

# Mental map of non-governmental organizations – from the spirit of Solferino to NGOism

## **ABSTRACT**

The general idea of helping victims of wars and battles was in its original presumption focused on authentic taking care of wounded people, no matter if they were soldiers or civil victims. Henri Dunant and Florence Nightingale started a brand new chapter on the field of humanity. The purpose of this article is to follow the development of non-governmental organizations (including: NGOs, INGOs, MONGOs). Are the main aims still valid? How did – if indeed – the authentic presumptions, original idea and purpose of actions change since 1859 till nowadays? Are victims being helped appropriately, efficiently and sufficiently? Is the beneficiary still the ‘subject’ or did he become an ‘object’?

*Subject of research:* Role and portrait of non-governmental help.

*Purpose of research:* The purpose of research is to show the real aspect of nowadays non-governmental help, how it evolved and what is the nowadays *real inspiration and functioning of NGOs.*

*Methods:* Review of literature

**Keywords:** Human rights, NGO, INGO, MONGO

## 1. Introduction

„We think about humanitarian help as something easy – food, water, shelter, eventually medical treatment need to be delivered to people. In that case money needs to be collected, gifts given, someone “somehow” delivers them, someone will “somehow” organize it” (Polman, 2011, p. 8).

Janina Ochojska underlines, that the moment, when mass-media stop informing about situation in the area touched by a crisis, war, cataclysm, etc., is also the time, when humanitarian organizations need to take action and provide their help to those who need it (2011, p. 8).”Usually, we are far away from the scene of production or assistance and cannot observe directly what NGOs are doing. Generally, we assume that they have carried out the responsibilities that we, as a society, entrust to them” (Gourevitch, 2012, p. 3). At some point we put equal sign between human rights and humanitarian help. However, humanitarian help and human rights have same goal, but different point of interesting and the key word defining their actions (Osiatyński, 2011, p. 110). Wiktor Osiatyński states, that the common goal is reduction of suffering, and main difference is their driving force; for humanitarian help this would be the *need*, and for human rights – the *right* itself (2011, pp. 110–111). “Human rights demand mutuality of rights and duties (...) Humanitarian help does not expect mutuality. The donor is not obliged to anything. Help is one-sided, and their beneficent cannot claim it in a court. Donor’s motivation is morality not duty” (2011, p. 111).

It is hard to point the date of raising first non-governmental organization. Some claim that first NGO was settled already in ancient times, e.g. Greek *sitesis* where philanthropic was carried by individuals and polis; Roman *frumentationes*, *congiarium* and *clientela* providing appropriately: wheat, wine and olive, clothes, food and money (*Organizacje pozarządowe – podstawowe informacje*, 2010, p. 4). Others (Michael Freeman) point year 1775 and *Society for the prohibition of slavery*, which was focused on philanthropy (Freeman, 2007, p. 170). However in common consciousness humanitarian help was born in 1859<sup>1</sup> by Florence Nightingale and Henri Dunant, who faced the Solferino war. They saw young people dying from the bullets, dying from the wounds and from the fact, that they did not receive any help. Once wounded – soldiers were left on the field of battle, dying from suffering and pain (Polman, 2011, pp. 15–16)<sup>2</sup>. Dunant

<sup>1</sup> First humanitarian organization focused on human rights was British and Foreign Anti-Slavery Society, set up in 1823. For more information check *The Anti-Slavery Society, Its Task Today*, London 1966 (as cited in P. Kowalski, 2000, p. 237).

<sup>2</sup> Check also: J. Abramowicz, *Przestrzeganie międzynarodowego prawa humanitarnego podczas konfliktów zbrojnych oraz misji pokojowych i stabilizacyjnych*. In: Waclawczyk, Żarna (eds.), Toruń 2011, pp. 13-15.

