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## **Civil Society and Environmental Activism in One EU-funded Transport Development Project in Slovakia**

### **Abstract**

This paper addresses the problem of how civil society emerges as a by-product of EU-funded structural development projects in Eastern Europe, in the case of Slovakia. The case study is indicative of how local forms of civil society can gain strength and establish public legitimacy thanks to the growing divide between national and local political orientations. However, it is due to the planning and implementation processes of the motorway construction project, under the umbrella of the Trans-European Transport Network, that different layers of power from state to local level emerge and consolidate. The interplay and conflict in these layers endanger accountability, economic as well as environmental sustainability.

**Keywords:** civil society, Slovakia, TEN-T, environmentalism, power.

### **Introduction**

This paper addresses the problem of how civil society emerges as a by-product of EU-funded structural development projects in Eastern Europe, in the case of Slovakia. Slovakia has been considered as one of the “success stories” of economic development and civil society building among the post-socialist countries in Eastern Europe (European Value Survey 1999). One of the main keys to this success is the geopolitical location of the country, “in the heart of Europe”, as some leaflets wrote in the early 1990s, which has accounted for the attraction of vast foreign capital investments. Since its peaceful split from the Czech Republic in 1992, Slovakia’s governments have experienced contrastive political orientations which alternated initial phases of cautious liberalisation

with steady democratisation and privatisation in the second half of the 1990s. Following EU accession in 2004, the country is among the most dynamic economic realities in Central Eastern Europe, although several problems related to the use of public funds and the implementation of development policies still persist.

The Slovak case is indicative of how local forms of civil society can gain strength and establish public legitimacy thanks to the growing divide between national and local political orientations. The main questions to which I will seek answers are: what are the political and dialectical strategies pursued by local interest groups in order to buffer the damages of globalisation? Does the trans-national scope of transport development projects affect the functions and form of civic organisations?

Collective engagement is often a difficult achievement in social and political contexts undergoing profound transformation, and measuring the extent of this engagement is a delicate process that needs attentive social analysis. The danger is to follow theoretical models that are unable to link positively to empirical data collected on the ground. The case study deals with the implementation of one EU funded Trans-European Network project for the completion of the D1 highway between Slovakia and Ukraine. The project directly affects the environment and the rural landscape around the town of Považská Bystrica, as well as one inhabited section of the town itself. I conducted fieldwork research in the region between January 2006 and March 2007 through repeated visits and follow-up interviews.

### **Civil Society in Eastern Europe**

The notion of civil society has recently become one of the most debated in the social sciences. Like for other theoretically “heavy” notions such as trust, social capital and social networks, civil society has often been rather taken for granted than rendered problematic. This proves, as Hann and Dunn (1996) indicated a basic difficulty to strike an optimal balance between theoretical models and their empirical accountability. Kubik underlines that a comparative operationalisation of civil society is often a poor result even in Western Europe (Kubik 2005: 113–4). This is due to the difficulty to detect historically grounded common trends among countries concerning some of the basic factors which are said to account for civil society building: number of associations, political participation of citizens, education and urbanisation. The situation gets even

more difficult when attempting to compare Western and Eastern European societies.

Eastern European countries are known to experience sensibly lower levels of civil society (Howard 2003). Most of the work aiming to prove this has been done by political scientists and sociologists who often appear more keen to build and test overarching models of collective engagement than to detect socio-cultural nuances and distinctions in forms of civil society. The latter task is left to anthropologists, who, in certain cases, have vehemently proved that civil society may become a poor analytical paradigm when applied to the post-socialist context (Hann 1990; Harper 2005).

Layton defines civil society as “social organisations occupying the space between household and the state that enable people to coordinate their management of resources and activities” (Layton 2004: 2). Civil society by definition enhances democracy. By occupying the social interstices between state and society, it smoothes the process of social transformation, reduces uncertainty and consolidates generalised trust. In order to be able to map the range of social benefits that civil society can grant this has been traditionally studied in relation to three analytical domains. The first is the interaction between state and social institutions. The point often stressed is that socialist countries, although possessing their own forms of civil society, did not construct instances of free public engagement at local level. In other words, most of the civil society active under socialism was actually state (or party) sponsored. Even though civic movements have been directly responsible for the collapse of state socialism in Eastern Europe, the profound social and institutional transformation that followed would have decreased their strength (Kubik 2005: 111). This has, according to some analysts, generated a sort of void of action (and perception), which is being gradually refilled by the new movements (Bădescu et al 2004: 323).

