agreement, however, they all agree that we live in a world characterized by a new way of social and cultural organization. In order to depict the spirit of these new times, a wide network of new concepts and terms has been developed. A. Giddens speaks of today's world as an era of "reflexive modernization," U. Beck writes of "risk society," Z. Bauman of "liquid modernity," M. Castels of "network society," and F. Jameson of "late capitalism." The presented paper adopts the method of analyzing and critiquing the literature, the process of mental cognition and analytical thinking used in the science of law and in legal practice. The problem is specified in the title of this paper.

I.

Democracy is a general concept that exists in many individual concepts and varieties. Democracy does not always develop properly, but if it does, that is because it faces challenges that raise fundamental questions about its meaning and value. Social, economic, cultural and technological changes can challenge the assumptions of familiar conceptions of democracy and create challenges that it must meet if it is to thrive. These are constant and varied challenges. Significant and visible are the challenges of globalization and environmentalization in particular. Analyzing a selection of the most frequently debated democratic innovations – deliberative, direct, cosmopolitan, ecological, associational, party-based models, it is found that they are not entirely new, as they grow out of earlier narratives of democracy by adding new threads to known content. Democracy is always recreated in new combinations and visions representing a process created by the diverse and changing meanings that democracy can have for different communities. The question should be asked: have Polish people stopped trusting democracy? It should be acknowledged that fatal downgrades have occurred in the values of the democratic state, public debate and adherence to the standards of the rule of law. All rankings very poorly evaluate the actions of politicians, who should be the voice of those who elected them. However, society does not feel that they are the perpetrators of the surrounding reality. It seems that the reasons for the weakness of Polish democracy lie within it, not in the weakness of the concept. The problem is the sphere of practice, not the formal instruments offered by the legal system. It should be mentioned that the basis of a concept of the rule of law based on the principle of law is the German idea of *Rechtsstaat*. This concept was first used by J.W. Placidus [Placidus 1798], recognizing that the primary goal of a democratic state is to secure human rights. Subsequent doctrinal representatives of German legal thought referring to this concept were C. von Roteck, R. von

Mohl and F.J. von Stahl. They understood the rule of law mainly as the opposite of a despotic state. R. von Mohl wrote that "the legal state can have no other purpose than the following: To order the whole life of the nation in such a way that every member of it will be assisted and protected in the free and comprehensive use and enjoyment of all its powers [...] The freedom of the citizen is the overriding principle with this attitude [...] all law is only designed to make freedom protected and possible" [Zmierczak 1995, 12-13]. We often hear opinions that the law is wrong. The freedom we strive for in the future is extremely dependent on civic responsibility [Bator 2006, 15-17]. The strength of a country is always demonstrated by the commitment of citizens willing to take responsibility for their own state. The public must decide whether it wants to demonstrate a willingness to realistically enjoy the privileges of democracy. Democracy, including its values, must be constantly nurtured, and the shape of the system depends mainly on ourselves. Democracy is either in the minds and consciousness of the people, or there is no democracy at all, as there can be no compulsion to be democratic. It should be emphasized that the real problem of our democracy is ourselves. The most important is the restoration of the ethics of public life, which should be based on the restoration of the basic concepts of democracy in the form of giving it a strong impetus to stimulate society to action leading us to a stage of development of public life that is close to the Western European ideal of a mature civil society [Biedrzycki 1998, 27]. At this point, it is necessary to refer to the publication of M. Safjan on challenges to the rule of law [Safjan 2007, 28ff] and Z. Witkowski [Witkowski 2015, 7ff], who already years ago drew attention to the main sins occurring in Polish democracy. M. Safjan notes, among others, that "1) the idea of a democratic state of law remains in a strong relationship with the ethical values that fall within the democratic canon; 2) the ethics of the state of law cannot be opposed to the principles of morality in public life. A democratic state under the rule of law enforce respect for its own values within its own system and the means and instruments belonging to it [...]. The restoration of the ethics of public life leads by helping the vital forces of democracy, giving a strong impetus to those mechanisms which, deprived today of sufficient and at the same time necessary public interest and support, are just waiting to be revived." M. Safjan considers the reasons for the weakness of Polish democracy in, among others, the passivity of society. "Thus, as long as the awareness of the existence of a simple relationship between democracy and the ethical imperative of civic activity does not spread, we will not change reality. Associated with passivity is social i.e. civic acquiescence to rampant evil, meanness, hypocrisy, corruption, opacity of rules, unequal treatment, injustice and the constant creation of a new category of "more equal" among equal citizens. [...] A major obstacle to achieving the state of a viable democracy is the state of elites, intellectuals, people with a better