believed in the rule *tutti fratelli*, and this caused an impact to organize help for wounded soldiers, no matter of the fact, which army they served. He claimed, that reducing the number of soldier injured in war will lead to savings in a state budget, that would be obliged to pay pensions. Nightingale was a bit in opposite to Dunant. She believed, that the more money government needs to pay due to the war extensions, the more probable is that clerks will try to lead to ending of the war. Moreover, once she organized a military hospital and helped soldiers to get well, she noticed, that most of them got back to the war – and after all died. She spotted, that having not helped – she could contribute to end the war much sooner (Polman, 2011, pp. 17–19). Nightingale stayed in opposite to Dunant, who in 1863 established in Geneva first International Committee of Red Cross, ICRC. This brought the beginning to all other humanitarian and non-governmental organizations, and its rules were accepted and confirmed in Geneva Conventions (Polman, 2011, pp. 20–21). Polman states something obvious, but important to better understanding the change in humanitarian help. She underlines, that times have changed, and nowadays wars are not taking place outside the cities and people dying in a result of wars are no longer only soldiers. War has got inside the village or city, involving civilians (including children and women). I agree with Polman, that this only hardens the dilemma of Nightingale and Dunant (2011, p. 21).

## 2. NGOs policy direction

In accordance to polish law, non-governmental organizations do not gain incomes for their activity (Art. 3, par. 2, Dz. U. nr 2003 Nr 96 poz. 83). However, H. Hansmann has different understanding of being *non-profit*. He claims, that the main point in being *non-profit* (in the opposite to *for-profit*) is the rule of non-distribution constraint, which is based on the assumption, that net earnings, if any, must be retained and devoted in their entirety to financing further production of the services that the organization was formed to provide (Hansmann, 1980, No 5, p. 838).

Public benefit activity is defined as social benefit activity done by NGOs in the field of public service named in the act (Art. 3, par. 1, Dz. U. nr 2003, op. cit.). 4<sup>th</sup> article of the Non-profit Activity and

Volunteering Act (Dz. U. nr 2003, op. cit.) lists whole spectrum of different kinds of activities that – in accordance to polish legal system – are to be treated as non-profit activity. Having known the subject as well as the object of non-profit organizations, how can we define NGO?<sup>3</sup> Moreover, should we define NGO apart from non-profit organization? As well as apart from social organizations/associations? What is the legal definition of those subjects (if any)? Regarding to polish legal system there is no significant, clear and comprehensive definition of NGO. Already mentioned article 3 of the Non-profit Activity and Volunteering Act does not deplete all hallmarks; Constitution of Poland doesn't do it either. Apart from this, Constitution of Poland does not use the name *NGO*, but bases on the term *social organization* (Kledzik, 2013, p. 57). Polish law does not provide one valid and homogenous definition of NGO (2013, pp. 92–98). Therefore, Kledzik (2013, p. 67) underlines that it might lead to the acceptance of interchangeable using of *social organization* and *NGO*, as both of them define same subjects and same goals.

United Nations define NGO in accordance to its fundamental feature – its founding in a result of private agreement, not international treaty (Kowalski, 2000, p. 232). Its international character should be realized in its international composition (at least three countries) as well as in its international activity (2000, p. 232). However, we need to remember, that speaking of humanitarian help doesn't necessarily have to equal speaking of human rights. According to Wiktor Osiatyński (2011, p. 115) UN's system has a common point with humanitarian help – it accepts human rights as a privilege of sovereign states. All of the NGOs established between 1945 and 1970 had similar methods of actions (Kowalski, 2000, p. 239). They had quite small number of participants, they had a character of small elite clubs and their task was to make silent impact on international governmental organizations creating human rights regulations (Kowalski, 2000, p. 239).

The fact is, that at the very beginning NGO had to struggle with UN's attitude and lack of trust. However, with the passage of time United Nation not only accepted, but also started to cooperate with NGOs. Let's only

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<sup>3</sup> It is not the aim of this article to discuss the specific types of NGOs. The Author wants to take a look at NGOs in general.

mention Article 71 of UN Charter<sup>4</sup>. Nowadays NGOs play also different – more significant – role. They participate in the works of UN, as well as with governments of States. And this factor of their participation is growing (Freeman, p. 171).

Many NGOs “have formal affiliation with intergovernmental organizations”, which may agree to grant these NGOs (Esiksson, Sadiwa, p.1). In Poland, *Ustawa o finansach publicznych*, a document that regulates public finance for whole State reflects directly to NGO. Article 127§1 point 1 e states, that grants from budget are also targeted for the tasks assigned to NGOs<sup>5</sup>.