The second domain investigates the interaction between public and private interests. The existence of forms of civil society is directly related to the ability of individuals and groups to convey their own interests in collective forms of action, or intervention. The nexus between private and public is of crucial importance when studying civil society. Ernest Gellner, in Gramscian fashion, denied the possibility of its consolidation in Eastern Europe in the 1990s. He departed from the assumption that only the market could promote a “disinterested pursuit of interests” (Gellner 1996, quoted in Layton 2004: 6), and the market was far too weak in Eastern Europe to be able to account for the consolidation of civil society. Western Europe, he stated, needed civil

society to help the state restrain the power of the market, whereas in Eastern Europe it was the other way around: the market should have counterbalanced the post-totalitarian role of the state. Even though one may accept that private interests truly emerge and lead to public outcomes only when the institutional conditions allow and favour this process, it is more problematic, in Eastern Europe, to clearly define the divide between the private and public sector. Moving away from the Scottish Enlightenment tradition and Adam Smith's insistence on the "interactive sympathy", civil society has increasingly acquired in Eastern Europe the meaning of reconstructing mutual solidarity under circumstances of profound loss (see Pine 2002; Torsello 2003; Kaneff 2004). The question to be addressed seems here not whether the public loss of forty years of state socialism is still borne by post-socialist citizens, but whether private enterprises of sociability can effectively replace the loss of public spaces of interaction as well as increased inequality.

The third domain concerns the different places where civil action takes place. One common approach individuates in the distinction between civil society and the non-profit sector the place where collective engagement must be analytically framed (Zimmer 2004). On the other hand, a different approach identifies the creation of civil society in Eastern Europe in multiple social realms very often not mutually exclusive (religion, extra-kin networks, morality and even ethnicity). In this perspective, the trans-national networks of civic movements in Eastern Europe constitute the most innovative and useful spatial framework for analysing present trends and developments (Cellarius and Staddon 2002).

The trans-national approach to civil society is helpful for understanding ongoing dynamics of power struggle in the state and local arenas (Lipschutz 2005). However, as the case study demonstrates, without a proper ground-level understanding of the real social functions of civic movements and their strategies it is extremely difficult to deal with global networks without falling into the trap of generalisations and over-simplification.

### **The Trans-European Transport Network**

Under the terms of the Maastricht Treaty, signed in 1992 and enforced in 1993, the European Union elaborated a complex plan of development of its transport network, named the Trans-European Transport Network (TEN-T). The project, which became operative in 1996, aimed at improving the transport of

people and goods among the European Union states and along two main axes: the Mediterranean and Eastern Europe. The early project list, which included amelioration to highways, speedways, bridges, sea and river transports, airports, harbours, included 14 interventions, all located in the western European member states. In 2004, following EU Enlargement, the TENT-T was extended to a total of 30 priority projects, half of them including Central Eastern European countries<sup>1</sup>. As to 2007 only 5 projects were accomplished and 5 more were partially completed (all of them in Western Europe). Although after 2001 the concern of the TEN-T development projects was sensibly shifted towards environmental pollution and the preference of extra-road transport, currently about 70% of the freight transport and up to 84% of the person transport is still carried by road (Final Evaluation Report 2007: 21). Central Eastern European countries play a major role in this trend and, indeed, most of the projects located on their territories are road projects.

Funding has, since the first stage of the projects, constituted a major problem. By 2005 only four of the scheduled projects had been completed. Therefore, the TENT-T financing scheme was corrected to increase its budget over the following five years. It is calculated that about 600 billion Euros will be needed to accomplish the projects by 2020, an investment that makes up the 0.16% of the EU GDP. The actual initial amount scheduled was 225 billion Euros, less than half of the amount reached in 2007.