understanding of reality than others, better prepared to point out desired goals and outline the state's strategy. I have the impression that today's intellectual elites, including academic elites, are passive to a surprising degree and, for the vast majority, do not join public life, thus relegating themselves to the margins. [...] I believe that one of the biggest barriers to democracy in the Republic of Poland, directly related to the ethics of a democratic state, is the lack of authentic public debate. After all, one of the values of democracy, without which it would be difficult to talk about it, remains the mechanism for the formation of positions, ideas and practical solutions through the clash of authentic and opposing rationales, open and wide debate, the reliability of the arguments raised in public." Quoting the thought of J. Tischner, he states that "the alternative to the society of monologue is the society of dialogue. The principle of this society is the conviction that the truth of social life is revealed to every thinking member of society. The authority has its truth and the subject has its truth, just as the authority and the subjects have their illusion. No one can claim a monopoly on truth. This conviction opens the way to a society of dialogue" [Tischner 1992, 147].

Returning again to the question of ethics of the rule of law and how to understand the democratic standard, it is impossible to meaningfully discuss the formation of such a standard in a society the participants of which, especially its elites, have difficulty understanding what the law is and what it is intended to serve, and how its functions are carried out, and functionaries at various levels are unable to rationally apply the law. The approach to the law is highly simplistic and perhaps even primitive, limiting the meaning of the norm sought to the literal, literal wording, without taking into account how absurd or even harmful or indecent the consequences are to be *in casu*. Interpretation based on the principle of *reductio absurdum* seems to triumph and find full recognition not only among non-lawyers, but, unfortunately, also among representatives of the political world. This arguably results in an application of the law that shatters the common sense of rightness and rationality. The catalog of formulated and not respected demands in the subject of the state and values cannot ignore the fundamental issue of the law-making process. A violation of the democratic standard of legal and political culture is the incessant persuasion of the public by all successive ruling teams in Poland that the problems of public life lie mainly in the sphere of incomplete, not very tight, defective legislation. This results in naive expectations of various social groups and subsequent disappointments. Our attitudes are characterized by a refusal to accept responsibility for our own behavior and for the consequences of our decisions both in the public space and in the sphere of individual choices. There can be no democratic rule of law without such responsibility on the part of both the rulers and the governed. On the plane of responsibility ethics on the

side of governed is placed both thinking in terms of the common good, rationality and predictability of the means used, as well as a properly established preference for a hierarchy of values and goals. It should be noted that the current goal of the good of one environment or grouping will never be preferred at the expense of good of the state and society as a whole. Z. Witkowski, in his reflections, points to the fact of passing successive waves of the crisis of democracy and the distancing of ordinary citizens from politics and alienation from society of those holding political power. Alienation of voters, which arises spontaneously *sui generis* "party of the non-voters" and the ongoing relatively low rate of electoral participation testify to the fact that the political class does not provide the citizens with either their need for expression or the feeling that they are a permanent component or immanent part of the democratic process. Z. Witkowski formulates seven deadly sins: 1) pride and the slow but steady alienation of the political class, creating a "party of non-voters" gaining an increasingly systematic absolute majority; 2) voting, but not electing; 3) lack of trust in the electorate and *de facto* rejection of cooperation with the electorate and the maintenance of "beautiful" pathologies of peculiarly understood democracy; 4) appropriation of electoral law by political parties and far-reaching instrumentalization of electoral law by politicians; 5) conscious keeping permanently open the question of the election model and perfecting the phenomenon of "political engineering," or "the art of political manipulation;" 6) limitation of the electoral solutions of the 1997 Constitution and *de facto* disregard for the idea of an Electoral Code; 7) deliberate systemic weakening of the State Election Commission in 1997 and the illusory nature of legal procedures enforcing respect for election law.

The modern world seeks much more subtle or even sophisticated criteria for the evaluation of what the state and its democratic standards are. Everyone places different demands on this system. Intuitively, we feel that the direction of development in modern Europe greatly complicates and forces the expansion of a definition of the word and the need to discuss the ethical values of modern democratic state. Axiological connotation leads to a situation in which a violation of the rule of law *per se* is interpreted as a violation of these principles. State ethics becomes understood as an evaluation of the functioning of state mechanisms.

