

# IMPACT ASSESSMENT OF THE FUNCTIONING OF PUBLIC ORDER PROTECTION FORMATION FOR A SENSE OF LOCAL COMMUNITY SECURITY

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## ABSTRACT

The sense of security undoubtedly affects, among others Belief on the efficiency of the formation of public order protection which is a community guard and confidence in its work. One of the factors of the community guards ratings is the assessment of its effectiveness. Therefore, the purpose of the study is an attempt to show mutual dependencies between the assessment of the functioning of the formation of public order protection on the example of the community guard and the sense of the local community's security based on a review of literature and for selected results of the author's study implemented in 2017, by the diagnostic survey using a survey technology, on A number of representative attempts for a random adult residents of the Cieszyn county. The study took the two basic dimensions: a sense of security of citizens in the place of residence and assessment of the community guard and police operations for local security. In the article there is no review of the results of scientific research conducted in this area, due to the fact that the communal guards, unlike the police, does not belong to public institutions assessed regularly in the polls carried out by CBOS. There are no such regular, panel studies evaluating community guards. There are no possibility to determine long-term trends of changes in the attitudes of Poles towards this formation. As shows from the aoretical and empirical studies, the assessment of the operation of the public order protection formation, which is the communal guard, affects the level of sense of the safety of the local community, and this is one of many factors determining the level of self-saving level.

## KEY WORDS

Public order, communal guards (city), sense of security, local community, Cieszyn county.

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## Introduction

The task of the State treated as a political organization of the Great Social Group, inseparably linked to a specific territory, on which its power stretches and applies to it, is to guarantee its citizens an adequate acceptable level and sense of security. The contemporary State carries out many functions, among which, from the point of view of the subject of the study, the internal function plays a key role that reduces to ensure safety and order within the country, which is achieved through the operation of state administration bodies. It should therefore be assumed that in narrow terms by internal security you must understand the state obtained as a result of the state fulfillment of internal functions by ensuring safety and public order, universal security and systemic security. Scientific considerations should therefore be started with key explanations, from the point of view of the subject of research, concepts such as the sense of security, local community and formations of public policy.

## Subjective security dimension

Although in the literature we can find a number of attempts to define security, it still has no one adopted definition. Why is it so hard to define this concept? There are many reasons, one lies in the nature of the procedure, which is the definition, other in the phenomenon of security. Someone will say: what is the purpose of defining security, since everyone knows what it is. However, it is not true, because most people use it in different meanings. Wherein the precise definition of safety does not seem to be achievable.

The etymology of word "security" (from French *securite*, Latin *securitas* or Anglo-Saxon *ecurity*) expresses the original

threat to a sense of confidence ("without custody", i.e. without sufficient protection and analogous *Sine Secura*). Having regard to the principle of Polish language by "security", it is to be understood as the status of non-content, peace, certainty, while by the "security of people" a state of non-contained for any legal right of a human (Polish language dictionary, 1995), e.g. for life, health, personal dignity, inviolability.

Safety means multiple, variable and liquid phenomenon, it is bilateral, i.e. subjective and objective. In turn, the subjective page consists of feelings and evaluation. At the same time, there is no criteria when feelings and evaluation are full enough and reasonable so that they can be called security.

Intuitive understanding of security leads to the statement that it refers to the conscious sphere of a given entity – a human, social group, nation or nations. For example, J. Kunikowski defines security "as a concept reflecting the lack of threats and his sense" (Kunikowski, 2005, p. 169), because a sense of security is nothing but "the peace of mind caused by the conviction that you should not be afraid of anything" (Sillami, 1994) or "as a sense of lack of fear and anxiety" (Rebert, 2005). A similar position occupying B. Malinowski, who pointing out the emotional states noticed that security is freedom from fear (Malinowski, 2001). In turn, T. Parsons pointed out that lack of security is a determinant of anxiety (Parsons, 2009, p. 200). Similarly to psychological concepts, also for sociologists, safety is freedom from fear, anxiety, uncertainty and is an extremely important role in satisfying human needs.

Danger means a certain state of psyche or awareness caused by the perception of phenomena that are evaluated as

unfavorable or dangerous. The possibility of an undesirable situation forces an entity that can experience it to take remedies, as security remains closely with threats and means the ability to oppose them. These threats can lead to a crisis situation, and the lack of reaction of the entity whose situation may affect, consequently, infringing the expected and accepted, security level (Olszewski, 1998).

Thus, based on the analysis, it can be assumed that safety takes place when no threat (objective factor) and a sense of this lack of danger (subjective factor) occur simultaneously. Safety will also be when the threat is small (objective factor) and will be treated as small, with the proper perception (subjective factor).