The funding scheme has been improved since 2004 including different sources of financing, from EU to private sources. One of the major actors in the funding process, (this rarely overcomes the 50% of the overall budget) has been the European Investment Bank, with a turnover of 75 billion Euros in the period 2007–2013. Again, finding ways to obtain funding is not an easy process. The slow path of the TEN-T is also explained by the complex trajectories that each project must follow in order to be approved and become prioritised. These steps include: informal communication about the project, a pre-application, the detailed application and the evaluation. Approved projects receive, since 2004, a six-year funding scheme, with no need (as before) to re-assess the project and refund it year after year. This has helped to speed

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<sup>1</sup> Of these projects 18 are railway ameliorations, two are inland waterways projects, one is a sea transport project and the remainder all highway and motorway projects. The projects envisage by 2020 the building of an overall 89,500 km of roads, 94,000 km of railways, 11,250 km of inland waterways interesting 210 inland ports, 294 seaports and 366 airports.

up certain projects, but has also brought in many substantial problems. It has been evaluated that this system proves particularly effective for large projects, that already foresee large budgets, whereas it tends to slow down or make less effective smaller projects. The second order of problems is of a political nature. The informal negotiations which precede the project application may tend to lack transparency. Also, since each country follows a different political itinerary in the planning, assessing, funding and building steps, trans-national projects tend to be delayed for bureaucratic problems. Delay in a project becomes the major cause for lack of EU funding, and it is no surprise if few projects, especially those involving the Corridors (see below), can be carried out within the schedule.

The third order of problems concerns the assessment of its impact. One of the major concerns of the TEN-T projects is their environmental impact. Even though the TEN-T legislation is clear about the need to assess the potential damages on the environment, a satisfactory course of assessment in each project is seldom achieved.

The far-reaching character of the TEN-T scheme is best understood when considering that it is not a transport system limited to the EU member states, but that it actually aims to integrate the old and new members with future potential members, as well as Russia. The overall transport scheme is organised around ten corridors which connect Western Europe with Eastern Europe, the Balkans and Turkey. In this study the section of the Corridor V are taken into examination. The corridor is planned to reach the Ukrainian border through three branches: Venice-Ljubliana-Budapest, Zagreb-Budapest and Sarajevo-Budapest. One additional branch, the one in examination, connects Bratislava with the Slovak-Ukrainian border, cutting the whole of Slovakia and interconnecting with Corridor VI, which runs from Brno-Katowice to Gdańsk and from Žilina to Katowice on the Slovak-Polish border.

Regarding its portion, Slovakia reached in 2007 an operational agreement on transport development with Brussels with a total budget of 3.8 billion Euros (one third of the overall EU investment for the country in the period 2007–2013). The scheduled projects include railway (around 34% of the funding) and road infrastructure development. The projects will cover the modernisation of about 170 km of roads and 200 km of railway lines. The TEN-T scheme is expected to fund approximately 1.8 billion Euros, and a remaining 1.4 billion will come through the EU Cohesion Fund (Operational Programme 2008). In spite of the far-reaching scope of these projects, in Slovakia as well as

in all the new EU member states very few academic studies have mapped their impact and socio-economic relevance at local level (Vickerman 1995; Johnson and Turner 2007).

### **The Case Study: The Považská Highway**

Považská Bystrica (hence afterwards PB) is a town of 42,000 inhabitants in northern Slovakia. The town is located halfway between the two industrial centres of Trenčín and Žilina in the area where Slovakia borders Poland and the Czech Republic. Its region constituted under the former regime one of the most important heavy industrial centres of the country, but nowadays has much less to offer in terms of jobs, save for the recently developed KIA manufacturing plant in Žilina. It was in the first half of the 1970s that the earliest plan of highway, crossing Slovakia from Bratislava to the Ukrainian border, was conceived. The Slovak highway was planned to circumvent the town of PB, as there was no other way of cutting through the valley in which the town lies.

