

Challenges Facing Contemporary Local Government: On the Issue of Hate Speech and Violence Against Councilors - Experiences and Prospects for Change

Monika Augustyniak¹

Abstract

Contemporary local government faces new challenges concerning the protection of democracy against hate speech directed at councillors and members of executive bodies in local government. This violence takes various forms and has various aspects. Counteracting it involves legal instruments in terms of criminal, civil and administrative law. There is also a whole range of non-legal measures that make it possible to effectively combat hate speech against representatives of indirect democracy who represent us in local government. The problem of hate speech is widespread and multifaceted, which is why this article will highlight specific defining elements, the normative context, and a catalogue of legal (especially administrative) and non-legal instruments. Good practices and recommendations in this area of research will also be presented. They are aimed at protecting local democracy, in the interests of local government as a fundamental element of the decentralisation of state power and the rule of law. The safety of councillors affects the level of authority of local and regional government, and thus the state of democracy throughout the country. The problem of “hate speech” directed at councilors and mayors is an increasingly common negative phenomenon in the public sphere, which increasingly affects not only local and regional representatives themselves, but also their families and loved ones. Due to the seriousness of this problem and the direct threat it poses to representative democracy, this phenomenon has become a matter of concern for the Council of Europe and its member states. The empirical method, together with the use of the dogmatic-legal method, made it possible to formulate the desired directions of changes in normative terms and at the level of good practice in local government in the fight against violence against local politicians.

Keywords: local democracy, hate speech, protection of councillors’ and mayors’ rights, local government

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¹ Dr. habil. Prof., Jan Kochanowski University in Kielce, Poland. ORCID: 0000-0001-6196-1989