R. Markowski, describing democratic innovations, points out the internal problems of the functioning of democracy, stressing that external factors adversely affecting the quality of modern democracies are important [Markowski 2014, 10]. He includes among them: globalization and its often destructive impact on cultural traditions, social ties and local economies; cross-cultural migration, the emergence of masses of maladjusted people, the so-called "outsiders"; the individualization of life, disappearance of community social

ties; demographic trends, the aging of societies; economic changes leading to a significant marketization of social relations; mediatization leading to the disappearance of real, active public opinion, the increase in superficiality, the piarization of politics, the diminishing role of real debate; the shrinking role of the state, increasing ambiguity of its role and, consequently, the responsibility of the state, due to the processes of globalization, integration and mass migration and terrorism; a sense of insecurity arising from the above-mentioned processes and the dynamics of change, transformation of the social structure, demography and labor market fluctuations.

We live in a risk society, an information society, a reality crisis. The triumph of post-truth is blamed on politicians, Internet, media, education system, pop culture, elites. The issue is very complex, as we discover that the concepts used so far cease to adequately describe the world, because the world is changing faster than the language used every day. J. Habermas notes the systematic distortion of communication crippling modern societies, while A. Honneth broadens the communication problematic to include the issues of recognition and contempt. Hence, if communication and culture occupy a prominent place in many contemporary analyses, structuralist, poststructuralist and deconstructivism theories focus attention on the relationship between language and social realities in a new way.

II.

Contemporary social theories from the 20th century until our time have answered the question of how innovative theoretical and sociological approaches have brought such topics as social communication, personality, power, dominance, sexuality, cultural gender, and trust to the forefront of the theoretical and public debate in recent years. The diffuse and fragmented nature of social formations is emphasized. This fragmented nature of beliefs, values and norms does not lead, according to proponents of this view, to the emergence of opposition to the current social order, but to the reproduction of society taking the form of a dispersed, postmodern or fluid order and the change or transformation of society. The current era is a time of tremendous social change. Globalization, new information technologies, the unstoppable development of consumerism, the technoindustrialization of war – all these transformations are taking place not only in modern institutions, but also in everyday life. Modern social theory is concerned with determination of the pace of change occurring in our everyday life today and with critique of the institutional macro-factors leading to it. Social theories try to explain modernity-related changes in social conditions and institutional life by proposing new ways of thinking, among others, about the development of new information technologies, the global economy at the beginning of the 21st century.

In addition, there are other theories that try to answer the question, what is really new today? The concept of globalization, has so far been the loudest response of social theory to the complexity of modern life. The perplexities of the term extend to everything from transnational financial economies to global satellite communications. In this case, social theorists have invented new terms to describe, and indeed define, our new globalized era. There are currents in social theory that view political unrest or globalization forces as external events in society. They investigate the complex ways in which social, political and cultural processes are embedded, regulated and experienced at the level of identity and emotional life. In fact, the ways in which public life organizes the private sphere, being itself reflexively shaped by the emotional responses of individuals, have figured prominently in many strands of contemporary social theory. T. Adorno, H. Marcuse, J. Lacan, R. Barthes, A. Giddens, J. Kostrzewa, J. Kristeva, L. Irigaray, J. Butler have variously explored the intertwining of the social and the erotic, symbols and the unconscious, cultural conditions and experiences, the interconnectedness of what is global and local. As a result, issues of identity, desire and emotion have become some of the most important topics in social theory.

Currently, it is thought that groups are part of the so-called social capital from which both the democratic system and government are drawn. According to some people, this diminishes both democracy and the general idea of government is threatened. According to a typical definition, social capital "refers here to such features of a society's organization as trust, norms and connections that can increase the efficiency of society by facilitating coordinated action" [Putnam 1995, 258]. J. Coleman, an influential proponent of this view, writes that "social capital is defined by its function. It is not formed by single individuals, but is made up of a wide variety of units that have in common the fact that they all have the characteristics of a social structure and that they facilitate the action of other actors – both individuals and social groups within that structure. Like other types of capital, including human capital, it is not completely interchangeable, but may be appropriate for some activities, while useless or even harmful for others" [Coleman 1988, 598; Idem 1991, 302-304]. The author considers the idea of social capital through the example of the lower structures of society, such as lasting relationships, family, labor unions, etc. [Coleman 1991, 300-21; 361-63, 590-93, 596]. These structures allow those acting as individuals and social groups for many things, including successful cooperation in many ways. They also enable to trust each other, protecting relationships from abuse. J. Jacob [Jacob 1961, 138] defines social capital in simple terms as the network of social relationships that facilitate our lives in urban environments and make our lives easier. Coleman adds that social capital reflects the relationships between individuals. Therefore, just like trust, social capital is a relational concept.