By 1996 seven different variants of the highway crossing PB were under discussion. The problem was finding a solution which would balance the environmental impact and the costs, since it became clear that crossing the town could not be completely avoided. 1996 was also the year when the long highway battle started. On the one hand, the municipal and county offices had to find a quick and feasible resolution in order to be able to apply for the EU funding scheme which became available after 2004. On the other hand, changes in the local and national political attitudes towards the case instilled in some of the town inhabitants the idea that a dangerous game was being played beyond their will. In December 1996, a group of citizens led by two key figures, a teacher and an engineer, founded two local NGO-s to protest against the highway project. The creation of the NGO-s (The Highway and the People, The Highway and Nature) was the first formal step towards the mobilisation of local civil society, and thanks to them the locus of the protest shifted from informal to formal meetings where local authorities were asked to shed transparency onto the project. The main line of protest concerned two points: the environmental impact of the planned highway on the town and the rural landscape and the dispossession and expropriation of land, houses and shops which happen to be located under the highway. In fact, even though

the road variant proposed under socialism did not cross the town, in 1996 the city of PB passed a second variant which was planned to cross one section of the town through a flyover bridge of 34 metres. The result was that at least two town streets would be completely removed, and a planned number of 500 new flats were destined to compensate the dislocated families. Moreover, for those who lived in flats above the fifth floor new anti-noise windows would be installed. The NGO-s, backed by research reports commissioned to academic experts, proposed two other variants which avoided the town, one of which was a tunnel.

Meanwhile, a petition was signed by some 1600 persons, who asked for a reassessment of the city variant. In 1997 the first Environmental Impact Assessment (EIA) took place which was required by national and EU laws. The three ministries of Transport, Environment and Traffic recommended four variants, none of them was the one proposed by the city. A second EIA was undertaken in 2001, producing three recommended variants. In spite of the results of the EIA, the city decided on the city variant, excluding those which recommended that the highway avoid the city. The explanation given to this decision, which contradicted the recommendations of the Slovak government was twofold. Firstly, it was stated that the flyover bridge variant would allow for a saving of about one third of the cost of the tunnel variant. Secondly, the mayor of PB explained to me that the main problem was of a technical nature. As to 2007, the appointed building company did not possess the adequate technology which would allow the digging of a tunnel below or around the city, as the environmental activists suggested. The difficulty of this effort was also explained with the argument that due to the presence of the Váh River and to copious underground water the tunnel would be a hazardous option. Environmental organisations, on the other hand, denounced that the environmental assessment was not performed by a completely impartial institution and hence its results could be questioned.

In 2004 the protest grew bitter, with public-awareness rising efforts and formal complaints directed by the two NGOs to the County Building Office and the County Government. Both complaints and the above mentioned petition were rejected. The only issue on which the County accepted to discuss was to improve the EIA methods, including the expected noise pollution. The NGOs had indicated, using a study by an academic from a university in Bratislava, that the expected noise outcome would exceed by 5–10 decibels the allowed levels. The study was taken into consideration but was later lost by the county offices. Concerning air pollution, there seemed to be less talk about it. The



issue was problematic for both sides. The city government did not wish to proceed with a detailed assessment of the emission gas levels above the city. On the other hand, since heavy traffic (mainly trucks directed to Poland and Ukraine) crossing the city had steadily increased after 2004, air pollution had become a sensitive issue, which would actually cause public protest to languish in recent years.

In 2005 the Slovak government entrusted the newly founded Highway Society (DS) with all the projects related to the improvement and modernisation of the national highway network.

In 2006, ten years after the first public discussion, the city opened a public meeting to discuss the compensation scheme. The NGO leaders criticised the move, stating that it constituted nothing other than an effort to improve the image of the local government. Some months later, the DS opened the Highway Info Point in town: an elegant technologically equipped office, where citizens could learn about the highway project, and view a sophisticated video which illustrated the steps to the building of the “Highway at our gate” as the title runs.

In August 2006, the NGOs pushed the international organisations Friends of the Earth Slovakia and CEE Bankwatch Network to send a letter to the Director of the European Investment Bank, through which the TEN-T funds were assigned to stop financing the highway. The letter claimed that: first, the EIA produced by national sources, had been ignored and, secondly, that no clear compensation scheme for the dispossessed owners had been discussed publicly<sup>2</sup>. Meanwhile, the two NGOs directed their petition and protest to the National Supreme Court. The effort was successful and the funding process was temporarily halted.

In 2007, after the worsening of traffic conditions in PB, it became clear that the battleground had shifted from the highway variants to the compensation scheme and the moving of the two streets. Although the Ministry of Transport and the Ministry of the Environment advised not to move the main city road, the city council was not clear about complying with this recommendation.