In Polish criminology to determine a "sense of security", there is a concept of "anxiety from crime", which is often used interchangeably with the concept of "fear of crime". The first use and attention to the concept *Fear of Crime* took place in the second half of the 1960s in the United States of America, in connection with the emergence of anxiety about crime in society. The aim of the research carried out was a concentration on this anxiety, and consequently, to examine the aspects of crime that this anxiety evokes, evaluating his impact on the daily life of Americans and to determine the directions of action in order to limit it.

On the fear of crime, you can look from three perspectives: victimization, social control and social problem. From the research subject point of view, victimization takes an important role, which concerns the sphere of individual unit, as a sense of security is the result of personal experiences. Significant factor at the individual level, affecting safety feeling is also evaluating the work of services appointed to maintain a public security and

to protect public order. The level of fear of crime may therefore be dependent on many factors, plus those lying on the part of the unit and from other objective factors independent of the entity's situation. Therefore, it can be considered, including in the arrangement of relationships between society and security institutions.

It should be emphasized that the concept of fear of crime brings a greater range of negative associations, suggesting the fact of experiencing emotions, and not a certain way of perception of reality. Therefore, the concept of a sense of security has been adopted for the needs of the research.

### **Territorial scope of security of the local community**

The concept of security, as a highly valued good, affects all the spheres of life, "from random physicochemical factors, starting (climate, tectonic, fire threats), through biological and existential hazards appropriate to survive in the world of living organisms (providing food, technical energy, health), on factors resulting from the mutual invasiveness of people in social life, ending" (Raczkowski, 2012, p. 69). Therefore, a number of security typology are used in science. In addition, indicating the safety area to use phrases, such as national, international, regional, local, public, widespread, etc.

The basic division criteria is the subjectivity, according to which security is divided into: national security and international security. When using a temporary criteria, we distinguish the safety and security process. Using a spatial criteria, we can talk about the safety: local, subregional, regional, supra-regional and global (global). From studies point of view, it is necessary to clarify the importance of the concept of the security of the

local community and in this context the determination of the area that the local community lives. In the literature you can see the ambiguity in defining the concept of a local community. According to P. Starosta, a local community is "a type of socio-spatial structure of geographically constituted by geographically focusing people living in a specific place, creating connection systems to solve existing local problems and providing psychological identification of the population with the place of its existence" (Starosta, 1995, p. 30-32). In turn, B. Levenstein by the local community understands "related neighborhood, which using local resources held, implement a number of important economic functions (services), social (identity), political (management). The community area is designated by a network of interpersonal and association relationships (...) often do not overlap with the administrative boundaries of a given local system" (B. Levenstein, 2006, p. 244). Considering however, that the local community (latin *localis* – a concrete place, located in a broader area) is a collective basis that inhabits data, a separate territory with a relatively small area and taking into account Polish legal regulations, in particular the Constitution of the Republic of Poland from 1997 and the system of political law Local government, and above all, the Act of 5 June 1998 on *Self-Government County*, it is difficult to agree with the definition presented by B. Lewenstein. In accordance with the Constitution of the Republic of Poland, the basic unit of local self-government in Poland is a commune, and the remaining units of regional or local self-government specifies the Act. And in the Act on Self-Government County, a record contained that the inhabitants of the county form a local community from the law. Consid-

ering the recalled records, it should be assumed that speaking about the local community. We mean the community residing in the area. Therefore, by the security of the local community, you can understand the state of peace, the freedom of development and non-contagionation of the resourcefulness resolving data, separate territory, i.e. the area.

## Formations of public order protection

Defining the concept of formations for the protection of public order is not possible without explaining the concept of public order. Attempts to clarify the meaning of this term in the scientific literature were undertaken repeatedly. At first, both the process and application of the law, as well as in the literature, the use of the term and public order was adopted. Although the concept of public order is similar to public safety, they are not unambiguous.

E. Ura subordinates public security as a state in which the general citizens of individually unmarked, living in a country and society, are not threatened with no danger and, regardless of the source (Ura, 1988). In turn, J. Zaborowski believes that public security is "such an actual state within a state that allows without exposure to damage (caused by both the behavior of people and the action of nature forces, techniques, etc.) Normal functioning of the state organization and the implementation of its interests, behavior of life, health and property of units living in this organization (...) and the use of these entities from the rights and freedoms guaranteed by the Constitution and other law" (Zaborowski, 1985, p. 129). S. Bolesta defines public safety as "a system of devices and social relations regulated by law and moral standards and rules of social coexistence, ensuring the protection

of society and individuals and their property against threatening dangers on the part of violent actions of people, as well as nature forces" (Bolesta, 1972, p. 121). In the contents of S. Bolesta, we also find one of the fuller definitions of *public order*. According to this author, the public order is a "system of legal instructions and social relations arising or shaping in public places (ie in an open area and in a public use, which all people can use) and social relations emerging or developing in non-public places, and Providing in particular to the protection of life, health and property and social property" (Bolesta, 1972, p. 118; Bolesta, 1975).