Much of the contemporary work that has emerged from interest in the problem of trust has dealt with changes that have occurred over the decades [Pharr and Putnam 2000, 47; Sztompka 1999, 58]. Trust is neither a simple nor a primitive concept. It consists of many elements, such as expectation and cognitive judgment of the motives of others' intentions, making people more or less trustworthy in a particular context. In addition, the very fact of trust involves at least risk-taking. Contemporary literature emphasizes the need for trust, rarely addressing the benefits of being trustworthy, although trust can only make sense if the people we deal with deserve our trust. In the contemporary literature on the subject, there are three different concepts of trust, and they all basically refer to the concept of trustworthiness, to how the fact of being trustworthy affects our trust. Most writers consider trust as such, and not just acting on trust, to be a matter of choice [Bohnet and Zeckhauser 2004, 467-84; Eckel and Wilson 2004, 447-65; Sztompka 1999, 78]. In contemporary discussion, it is argued that "trust in politics is secondary to social trust" (which is the trust that exists between citizens). Where disagreement exists, neither does social trust, and as a result, there is a lack of it in politics, making the political system less stable [Parry 1976, 134]. B. Manin states that the style of politics has changed, exemplified by the shift from traditional campaigns to election marketing using the media [Manin 1997, 71]. He points to the democracy of spectacle, a term used as part of the justification that modern democratic systems are dominated by media messages rather than actual politics. The fluidity of political change is characteristic of a democracy of spectacle.

Concepts of trust vary as to what good intentions would mean to a trustee. One concept is the model of contained benefits, it assumes that it is beneficial for the trusted person to maintain a relationship with the trustee, and this provides an incentive to be trustworthy [Hardin 1982, 186-87; Idem 1991]. Other theories explain the trustworthiness of the trusted person either through moral obligation or through psychological or characterological tendencies to prove trustworthy. Trust is, like knowledge, a cognitive category, as it is stimulated by expected motivation from others. All concepts should be considered in the cognitive categories of cognition, as they are all based on evaluations of the trustworthiness of a potentially trusted person. The literature pays attention to institutional or network capital following social capital, which is not an aspect of trust, nor necessarily a product of trust, as both networking, network capital, institutional capital and more general social capital are means to achieve goals and cooperate even in the absence of trust. A variety of social tools such as institutions, norms, etc. enable cooperation even in the absence of trust [Cook, Hardin, and Levi 2005, 55]. Deep-rooted distrust in society promotes hegemony [Dahl 1971, 111]. It would seem that it is hegemony, especially autocratic hegemony, that

develops distrust between citizens usually deliberately to prevent the formation of groups opposed to the ruling regime. In a characteristic way, concepts that go further, assuming the rationality of trust, are in fact a description of trustworthiness based on motivation that depends on the disposer of trust. Hence, the concept presupposes a belief on the part of the trustee that the trusted person will prove trustworthy because it is in the common interest to act for the common good. This, unfortunately, does not guarantee that the trusted person will prove to be worthy of that trust, as other benefits may indeed prevail. Therefore, there is always a risk if we act on the basis of trust. Both trust and distrust are cognitive concepts. Trust cannot be a matter of choice; knowledge of a person's moral commitment or psychological or characterological inclinations affects the degree of our trust. A well-known argument from contemporary literature on the issue is that everyone would be much better off if they were more trusting. Consequently, we should be more trusting [Hollis 1998, 17; Uslaner 2002, 71]. Although many theorists refer to recent decades as the era of globalization, the meaning of the term is not always clear. There are many different aspects of globalization, but it seems sensible to start with the economic dimension of the phenomenon. J. Bhagwati defines globalization as "the integration of national economies and the creation of an international economy through trade, foreign direct investment, (through multinational corporations and companies), short-term capital flows, the international movement of workers and people, and the movement of technology" [Bhagwati 2004, 3].

When we become aware of the diversity of cultures, practices and values in the world today, and the history of indifference and hostility between nations, we may feel that the process of globalization can encourage humanization. An important issue is the distinction regarding the division between nation and state. Let us adopt the definition of a state as a political entity with an independent system of law. Modern states are territorial in nature. The borders of states may be disputed and legitimacy challenged, but states claim the right to exercise authority over a given geographic territory. It is much more difficult to define a nation. What distinguishes a nation amongst others human groups? Theorists agree that a certain degree of subjective identification of mutual recognition are necessary, albeit not sufficient, to recognize a group as a nation. C. Calhoun states that "recognition as a nation requires, of course, social solidarity – some level of integration among the members of a nation, and a common identity – a recognition of the whole by all its members, and a sense of individuality that would at the same time involve a sense of belonging to a community" [Calhoun 1997, 4].