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<sup>2</sup> One major problem about the compensation scheme for the landowners was that the land on which the highway was to be built was never, as the TEN-T projects require, officially put on sale. Some of the owners, as a matter of fact, still refuse to sell it. During one of my visits to the DS Info Point I heard local citizens complaining about the lack of transparency of the selling procedure, but receiving no answer to their claims.

The new mayor, a doctor, elected in 2006, seems to be in a weaker position to defend the interest of the city to gain compensation for the dispossessed and dislocated owners compared to the old mayor, the real promoter of the highway project. It is clear that diminished public resistance over the flyover bridge issue has favoured the main investment company, the National Highway Company, established in 2005, which was expected to provide the compensation.

In September 2008 the Slovak government issued a law package under the name “Extraordinary measures in the preparation of selected motorways construction” which, among others, allowed highway construction on land that has not yet been purchased by the DS. This law, which is currently the object of fierce debate and criticism since it seems to violate landowners’ rights, will expectedly speed up the highway construction process. The flyover bridge is now under construction and the destruction of the two streets has started, even if the protest has not ceased, most of the active persons in the organisations have lost faith in the future of the project.

The flyover bridge is currently under construction, local media campaigns against the project calmed down after the end of 2008, the only exception being a number of websites which inform the public on the contested actions of local government<sup>3</sup>. In the eyes of the general public PB still makes up one of the cases of slowing down the construction of the D1 national highway.

### **State versus Local Power**

The different approaches of the state and local authorities to the TEN-T project are expressions of the power struggle which consolidated in the mid-1990s. Under the Dzurinda cabinet, the County of Trenčín, traditionally a stronghold of the opposition party of the time, HZDS, denounced the slow path to which the highway project was promoted and implemented. The supporters of the highway project accused the state of overlooking the real problems connected with the development of the region, especially after the main city factories were forced to cut down over 10,000 workers in the mid 1990s.

In a letter dated May 24, 2005, the mayor addressed the issue of the one year delay in the highway building in starkly critical tones. He overtly denounced the incapacity of the Ministry of Transport to deal with the technical procedures

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<sup>3</sup> For instance: <http://povazska-bystrica.otvorene.sk/dialnica-a-prelozky>.

needed to proceed with the bridge building. He pointed out that, after the Ministry had agreed to proceed with the city variant (flyover bridge) in 2003, one year had passed without receiving the proper documentation that the city needed in order to start the work. In his words: *The state cannot let a handful of city councillors and citizens blackmail it and must continue its work in a just and responsible manner*<sup>4</sup>. In particular, the mayor blamed the minister of Transport for being unable to take responsibility for the serious delay in the project.

On the other hand, one month later the Minister declared: *I am disappointed. We have waited one year to find a solution to the highway question, and more problems are to be expected for obtaining the construction permissions by the city*<sup>5</sup>. The Ministry of Transport answered the mayor's criticism denouncing the incapability of his office to settle the problem concerning two issues: the highway variant and the compensation process. Although there is no mention in the official documents and press reports of the NGOs and the civic protest, the stalemate was mainly imputed to the city itself.

The power struggle between the mayor and the minister was not simply an expression of their contrasting political orientations, as mentioned above. The highway is a priority within the EU structural projects, and also because of state commitments towards the Korean investors. This explained, in the eyes of the mayor, the pressure made by the Ministry of Transport to adopt the most convenient and cheap variant, irrespective of its negative and heavy environmental impacts. This was not explained to the public until 2006, during the civic meeting in which one hundred city inhabitants took part, but had been manifested earlier in the city newspaper. The NGOs followed the prescriptions of the Ministry of the Environment, dated 2001, which advised three variants, the most environmentally harmful of which was the chosen city variant. The NGOs denounced not only the choice, but also that the construction plan had started, in 2002, without the necessary permission and the settlement of the compensation scheme.

One of the two NGO leaders blamed the municipal administration under the former mayor to be responsible for the environmentally harmful choice. One of the two leaders admits that the mayor had switched his standpoint from an initial criticism of the city variant to its unconditional acceptance,

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<sup>4</sup> *Považské Noviny*, 21, 24–5–2005.