A supporter of objective point of view, but also the material one is W. Kubala, who by public order understands the current state of relations and social devices ensuring security, peace and order in public places regulated by legal standards and principles of social coexistence (Kubala, 1981). Considers taken by Z. Kijak also deserve attention. This author draws attention to the lack of identity of both states, as well as for dynamism and external dependence on the entire number of external factors. When attempting to determine the content of both concepts, presents the view that public security is the expected factual state within a state, which, regardless of the damage caused by people, the forces of nature and technology enables the functioning of all state, social, private organizations, etc. and the preservation of life, health and property of people living in the state. On the other hand, public order is the expected factual state within the country, regulated by legal standards and the principles of social coexistence, whose observance enables proper collective coexist in a specific place and time (Kijak, 1987).

Considering public order as a subject of protective public administration organs, it can be concluded that it is a positive and desired state within a specific community that guarantees its proper development and functioning in places available or intended for everyone. According to the principles of a dichotomy division, if we considered a desirable state as public order, there must also be an opposite state that can be described as public disorder. Because both the protection of public order and combating all forms of disorder belongs to state authorities, it is understood that also and should be determined what is compatible with the order, and which is its infringement. With such terms, we are most often found in various legal acts, most often in the provisions of the Act of 20 May 1971. Code of offenses (Chapter VIII – offenses against order and peace) and the Act of 6 June 1997. The Penal Code (Chapter XXXII – crimes against public governance). In the case of public order, a specific community is also determined what is in line with that order, and this is due to the applicable principle of social coexistence.

As in the concept of "security", also in the event of a "public order", there is no one widely recognized interpretation. It is true that the multiplicity of definition affects the difficulties in identifying this area, but there are no less to extract two elements for it. The first is a threat to public order, primarily against a specific community whose development and proper functioning is protected by legal acts and principles of social coexistence. The second is the public nature of the threat. This means that it can negatively affect the conditions of collective life, regardless of whether it directly exposes to a risk of greater community or only individual units. Bearing in mind the existing

considerations, the public order is to be understood as the current state within the state, regulated by legal standards and the principles of social coexistence, enabling the correct co-existing of a specific community by ensuring safety, peace and order in places generally available. Thus, the formations for the protection of public order will be distinguished, independent organizational structures established statutory to ensure safety, peace and order in places generally available.

### **Communal (urban) guard as formations of public order protection**

Satisfying the collective needs of the community belongs to the municipalities' tasks. In particular, their own tasks include public order and citizens' safety. Regarding the rights of organizational municipalities on ensuring the safety of local communities, this should first of all be replaced by the possibility of creating formations in the form of own municipal guards. In the counties in which the executive body is the mayor or the President of the City, it is called the "City Guard". According to the provisions of the Act of August 29, 1997 on *Communal Guards*, the Communal Guard is a self-governmental, uniformed formation appointed solely to the protection of public order in the commune and fulfilling the servant role towards the local community. Therefore, for the purpose of solving the research problem, it was assumed that in the context of demonstrating the relationship between the assessment of the functioning of the formation of public order protection and the level of sense of security of the local community, it will be evaluated only by the operations of the municipal guard, as a formation set only to the protection of public order. On the

other hand, the police functioning will be omitted due to the fact that the legislator has indicated in the Act of 6 April 1990 on the Police that it is a uniformed and armed formation for the public, intended to protect human security and to maintain public safety and order.

All county guards perform tasks aimed at protecting public order, with the scope of tasks and their effects varied depending on the criteria designated, cooperation with the police, the state of employment, training and experience of guards, etc. for tasks of the guard, in particular, to protect peace and order in public places, watching the order and control of road traffic and control public transport in the scope specified in separate regulations, securing the place of crime, disaster or other similar events or occupational sites such an event from accessing persons or destruction of traces and evidence, to the moment of arriving of the right services, as well as determining, if possible, witnesses of events. The Communal Guard also cooperates with the relevant entities in the rescue of living and health of citizens, assistance in removing technical failures and the effects of natural disasters and other local threats, as well as with the organizers and other services in order protection during assemblies and public events. It rests the obligation to bring people intoxicated to the sobering-up chamber or their place of residence, if these behavior gives a reason to scale in a public place, they are in circumstances that threaten their lives or health or threaten the life and health of other people. Among the tasks carried out for the needs of the county should be mentioned protection of communal facilities and public utility facilities and conveying documents, valuable items or monetary values. The Communal Guard also plays

an important role in the scope of conducting prophylactic activities, as it has been obliged to inform the local community about the state and types of threats, as well as initiation and participation in activities aimed at preventing committing crimes, offenses and criminal phenomena. Municipal guards carrying out statutory tasks in the field of public order protection participation in regional and local preventive programs aimed at protecting order and reduce social pathologies. As part of these programs, they cooperate with institutions and units responsible for maintaining order in cities. Cooperation ranges are determined both in agreements and result from current needs.