A. Marglit and J. Raz state that "a nation has a common character and a common culture, encompassing many different and important aspects of life; a culture that defines itself and marks different forms and styles of life,

types of activity, occupations, pursuits and relationships. We expect a national group to have a national cuisine, distinctive architectural styles, a common language, literary and artistic traditions, music, customs, costumes, ceremonies, festivities, and so on. None of these elements is essential. These are not typical examples of the characteristics of nations and other groups claiming the right to self-determination. They represent dominant cultures, and their identity is at least in part determined by culture. They have cultural traditions that permeate not only one or a few spheres of life, but gain reflection in many areas, including issues of great importance to the satisfaction of individuals." National culture is dominant, and therefore individuals born and raised as a member of a nation naturally "take on the culture of the group and are marked by its character. Their tastes and choices are determined to an extremely important degree by the culture." Although a person is able to "shed an old culture" and "acquire a new one," this is "a painful and slow process, the success of which is shared by few" [Margalit and Raz 1990, 443-44; Miller 1995, 25-26]. Mill argued that a group of people forms a nation when "the people are united by mutual sympathies [...] which are a motive for them to act more willingly with each other than with others, that they desire to live under one and the same government, and at the same time desire that this government should be exercised exclusively by them, or at least by some part of them" [Mill 1995, 245]. D. Miller writes that "the concept of nation must refer to a community of people aspiring to political self-determination" [Miller 1995, 19]. B. Anderson states that it is important that in the mind of each member lives the image of a community that is perceived as a community, because regardless of the actual inequality of exploitation that may be shared by each of them, a nation is also a deep horizontal brotherhood [Anderson 1991, 6-7]. Therefore, members of a nation share a dominant or overall culture that influences many aspects of their lives and the way they view themselves, including language, religion, values, customs, tastes and preferences. National affiliation is an important part of identity and how an individual perceives himself. A bond is also formed between members of a nation based on a sense of solidarity, despite the fact that most do not know each other or individually. There is also a political element to the nation, as it aspires to political self-determination.

An indisputable value that requires sincere and reevaluated, in the spirit of community, educational nurturing is own sense of nationality [Boski, Jarymowicz, and Malewska-Peyre 1992, 71ff]. This value cannot be diminished under the conditions of globalization and the way modern people think. Thus, the legitimacy to any multinational community cannot be anonymity, nationlessness or statelessness. Every commonality makes moral sense and presents an important meaning both economically and politically when it results from the voluntary and free decision of each individual, when

it is not a forced uniformity, marginalization of other nations or depreciation of their achievements, and often an intricate path to their own distinctiveness and sovereignty. Extremely relevant in this matter are the expressed opinions of A. Kłosowska, S. Ossowski as well as H. Skolimowski. "Each participant in the national community builds the full identity of their own person, taking into account the national identification done in a peculiar way. No one, for example, is a Pole simply and only a Pole. But every Pole is, in his own way, linked to a unit of national culture, and with that bond is linked to membership in many other cultural and subcultural communities. The one who would have no relationship either with a private or ideological homeland, neither on the plane of habits nor in consciousness, would not be a Pole [...]. Treating selectively the heritage of own national culture, S. Ossowski also emphasized the role of relationships of choice, which can connect with elements of cultures of other nations. Such contacts, which are necessary and growing in the modern world, do not necessarily threaten the depth of internalization of own culture [...]. In the light of contemporary conceptions of symbolic culture as a communicative process, this sense of ownership is justified by participation in the reproduction of symbolic content in its active reception. In relation to the culture of own national community, this participation is generally more complete than in relation to fragments of the culture of other communities. The internalized and valued output of this culture recognized as own intensifies the sense of human significance [...]" [Kłosowska 1990, 30-32]. H. Skolimowski states that "when I consider Poland's contribution to the treasury of European and human values, when I reflect on 'final issues', I see that the ethos of Poland is not a provincial and parochial ethos. At times, we have been taking too much of a leap into the sun. The future of the planet, the future of the human race will require great visions and taking great responsibilities, as well as new thinking. The best values of the Polish ethos resonate harmoniously with the necessities of the 21st century and centuries to come" [Skolimowski 1990, 151]. B. Wojciechowski notes that common values and shared norms make social life possible. Without them, man, despite the freedom he possesses, feels lost and alienated, and thus falls into an identity crisis [Wojciechowski 2009, 260ff]. Without the existence of a minimum common culture, we are unable to cooperate and will not consider the same institutions legitimate.