<sup>5</sup> *SME, Dial'nica pre Kia nebude načas*, 27–6–2005.

even without strictly following the legal procedures needed in the building process. In the course of one interview, he allegedly pointed out that support to the citizens terminated when the compensation business started. The only mention of the role of the state on the choice of the bridge variant was when he indicated that *If the major road construction company would have the proper technology to dig tunnels then PB would have at least three tunnels going around it. It is not a matter of money*<sup>6</sup>.

In 2006, the political elections changed the government orientations in the country and the HZDS gained power in the new coalition with SMER and SNS. Unfortunately, the mayor failed to gain its third office due, in his words, to a powerful consolidation of adverse financial speculation of private interest groups. The new government is doing its best to speed up the project, as the recent law on the dispossession of land on road networks sites clearly demonstrates.

There are different ways in which the struggle between state and local institutions can be interpreted. One way can be to analyse the choice of the highway variant and its public meaning. In the mid 1990s, when the Dzurinda cabinet started the highway investigation, the city of PB responded tepidly to the possible variants and eventually opposed the one which was to cross the inhabited area. The former mayor used the Ministry of Transport's suggestion to chose the least expensive and technologically most feasible variant as a weapon to justify its distance from the project. For 7 years, until 2003, the town engaged in a ping-pong game with the Ministry delaying the construction for missing documentation and technical assessments. The town administration, at that stage, was still not seen directly as being guilty of the project, as the state was to be blamed. This was the period when the NGO activities were in the observation and consensus building stage. After 2003 the mayor successfully diverted public attention transferring the fully fledged responsibility of the bridge choice to the state which, in his eyes, had *blackmailed the city with no possible way out*. In an article dated 2005, he observed *at that point [when the construction work actually began] it was clear that the state had imposed its ultimatum: accept the city variant or fight the law*<sup>7</sup>.

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<sup>6</sup> Interview, 11-5-2007.

<sup>7</sup> Hovorme o factoch, nie o pocitoch. *Považské Noviny*, 21, 24-5-2005.

## Forms and Localities of Civil Society

Another way of attributing meaning to the local, national, trans-national power struggle is the observation of the forms of the civic protest and the unravelling of ideas that local people have about their functions and public achievements.

In 1996, when the two NGOs were established, the confrontation with the city administration was not yet an issue. The creation of civic associations was a difficult process justified by the necessity to monitor the highway project from ground level. The founders of the movement were mainly educated people: school teachers, professionals, one retired chemist and two entrepreneurs who shared the interest “not to lose the important details of the project implementation”. At that time it was not clear to the general public that the PB highway was part of a pluralistic design aimed to improve the infrastructure of the country and improve EU-level transport. The main concern of the two NGOs was the need to avoid mismanagement and under-information.

I believe that this was the true aim that inspired the first steps of the civic protest even though, one of the early activists underlined that it would have been difficult to involve citizens with a clear “political” aim in mind. He indicated that anything unofficial was veiled with suspicion since people were not used, due to the socialist regime, to think that public action could be genuinely borne out by such movements.

The early meetings of the two NGOs were carefully organised avoiding to diffuse the idea that the associations were opposing the state and municipal authorities. It was counterproductive to instil in the citizens the impression that fighting on public ground could have brought about concrete results, since it was not clear whether the protest could be addressed versus the state. In this the mayor was right, the state had successfully blackmailed the citizens providing serious limitations to the democratic expression of their voices. This finding demonstrates most of the mainstream debate over the difficult consolidation of civil society in Eastern Europe, as illustrated above. The NGO leaders had to find alternative venues of public expression, as they seemingly avoided official confrontation with the state authorities. The vagueness of their official standpoint allowed them to penetrate into the texture of the citizens’ uneasiness with the city politics. It was exactly the absence of a clear public performance of the protest, as well as their strategy to act in informal channels, that allowed for the creation of the two NGOs. Following a snowball method of involving friends, relatives, neighbours and acquaintances, the