Due to the fact, that NGOs have succeeded in their efforts in joining governmental and international bodies in debates, working panels, etc., founding a non-governmental organization became a bit of bite. It didn't take long time to wait for results. Whilst the genocide in Cambodia there were about forty NGOs involved in helping people. In Yugoslavia – already two hundred and fifty. And this is only fifteen years later. Afghanistan – 2004 – involved already two thousands of NGOs. It's not even twice more, but it is four times in comparison to the year 1994 (Polman, 2011, pp. 23–24). Not only the numbers are astonishing, but same feeling causes the way the NGOs help. Especially, that NGOs (no matter if we talk about regular NGOs, INGOs, MONGOs or any other type of NGOs) do not take any responsibility for lack of regularity in disposing of funds (2011, p. 25). And we need to remember, that it is quality that matters, not

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<sup>4</sup> The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned; <http://www.un.org/en/sections/un-charter/chapter-x/index.html>; access: 12 may 2017.

<sup>5</sup> This shows only, that the awareness of how important are NGOs is visible and underline by government. The whole act (*Ustawa z dnia 27 sierpnia 2009 r. o finansach publicznych*; Dz. U. 2009 Nr 157 pos. 1240 with changes) though devoted to public finance, refers to third sector in few articles. However, the aim of this article is not to analyze the Polish regulation on existence of NGOs. Therefore for more information about this aspect, please check: M. Supera-Markowska, *Opodatkowanie organizacji porządowych*, Warszawa 2015; *Podstawy prawne tworzenia i funkcjonowania organizacji pozarządowych*, Warszawa 2015 oraz *Finansowanie organizacji pozarządowych*, Warszawa 2015.

quantity. Following Michael Freeman, the range of meaning of NGOs is double. First of all they inform and cooperate with governments, scientists and international organizations; secondly they help the victims (Freeman, 2007, pp. 173–174). Author underlines interesting thing. He states, that “probably” the most important task of NGOs is to inform and helping is on a second place (2007, pp. 173–174). And this statement is correct. They often provide with alternative scope of actions and focus social attention on specific topic (seldom wide, more often narrow type). Once they catch the attention, they become more efficient in gaining the measures needful to provide help. Freeman notices also, that in case of NGOs it is easier for them to stay flexible, change scope of actions and adapt to actual requirement (2007, p. 175).

Formal structures of NGOs differ depending on the country. However, most often structure is foundation and voluntary association – for European States, and charity – for USA, Canada and United Kingdom (<http://fakty.ngo.pl/formy-prawne-ngo-na-swiecie>).

It is estimated, that there are ca. forty thousands of INGOs existing worldwide (Polman, 2011, p. 24; Willetts, 2011, p. 389); over 120 000 NGOs in Poland, over 600 000 NGOs in Germany, over 230 000 in Sweden, 950 000 in USA, 85 000 in Canada (<http://fakty.ngo.pl/wiadomosc/2073690.html>). They are representing different models, depending on the country and each of them has its own characteristic feature. There are five models (Scandinavian, Rhenish, Mediterranean, Transition period, Anglo-Saxon). Scandinavian type refers to Sweden and Norway and represents an extensive volunteer system where non-governmental organizations only point out problems, but the state is rather a social policy-maker. Rhenish system exists in Germany and Belgium and basis on the presumption that the non-governmental sector is the main public service provider contracted by the state. Mediterranean – Portugal – focuses on the necessity of defending non-governmental institutions against the state’s attempts to undermine its independence and autonomy. Transition period in Poland, Czech Republic and Hungary relies on a security of dynamic changes and transformations due to civil society continuing to discover the field that can take place in society. And last type – Anglo-Saxon – differs from all the above types. Non-governmental organizations are a counterweight

to the state. In the area of social policy, the non-governmental sector competes with business, which often leads to its professionalization and market orientation (<http://fakty.ngo.pl/ngo-na-swiecie>).

