

Various Civic Activities and Institutions and Their Impact On Local Level Governance in Slovakia

Jana GAŠPARÍKOVÁ¹

Abstract

This presentation will concentrate on activities undertaken by two different types of organizations as well as the various manifestations of their activities. Utopia has had very deep involvement in civic activity in the area of participatory budgeting and Via Iuris is a professional organization involved with various protest activities, often concerning environmental issues.

Key Words: Local Level Governance In Slovakia

Introduction

After the Velvet Revolution in Czechoslovakia and the founding of the independent Slovak Republic democratic instruments in decision-making policy were strengthened and were legally accepted for regional policy within a new form of public administration. The process of political thawing went hand-in-hand with development of functional regional policy and its instruments, acceptance of civic space and the possibility for citizens to participate in it. Various civic organizations started to be active in the Slovak Republic, supporting a variety of activities by people interested in participating in their local communities. Activities by these civic organizations were based on different principles – supporting voluntary civic activities without help from

Dr.Jana Gašparíková, School of Economic Management and Public Administration, Bratislava, Slovak Republic, email jana.gasparikova@vsemvs.sk

professional organizations (as is the case with the civic association Utopia) or acting with help from a professional organization (as is the case with the organization Via Iuris). This presentation will concentrate on activities undertaken by these two different types of organizations as well as the various manifestations of their activities. Utopia has had very deep involvement in civic activity in the area of participatory budgeting and Via Iuris is a professional organization involved with various protest activities, often concerning environmental issues.

Introducing these two organizations goes hand-in-hand with a detailed description of their typical activities. First, there will be a description of the civic association Utopia and its activities linked with participatory budgeting and then a description of Via Iuris and its activities with various environmental projects.

Participatory Budgeting

Participatory budgeting in Slovakia has a different concept than what has been used in various countries of Latin America (especially in Brazil, in Porto Alegre) or in other European countries such as Spain, especially in the city of Seville, later in municipalities in Germany, and in several other European countries such as Estonia. In Slovakia participatory budgeting began in 2012.

Experts such as Sintomer, Herzberger and Rocke describe participatory budgeting as an instrument based on five principles:

- a) “the financial budget and /or budgetary dimension must be discussed; participatory budgeting involves dealing with the problem of limited resources;
- b) the city level has to be involved, or a (decentralized) district with an elected body and some power over administration (the neighbourhood level is not enough);
- c) it has to be a repeated process (one meeting or one referendum on financial issues do not constitute an example of participatory budgeting);
- d) the process must include some form of public deliberation within the framework of specific meeting/forums (the opening of administrative meetings or classical representation instances to formal citizens is not participatory budgeting);
- e) some accountability on the output is required.” [1, p.168]

Original Idea of Participatory Budgeting

The original situation in Porto Alegre (Brazil) concerning participatory budgeting was very specific and was understood as the reaction of citizens against clientelism and corruption particularly involving public finance issues. The most dominant feeling of citizens of Porto Alegre was that their local politicians were not representing their interests adequately.

These activists were strongly influenced by the idea of social justice [1, p.167]. This idea of social justice was popular especially in the poorest city suburbs. The citizens were not satisfied with the corrupt politicians and wanted to have fair financial transactions for realization of various important projects in their municipalities. The citizens' activity, together with several civic organizations, was primarily concerned with reviewing the municipal budget and forcing creation of a participatory budget. These civic activities – to be active on the local level and support one's own public interests – began to be connected with achievement of social justice across South America and later in Europe.

When concentrating on the entire concept of participatory budgeting, an important link can be seen between this issue and understanding participative democracy and the role of civic organizations in individual countries.

Participatory Budgeting in Slovakia

It is necessary to understand that participatory budgeting is a fairly new instrument in Slovakia that has influenced the political culture of elected public officials regarding the decision-making process for municipal budgets as well as officials' level of acceptance of active citizen participation in the decision-making process. This has occurred in various municipalities over the last several years, in small villages as well as in larger towns and cities.

It is necessary to understand that participatory budgeting often begins as an ad hoc instrument of active citizens. Initially, participatory budgeting is an instrument helping citizens to advance their preferred projects and it also empowers citizens to directly take part in decision-making processes regarding distribution of funds from the municipal budget.

Civic representatives of participatory budgeting are authorized to introduce proposals for projects and then need to discuss these proposals with the local citizens. This discussion is connected with serious review and criticism of the financing of projects by active citizens.

A key moment for participatory budgeting is the decision-making process in which the most appropriate public projects are selected. It is a process in which citizens themselves must select the projects to be financed. This is one of the most difficult processes to be undertaken under the conditions of public life in Slovakia. The civic organization Utopia has been supporting citizens in Slovakia in undertaking the actual realization of this process.

Case Study of Bratislava

The main goal of participatory budgeting in Bratislava is to support various publicly-financed projects that are of interest to the general public. Bratislava's participatory budget has several program areas such as for traffic and roadways, environment, culture, sport, social aid and social assistance. The primary public interest in participatory budgeting is concentrated on selection of appropriate projects from within the above-mentioned program areas.