two associations proceeded through informal meetings, telephone calls, pub chats, emails, web forums and simple text messages. The reason why formal occasions of interaction were to be avoided was actually twofold. On the one hand, the justification that the socialist experience had taught people to be wary of those who arranged things in the daylight, acquiring formal specification of the function and aim of the protest is the most commonly given explanation to this strategy. On the other hand, however, over-exposure of the civic protest could have brought damage to its inspiring minds because of the risk of being accused of speculation in the compensation business. This is exactly what was happening, in the meanwhile, in the KIA issue some forty kilometres away. The leader of the NGO The Highway and the Nature, in two circumstances admitted that having two associations constituted a positive strategy to avoid becoming stormed by the attention of the local media, as well as to be able to divert criticism and legal attacks by local institutions. The city administration, in the years when the public battle had grown fierce, used the petition campaign summoned by the NGOs as an instrument to debase their function as civic movements. Through the local media the work of one of the two NGOs was explained in terms of the personal benefits that a small group of its members were trying to achieve directing the compensation programme to obtain gain. The defamatory campaign forced the association to further avoid public confrontation, as the fear was that every direct action could have been interpreted as instrumental towards the local population.

On one occasion in 2004, the NGOs proposed a list of three alternatives to the city variants, accompanied by a petition signed by most of the land and flat owners on the three streets that were to be cancelled. The petition also suggested, in one variant, the deviation of the highway to the nearby settlement of Jašlové. The city used this petition to prove the bad intentions of the NGOs towards the inhabitants of Jašlové and eventually gathered a counter-petition from this settlement to ask for the end of the public protest by the NGOs. The novelty of civil society movements, and their actual forms of engagement were used as sophisticated instruments to communicate with people and eventually to consolidate power in local administration circles.

After 2006 the forms of public engagement changed. Over ten years of civic battle over the highway project have brought about contradictory outcomes. The two NGO leaders agree, on a dismissive tone, that there is little positive to be achieved concerning the bridge issue. It is clear that the flyover bridge will be built; it is only a matter of time. This is, however, not perceived as a defeat, but as the natural consequence of that kind of exhaustion which has

recently occurred. The steady worsening of traffic conditions in the city has moved a number of people to give up the protest and abandon their ideas about collective action. Some feel that, at this stage, it is better to have a bridge than not to have one at all. The voice of the minority who remains active in the propaganda against the highway has become, since autumn 2007, rather silent. As the former mayor had to say, it is only that handful of people who will be dispossessed who keep on protesting, the other city inhabitants pay little attention to the project. What is worse, even those who used to be extremely active at the end of the 1990s, are today less keen to manifest their need for collective action and public protest. As one informant, the owner of a pizzeria who will lose his restaurant and house in one of the two streets interested by the bridge construction, commented: "Protesting, in these days, has put us against our fellow citizens". Again, the supporters of the city variant have successfully used the protest as a weapon in their hands. Tired and discouraged by the heavy highway traffic which, since 2006, has daily been crossing the city streets, local people have learned to believe that those who in the beginning opposed the city variants are to be blamed today for the delay in the bridge construction. Some hope that the construction, as a visible sign of the violence of the project, will again instil fear and unease in the population who turned its back on the civic protest, even though at that point it may be too late to react.

The remaining forms of public protest are increasingly connected with global venues of civil society. One of the two NGO leaders, the most active, makes use of personal networks with Slovak and foreign environmental NGOs to continue its campaign, defined by some as a solitary battle. There are three web sites which contain a long list of documents, newspaper articles and pictures on the highway project. The NGOs are nowadays linked to the Central Eastern European Bankwatch Network and the Friends of the Earth<sup>8</sup> (CEPA) organisations. These are among the largest non-profit organisations that, in Eastern Europe, address issues of environmental protection and defence of civil rights.

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<sup>8</sup> These two organisations are currently unified under common aims. Friends of the Earth is a civic association which originated out of the formerly called Centre for Environmental Public Advocacy (CEPA) and joined project which relate to environmental protection and awareness, social justice, civil society.

It is thanks to this connection that the local NGOs succeeded in halting, although only temporarily, funding of the highway project by the European Development Bank in 2006.

Today the Slovak section of these associations is mainly concerned, in PB, with the compensation process and the defence of the ownership rights of those directly involved in the expropriation.

Enlargement of the spatial scope of the environmentalist movement has not been matched by a strengthening of ties with local society. When the municipality started organising the first public meetings over the highway project it found many of its citizens well aware of what was going on behind the desks. The degree to which personal communication, interaction with the NGO leaders and transmission of information affected the public protest is one of the most important factors not to be underestimated. It was often the discrepancy between what the formal meetings were telling people and what people already knew through the informal channels that strengthened the civil society movement. It is not by chance that I was denied access to the video of one such meeting.