Analysis from 2016 done by Stowarzyszenie Klon/Jawor refers to NGOs existing in Poland (<http://fakty.ngo.pl/wiadomosc/1912424.html>). The analyzed elements of the activity referred to many aspects of everyday functioning, e.g. meanings, workers, impact environment. Here are some of the information gained in a result of the analysis:

1. Almost 45% base on self-employed workers; however form of employment differs;
2. There are 4 payed workers in average NGO;
3. Financial condition of NGOs has improved since 2011;
4. Budget in over half of existing NGOs was supplied with:
  - a) funds for the implementation of public tasks from local government and public administration – 60% of organizations;
  - b) member contributions – 60% of organizations;
  - c) financial and material donations from individuals, companies or institutions – 56% of organizations;
5. 45% of NGOs base on social work, one-third of associations „possesses” one or more regular workers and 20% of NGOs employees at least one worker (contract of employment);
6. Workers employed on the basis of contract of employment (at the range of 53%) within NGOs work also in other locations;
7. 70% of workers has a university degree;
8. One third of workers did participate voluntary in NGO in the past;
9. 65% of NGOs did face problems with material sources (in 2012 the percentage was 68);
10. 29% faced housing problems;
11. Scale of difficulties in cooperation and contacts with government administration<sup>6</sup> stays constant within the period of last 3 years (56% for foundations and 34% for associations);
12. 22% of NGOs point the growth of controls being done by administration (deterioration in comparison to 2012).

<sup>6</sup> Further as: administration.

One of the conclusions from the Report is that NGOs operate more multidirectional and most NGOs provide non-financial support (pp. 31–34 of the Report). Around 57% of NGO reach out to wider audiences and make them aware of what the organization is doing. To reach the widest possible audience, organizations are increasingly conducting information and intensive activities (pp. 34). The percentage of volunteers co-working with NGOs increased within last decade (pp. 44). The scale of this impact depends directly on how big and known is organization. The bigger, the well known – the more volunteers engaged in work within it (p. 46). But there is also another reflection – whilst foundations are more and more popular, their derivative – (voluntary) associations – struggle with decreasing of volunteers and members (pp. 47–49). In the self-assessment questionnaire respondents – organizations – indicated a high level of approval for the form, quality and significance of their activities (p. 109).

If we consider other elements placed in Report, some conclusions from it should be marked. First of all, the percentage of organizations that plan their action in a perspective of a time is almost equal with those, who act *ad hoc* (30% – 21%). Same proportions are in case of making plans regarding outcomes and incomes of organization; those that plan and those that don't plan (29% – 24%). 68% of NGOs stayed faithful to its original mission, whilst 4% constantly changes their scope of work. Within this last comparison one more detail should be added: 51% does not change their direction of policy/action no matter of the lack of interest by sponsors, and 10% declare changes in accordance to sponsors engagement and attention.

Yearly budget of statistic NGO (estimations from 2014) were ca. 27 000 PLN but the range of income depends strongly on the scope of actions and their objects. 57% of NGO declare possessing property, however only 15% of it are money – including bank deposits. The usage on European sources varies, but at least one organization gained such money and the overall number of NGOs which have benefited from EU funds are around 64%. 43% of 52% applying NGOs has used administrative financial assistance. The common difficulty for all NGOs was raising funds and equipment (in the first place), complicated formalities related to the use of funds from European Union donors (in the second place)



and bureaucracy of the public administration (in the third place) (<http://fakty.ngo.pl/wiadomosc/1912424.html>, pp. 129–161).

Paweł Adamiak indicates, that most NGOs don't pay attention to their image. This reflects in updating their data on websites, only 25% of them exist in social media (Adamiak, 2015, p.8). This impacts on the social knowledge about NGOs. If we consider the economy of thinking and stereotypes (strongly related to them), most of people indicate, that non-governmental organization is a foundation collecting money (2015, p. 13). Still 40% of people, being asked what do they associate NGO with, answer: nothing (p. 15). The factor influencing on our opinion about NGO is multiple. First of all informing about results in actions. And this is interesting thing, definitely commenting. One of the most famous organizations in Poland is WOŚP. The success of it is in some part a result of the fact, that people know, see and are informed about: the results of fundraising, the aim of every action and most of all – they see the things bought for donors' money. And this is clue information for succeeding. Ask and give. Ask for money, help, engagement – give results. And *visible effects of action* is pointed as main goal by 36% of respondents (2015, p. 33). Many of NGOs provide education activity. The more we know about possibilities of action and forms of it as well, the easier people join them. Social support increases if NGOs improve peoples' knowledge about their not only existence, but mostly forms of activity (Brander et. al., pp. 334–345).