III.

Democracies have remained at the state level, and the difficulties they face are mainly global. As a result, there is an institutional crisis of democracy, which combined with the lack of general public awareness of the processes taking place in the world, causes an identity crisis,

a popularization of sentiment. We are undoubtedly dealing with the declining state of liberal democracies, both with the stoppage of its expansion in the world and with a serious institutional and identity crisis within it.

The weakness of democracy as diagnosed by A. de Tocqueville is cultural mediocrity. "The defects of the rulers and stupidity of the ruled" were to lead the state to collapse. The development of electronic media only accelerated and intensified the process of democratic culture decline by leading to a shallowing of the information provided, and therefore less well informed public opinion [Tocqueville 2005, 28ff].

The progress of globalization and the development of multinational corporations of an all-encompassing entertainment culture have reached such a level that many individuals are to some extent deprived of their emotional ability to translate private resentments into demands for political recognition. J. Habermas and A. Honneth focus on morality to emphasize the learning skills of individuals, groups and social institutions. This is an important aspect of contemporary critical theory as well as their dimension of creativity, which is sometimes contradictory to their adherence to the Frankfurt School version of social criticism. Honneth on the sociological significance of many new social movements, affirms their claims to political recognition and perceives in them radical challenges to traditional conceptions of class, economy and nation-state [Honneth 1996, 17-27; Idem 2007, 47-57]. His critical theory of recognition coincides with the new politics of identity, culture, ethnicity and difference present in both post feminism and environmental movements, as well as the struggles of indigenous peoples and the politics of multiculturalism. He recognizes that at their emotional core, human relationships are always marked by radical tensions between connectivity and separateness, dependence and self-determination. It is from these interactions that individuals develop a positive emotional relationship to their own identity and a sense of certainty that enables them to act in the wider world. Honneth recognizes that it is love that prepares individuals for the difficult emotional work of reconciling claims of recognition by others with the desire for self-determination. Therefore, it can be considered that love is the foundation of both moral identity and political society. He states that a love-based sense of certainty is "conceptually and genetically prior" to other forms of identity recognition, such as a sense of self-worth and dignity. In his view, the desire for freedom is profoundly shaped by the experience of contempt, as there is an intrinsic relationship between the sense of injustice and the demand for recognition. Either injustice or the experience of contempt is the initiating factor for social antagonism or cultural conflicts against the existing social order. The author believes that this is the only way to explain the progressive trend toward a more democratic public sphere. Forms of interweaving culture and economy in the lives

of individuals, contemporary cultural processes cannot be divested of “leading to trivialization” by overlooking the important ways in which cultural creative potential can be used to counter social pathologies.

A. Elliot reports that the consensual cooperative theory of social action formulated by J. Habermas seems to have little relationship with those policy directions that dominated the early 21st century. Particularly critical of Habermas’s reconceptualization of the normative dimensions of the public sphere made in terms of communicative action theory and deliberative democracy, they write that it is difficult to see how democratic ideals can be derived from the universal structure of language. Critics charge that Habermas’s deep consensus theory of truth insufficiently protects liberal values such as human rights or freedom of speech [Gutmann and Thompson 2004, 87]. The holistic democratic project of Habermas does not explain the neurotic forces, the defense mechanisms of the personality activated by human beings, the compulsive behavioral patterns that prevent the very ground for rational debate from emerging in modern societies. The charge is that the notion of rational consensus adopted by Habermas does not reflect the multiplicity of moral, ethical and related value perspectives that proliferate in modern societies. Habermas, linking the variable interplay of reason and irrationality with other important factors, focuses on language, communication and dialogue. A. Honneth dealing with everyday conflicts in terms of moral experience, contempt, indignity, humiliation in his publications focuses on the notion of recognition, directing attention to the increasing demands of individuals and groups demanding recognition of their identities, needs, feelings and ways of living. He stresses that the demand for social recognition is the result of transmission of negative, painful experiences of contempt. In his view, both social antagonisms and cultural conflicts, from the psychological sense of humiliation to the political consequences of injustice, are related to an attempt to rebuild own needs and desires for a sense of self-worth. He points out that recognition, like the interpersonal dynamic process of communication, is an open-ended issue that contributes to the constant recognition and reconciliation of the poles of self-determination and dependence, individualism and solidarity. In particular, he focuses on three forms of recognition, which he links to the normative or utopian aspirations of critical theory by including self-confidence, self-esteem and self-worth. Honneth’s theory of recognition has had a major impact on contemporary social theory by presenting a strategy for pursuing a new politics of identity and cultural difference by combining and reconfiguring social theory, moral theory and political philosophy. This approach shows some similarities with the concepts of other theorists of the politics of recognition. Adopting Honneth’s theory in explaining social conflicts requires the ability to understand a new politics of identity, rooted in the experience