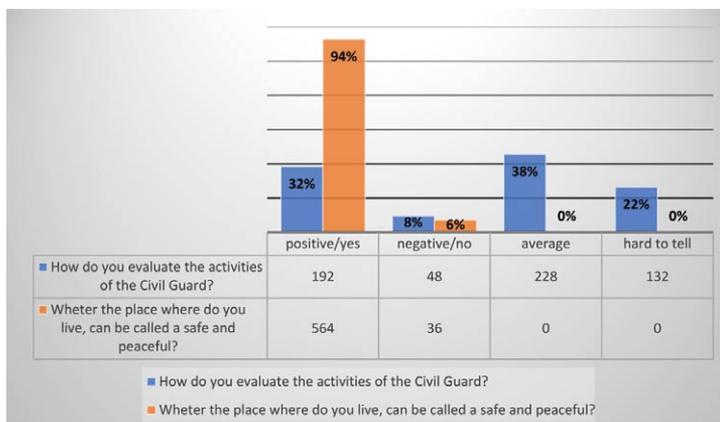
According to the current socio-economic situation in the country both the financial situation of Polish counties and cities, as well as the increasing number of people negatively assessing the activities of this formation may be a factor of limiting or slowing down the correct development of the communal guards in the future.

## Performance evaluation of the formation and sense of security

Analysis of the assessment of communal guards and the level of safety sense at local community was based on a study by the author in 2017 by the method of diagnostic survey with the use of a survey technique on a number of 600 representative attempts for a random adult residents of the Cieszyn county. It should be noted that in 2017, Cieszyn District was inhabited by 178,251 people, including 144,500 over 18. The study took the two basic dimensions: a sense of security of the entity at the place of residence and assessment of the City Guard and police operation for local security.

For the purposes of this study, in the context of demonstrating the relationship between the assessment of the communal guards and the level of security sense among the local community, there will be presented by the results of the survey, regarding the answers to two key questions: "How do you evaluate the activities of the City Guard?" And "Whether the place where you live, can be called a safe and peaceful?"

**Graph 1. Evaluation of the Communal Guard of the Cieszyn County and the level of sense of security of the local community**



Based on the results obtained, it was established that 32% of respondents positively evaluates the activities of city guards operating in the Cieszyn county, 38% evaluated on average, and 22% have no opinion in this topic. Only 8% of the respondents have a negative opinion on the operation of communal guards. The conducted research also shows that as many as 94% of respondents assess their immediate surroundings as safe. Only a few (6%) declare that they live in a dangerous place. Therefore, the assessment of communal guards has an impact on the level of sense of local community security, in this case for the residents of the Cieszyn county. The lower the number of people negatively evaluating the city guards, the higher the level of sense of security of the local community.

## Conclusions

The level of security is dependent on both the factors on the part of the unit and from other objective factors – independent directly on the situation of the entity. The sense of security undoubtedly affects, among others belief on the efficiency of the formation of public order protection which is a communal guard and confidence in its work. One of the factors of the communal guards assessment is the assessment of its effectiveness. Taking into account the number of people negatively evaluating the communal guards and the declared level of sense of security of the local community, based on scientific research, can be placed a thesis that the assessment of the city guards, as a formation for the protection of public order, is one of the determinants of the level of sense of local community. Thus, it is an inverse ratio proportional, i.e. the lower number of people negatively evaluating the opera-

tion of the communal guards, the higher the level of sense of security of the local community and vice versa, the higher the number of dissatisfied formations, the lower the level of sense of security. At the same time, it is a very simplified statement, because the sense of security of the local community depends on many factors, and not only on the assessment of the activities of the public order protection formation, which is a communal guard.

Communal guards, unlike the police, does not belong to public institutions assessed regularly in the surveys carried out by CBOS. Due to the lack of this type of regular, panel studies evaluating communal guards, long-term trends of changes in the attitudes of Poles towards this formation cannot be determined. Receiving of communal guards through local communities is very diverse. On the one hand, the number of applications, requests and conclusions of residents of county addressed to guard indicates very large social trust and demand for actions that the guards implement. On the other hand, the nature of some activities does not absorb them popularity, eg putting locks on the wheels of vehicles and giving out parking tickets. On the other hand, it happened that from January 1, 2016, the municipal guards were deprived of the possibility of traffic control towards the driver of the vehicle infringing the rules of traffic, in the event of disclosure and registration of an act using a registration device, which undoubtedly affects the increase in social confidence in this formation.

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