Later on the NGOs became more structured and organised institutional entities and started their own formal activity, both in and outside the city. The protest never went into the streets, as demonstrations and strikes were “inconceivable” according to the leaders. However, the most visible achievement was the collection of 1600 signatures over the petition, and many citizens showed increased awareness of the problem, becoming willing to answer questions and being interviewed by local and national media.

The temporary stop of the funding process of the TEN-T process was indeed perceived as a good achievement by NGO members. Moreover, the very fact that the highway debate was regularly illustrated by local and national newspapers, suggested that there could be a way of reacting to unjust political manoeuvres. Unfortunately, this success did not last long and did not eventually bring the expected outcome. In the last step of the public protest citizens’ involvement weakened dramatically. The reasons for this have already been introduced, what is worth noticing is that the space of the civil society movement has changed again. Once the EIB has re-started financing the highway the international concern for the PB has decreased. Contemporarily, the locus of the public protest has itself become restricted to the only cases of the two streets subjects of dispossession. Again, protest against the elimination of the streets is not openly public. Although the two NGOs formally exist and continue their activity, it is mainly those households which will lose their



property which remain active within them. Many have lost interest in the problem or are simply tired of following it. Among those who keep protesting there are cases of families who, tired of being interviewed and addressed as “rebels”, decided to isolate themselves and avoid public contact. One man, the owner of a small garage, bought two big dogs to keep journalists and curious people away from his premises. Another, the owner of a small grocery shop, simply refuses to talk or comment on the highway issue any more. Only Jan, the owner of a pizzeria, keeps on meeting those who still want to discuss the problem in his restaurant, but the number of those people has recently decreased. Those same interpersonal ties which rendered the protest feasible and helped people to get together and find common grounds of expression of their needs and aspirations have been undermined by the recent events of the highway business. Isolation and disruption of these ties has become the result of the long and difficult path of the protest, on the one hand. On the other, the local administration has successfully made use of the protest to put people and interest groups against each other, convincing, as the city has become choked under the heavy traffic, that those who want to organise a concerted protest are actually those who caused the traffic problem in PB.

### **Conclusion**

What is the role of civil society in this case study? Caught in between the political forces (trans-national, state and local) civil society occupies the sphere of people’s reaction to what is decided above them. In this there is no evident difference between this case and another in western Europe. The protest movement arises and gains momentum when the opposition between local and national forces becomes more evident. The state is unable to impose its decision over the city, and the city becomes increasingly unable to defend its “virtuous” political choices. The establishment of the two NGOs makes up the novelty of the process of forced negotiation of the decisions over the flyover bridge. It is not by coincidence that the initial activities of the civic associations are conveyed mainly through informal channels. I believe that this is not simply due to the lack of civic tradition in post-socialist countries.

The activists soon understood that the only way for them to gain consensus was to engage in the protest with the same rules of the game being played by the state and the city. The existence of the conflict between these two parties had legitimated the creation of the two organisations. However, in the first

period they were mainly preoccupied with communication with citizens to enlarge the base of legitimacy rather than real action. Even though, in the first stage, they successfully managed to gain local support, their choice to avoid public confrontation and overtly denounce corrupt practices allowed their opponents to regain trustworthiness and blame the protest movements for the delay in the bridge construction.

Civil society occupies the layer between households and the state and it is increasingly looking for different, expanded spaces in which to build its strategies, make decisions and choices. All this is the fruit of the post-socialist transformation and EU enlargement. However, the same trans-national dynamics of development allow incorrect planning, abuses, environmental damages and corrupt practices. This case study suggests that in a similar way in which civil society may be brought to light by the implementation of EU funded structural projects the struggle between local and national power as well as the attempts to debase the true goals of the civic movements are borne out by the interaction of trans-national, national and local interests. Today, the highway bridge over a city tired of fighting is the most striking symbol of EU policy that creates layers of power and groups which take advantage of the local-national and trans-national divide. These groups pursue their interests without a clear picture of the environmental and social damages deriving from the development projects.

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