Wendy Wong indicates, that NGOs structure has two aspects: formal and informal (Wong, 2012, p. 92). While formal causes no questions, informal might cause only questions (origin of money, techniques and strategy of an organization, if NGO is making any reports, etc.) (2012, p. 92). Important part of NGOs actions is law-making, though formally they are not included in legislative. Collecting information, independent monitoring, fact finding missions are most known actions of NGOs. (Eriksson, Sadiwa, pp. 5–7.). Simple example may be Helsińska Fundacja Praw Człowieka<sup>7</sup> which is one of the most active NGOs on the field of Human Rights in Poland, as well as Amnesty International devoted strongly to campaigns against terrorism, but also – most known aim of AI activity – to free people jailed for voicing their opinion.

<sup>7</sup> Further as: HFHR.

### 3. Summary

Whatever we say about wrongs done within NGOs as well as abuses in their actions, etc., we have to underline their contribution in spreading not only the knowledge about human rights (all generations, all catalogues, all examples of them), but first of all their impact in providing reliable information not only to the States (Freeman, 2007, p.173) but also to the Worlds community. The truth is, that even though the development of human knowledge as well as the development of human rights is a fact, we face nowadays the crisis of human rights. Wiktor Osiatyński underlines that the firmness of human rights depends on NGOs and their well functioning (2011, p.121). The fact, that NGO have strengthened over the years their position in the political arena, but also in the consciousness of global community secures human rights (2011, p. 122). In the same time NGOs are presenting – or at least are spotted to present – “high moral standing” (Dodds et al., 2016, p. 10). Following Authors, they became *key institutions* of welfare programs (Willetts, 2011, p. 389). Though UN human rights bodies were at the very beginning suspicious of NGOs, they slowly allowed them to speak, to ask their opinion in time.

No matter how many *but*s and *don't*s we will have toward NGOs, the fact of their existence and work being done by them cannot be underestimated. The globalization and development of mass media (mostly independent journalism and internet) causes growth of knowledge about abuses in human rights, as well as about the range of needs and possibilities to help. NGOs provide the global community with the right to react and protect. To accept and to oppose for actions done by Heads of States and governments. The possibility to *act* is the spine of freedoms and rights of a human being. The thing is, that some changes need to be done. NGOs should not be the rudder, the sailor and the ship in possession of the means that they acquire. The responsibility for mismanagement would be a solution. At least as long as they are being spotted as *grass-roots* organizations, the trust in them is high (Freeman, 2007, p. 174). And the concept of civil society corresponds to the rule of subsidiary (Goszczyński et al., 2013, p. 16). While considering NGOs, the only punishment possible to implement would be a public account settlement. The price to be paid might be high. In case of NGOs social ostracism represents such a high price for mistakes. Especially, that NGOs are often spotted as cure for shortcoming of governmental solutions

(2013, p. 17). And their effectiveness depends “upon the capacities and capabilities” as well as on “the size and duration of the funds available” (Riddel, 2008, p. 282). The great exam for NGOs (specific type of them: public benefit organization) was the program of 1%. Within the last decade social participation in deduction of 1% of tax rate increased 53 time (<https://goo.gl/6ib66B>). The audit done by the Supreme Chamber of Control in 2014 showed among others, that lack of earlier controls enables to analyze how in fact NGOs use the money gained from 1%. Authors of the Report underline one significant thing: this 1% action is more accessible for a) at least medium NGOs and b) NGOs focused on charity (p.51). However the growth of donators shows, that NGOs play significant role. They are definitely needed, for sure also sufficient, but there is still a question sign pointed towards their efficiency. Efficiency, understood also as ability of effective and real needed help.

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