of contempt or humiliation. Identity is a complex and multifaceted concept, the meaning of which refers to many social and cultural contexts. Z. Bauman states that we are dealing with a multiplicity of identities, writing that “the troubles with the existence of a multiplicity of identities should therefore not be surprising. Applied identity games (the Internet very often conveys false identities), identities imposed or identified with a certain type of homo (homosexuality, *homo politicus*, *homo sovieticus*, *homo fiator*) or the creation of a so-called underclass, i.e. a gathering of people” [Bauman 2007, 23]. The concept of identity also refers to a sense of belonging to a particular society or group. In this sense, a person’s identity has both objective characteristics relating to being a member of society and subjective ones depending on a person’s perceptions, desires or experiences. J. Assmann stresses that “by collective or communal identity we mean the image of ourselves that is formed by a certain collective and with which its members identify. Collective identity is formed through the identification of participating individuals with it. It does not exist “in itself,” but only to the extent that specific individuals admit to it. It is as strong or weak to the extent that it remains alive in the consciousness of the members of a collective and to the extent that it is able to motivate their thinking and acting” [Assmann 2016, 146]. Another author, B. Wojciechowski, points out that people, being members of a certain community, are shaped by it, and it forms their perception of reality [Wojciechowski 2022, 105]. Consequently, community membership largely determines the strategies of social action, i.e. the way of life pursued by its members. People relate to and evaluate each other on the basis of normative regulations of the value system and ideology characteristic of a particular community. H. Taylor notes that narrative identity allows to discover and articulate oneself, and this articulation is important because in the long run it makes it easier to remain true to oneself in the search for own way of life [Taylor 2002, 30]. This narrative identity as a pattern of authentic human legal subjectivity is pointed out by B. Wojciechowski, stating that “the accepted concept of narrative identity has the character of a threefold relationship: argumentation in shared values and universal laws, self-reflective attitude and intersubjective communication. According to this understanding, narrative identity provides a justification for the relations, relationships, behaviors, acts, preferences or situations in which the authentic legal subject finds or has found himself. Only then can the subject gain recognition in the legal sphere, truly discover himself and realize his desires. This is extremely important when we think about self-affirmation or self-discovery of people belonging to minority groups, alienated individuals or outsiders. Such a perspective allows them to be included in the community through dialogically shaped identity and recognition politics” [Wojciechowski 2023, 164]. It should be noted that identity, by its very definition, has a singular, individual and even particularistic character, which

has, by definition, a closer relationship with the empirical concrete. This is because when we speak of identity we always have in mind some specific person. The starting point for this perspective is the issue of the subject and being a subject, rather than the sense of being a subject, which is the subject of psychology. This allows for the analysis of subjectivity in the objective sense, rather than the subjective feelings associated with a person's perception of being a subject.

In the philosophy of dialoguing, the founder of which is M. Buber, the supreme value is love. He states that "feelings dwell in man, but man dwells in his love" [Buber 1971, 44]. Activity in the world is expressed through love, people become You for each other. Love is fulfilled through relationships: I and You. Its essence is responsibility for You. It expresses equality for all. For Buber, life is identical with encounter. The becoming of Self is possible through the encounter with You. A full society requires living contemporaneity, living with the other as You, to be treated not as an individual, but as a person [ibid., 56]. On the other hand, from the philosophy of dialogue and the philosophy of E. Levinas, it is possible to derive a certain ethos, in addition to the sense of interpersonal bonding, shaping mainly the formal side of justice (dialogical justice in the broader sense), to be reflected in the content of the law, which is precisely what is called dialogical justice in the strict sense, i.e. respect for the other, openness, solidarity based on common humanity, overcoming the boundaries of nations and cultures. Levinas' message seems clear, he wants to break man out of his indifference and convince him that he is constantly indebted to others and that he is responsible for them. Levinas does not question the value of reason, science, or rational social devices. He simply perceived them as something secondary, dependent in genesis and shape on social ethical contacts, unique and not amenable to a general and all-embracing law. Therefore, it is not in terms of rationality that the content contained in wholeness and infinity should be considered [Levinas 2012, 71-91; Idem 1995, 47-51]. The problem of trust appears more and more widely in the field of knowledge of social exchange. As a proof of all the above arguments – trust can and should be accepted for its value of human sublimation, hope and openness, for humanistic creativity. Trust, recognition, identity and social capital are important factors in the formation of social and cultural ties affecting the formation of the democratic system. It is necessary to take rational and systemic directional measures, oriented to the systematic and consistent elimination of the causes of injustice and harm, misery, conflict and other sources of danger, including safe human existence. Legal procedures are of no use when people lack correct, positive attitudes toward each other and an understanding of culture. The crisis of modern and multidimensional democracy, more than structural, is first and foremost a crisis

of meaning, a crisis of ethics. Therefore, its solution should not be sought only at the level of institutional and procedural reforms, creating new ones adapted to the context of globalization processes. It is necessary to start first of all from the integral experience of the person, from his freedom, in other words, from the anthropological plane. There must be a linking of political participation with the process of governance, which is not so much derived from the historically formed nation, but from the demos, which consists, according to the principle of inclusion, of adult citizens living in a common territory, regardless of their ethnicity, religion, worldview, minority participation [Dahl 2000, 37-44; Idem 1995, 119-88; Sartori 1998, 37-57]. M. Walzer states that "democracy requires a strong and vibrant civil society – if not for the sake of its emergence, then for the sake of its enduring cohesion and stability over time. From this point of view, the citizens of a democratic state are not self-sufficient creatures, they need to belong to other, more accessible, less demanding and threatening territories than the modern state, because only in such places can they acquire political competence, learn to win as well as lose, compromise, win friends and enemies, explore the ideas of opposition. It is highly risky for a democratic government when the state occupies the entire available field and there are no alternative associations, no protected social space where people can seek relief from politics, tend wounds, find encouragement, regain strength for future challenges" [Walzer 1995, 1-27]. Accordingly, we must be aware that civil society is built between the rungs of the social ladder. Beginning with individuals through overlapping communities of family, neighborhood, ethno-cultural, religious, minority, groups, movements and associations to local communities of social macro-structures. It is in these communities that democracy, personal identity, trust and recognition can be improved on the basis of the professed values that are so important to every person.

CONCLUSION

We are indeed living in a frightening post-truth era, where not only individual armed incidents, but entire histories and nations can be created. In both politics and law as well as education, there should be actions to overcome the isolationist, confrontational and aggressive goals of education pursued throughout history, replacing them with a dialogical community of values with the intention of building a creative and reconciled humanistic world community. Therefore, law and world-oriented education cannot fail to take into account the ever-present potential disorders and real threats.

Critical study of the social, legal situation should mean analyzing it both on a cultural, civilizational and personal level, and therefore observing the way in which what is public connects to what is private. R.L. Heilbroner

wrote “we need an awareness of what it means to live in dangerous times if we are to fully meet the external challenges that mark the prospects of humanity” [Heilbroner 1980, 29, 179]. In his view, people are not concerned about the future fate of the world because they are not willing to voluntarily and necessarily give up a certain amount of their comforts and excess luxuries. Global thinking and the development of pro-community moral attitudes is definitely a future task to be fulfilled by humanity. A sense of own national distinctiveness still requires the formation of ties to the native language, culture, native land, its history and spiritual and material heritage, to nature-biological basis of the nation's life. Modern, noble, true patriotism is incompatible with national megalomania and the granting of an exceptional mission to our own nation. The thoughts contained in this paper cover only selected values that present a cardinal and at the same time fundamental importance for the philosophy and practice of building a community society on a micro and macro scale. The essence of them comes down to presenting mainly those values, the affirmation and realization of which guarantees respect for own national and cultural identity, the consolidation of peaceful and ecological development of humanity, fidelity and dissemination of the ideals of humanism, including such values as love, freedom, trust, recognition, identity, tolerance, justice, solidarity, and finally the elimination of war and misery. The dialogue mentioned in this sense should include open-mindedness, responsibility, defense of own and ability to understand others' views and needs, ideals and attitudes, a negotiated way of conducting policy and making decisions, realization of human rights, and compromise that takes into account the rights and interests of all participating parties.

A well-functioning democracy requires the active participation of citizens who are aware of their rights and obligations and who are comprehensively educated, while at the same time showing solidarity and responsibility. The public discourse on the current crisis of democracy in Poland, Europe and the world lacks a comprehensive and at the same time coherent discussion of these issues, and lacks a correspondingly high democratic culture.

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