All projects selected by the public must be carried out according to state regulations for public procurement and the municipality's internal budgetary rules. This process has to be reviewed by the public, particularly by participatory civic forums that are expected to be very active in the process.

In Bratislava, participatory budgeting was defined as "civil budgeting" because citizens and activists only in accord with their interest in upgrading Bratislava's public community space, had supported acceptance of participatory budgeting .

Citizens' different ideas about implementation of various public projects culminated in the development of a special "public stock exchange". This public stock exchange is internet-based and its web address is advertised on the website of the Bratislava city council. All citizens (18 years and older) can contribute their ideas and projects and can post information on the website.

The desirable aspect of this approach was that this form of participatory budgeting involved citizens of Bratislava in creating part of the city budget, helped in implementing interesting, new public projects, and allowed citizens to take part in the process of redistributing public funds for various programs. However, Bratislava's participatory budgeting process received severe criticism in 2014 from the general public, especially about the legality of the decision-making process in public forums and ignorance to accept civic suggestions from the side of Bratislava municipal officials.

Civic associations and civic activists

The participatory experience of citizens has been supported by creation of various civic and community associations that have tried to unify the atomized public discussions and interests and to develop more pronounced democratic activity on the local level. Public interest in more participative civic space at the local level was catapulted by municipal reforms undertaken in 2011.

These municipal reforms put in the foreground the general development of communities and general well-being of inhabitants on the municipal and local level and support for subsidiarity and decentralization of public administration[2]. Consequently, this new phase of regional policy influenced the growth of new civic and community associations. Nevertheless, this initial stage of increased public activity was also accompanied by a significant amount of scepticism.

Participants in local initiatives

The participants in local initiatives have mostly been various civic associations that are interested in being involved in municipal budgeting and implementation of projects. Utopia has been one of the most important civic associations and it has been pushing implementation of the participatory budgeting process in Bratislava as well as in other Slovak municipalities. The primary interest of members of this civic association is solidarity and cooperation based on rational support of tangible, spontaneous civic activities. The background of these activities is found in the Utopian manifesto. This manifesto expresses different postulates – for instance, to protect Slovak civic society

against atomization, to protect people against a cynical understanding of the market, and to support the meaningful existence of people on the local level. In this sense Utopia reflects creation of small and better worlds based on the fundamentals of local democracy models. Those better worlds could come together and create more resilient communities based on strong communication and cooperation. [2]

Utopia has also been interested in creating participatory communities capable of monitoring and limiting hegemonic power on the local level. The civic association was inspired by the philosophical book *The Turning Point* and by the political activity of Friedrich Ebert, the well-known German social-democratic politician who supported political and social education for protecting democracy and pluralism as well as international and civic understanding. Utopia has suggested that one of the turning points on the local level is creation of a participatory budget process with openly accessible data as one of the methods to control hegemonic power at the local level. From this point of view, it is understandable why Utopia's primary goals are creation of various participatory networks and participatory communities (with open access for citizens) and support of functional communication among them. The Utopia civic association has built participatory communities that supported the project of participatory budgeting in Bratislava and other cities and developed cooperative communication among different communities [4].

True functionality of participatory budgeting depends not only on active participation by citizens on a local level but also on actual supportive interest on the part of municipal officials. This interaction between citizens and local elected officials and city authorities has been possible because this interaction has occurred hand-in-hand with Slovakia's municipal reform. This municipal reform has been based on support for functioning civic space and various forms of flexible and decentralized activity by public administration in Slovakia.

Via Iuris and its civic activities

Another very important manifestation of civic activity has been undertaken by the civic organization Via Iuris that has also been interested in changing the idea of public space. Via Iuris is a non-profit organization offering assistance in organizing active citizens in public affairs at the local level. Via Iuris also offers expertise about

making legislative changes, conducts various analyses, and organizes consultations and conferences. Its topical and strategical issues concern active participation of citizens on public issues and justice. Via Iuris has existed for more than 20 years and is a professional organization advancing the public interest on various issues. Its main interest is making systematic changes.

People who work within this organization are primarily very skilful professionals, primarily very good lawyers who offer thoughtful legal expertise on how to solve important public issues and how to file motions with the judicial system. This legal expertise is important for determining legal approaches and suggesting new comprehensive solutions and strategies.

This organization is associated with the idea of representative democracy because it offers help to various active citizens and groups in their campaigns against corruption and poor treatment. Via Iuris has been a very popular institution, organizing various meetings and sub-councils oriented on multiple projects. It also supports new activities by citizens who join together in municipalities by offering its expertise on different kinds of cases. [5]

One of the very important cases influenced by the activity of Via Iuris was an environmental protest against building a power plant in the small town of Pezinok near Bratislava.

In spring 2014, citizens of Pezinok and residents of neighbouring villages became involved in the process of assessing the effects of a proposed power plant on the local environment (Environmental Impact Assessment). At this stage, more than 2,000 citizens, associations and companies had already expressed their opinion against the gasification power plant. In February 2014, a public gathering took place, accompanied by a heated discussion. Subsequently, the residents sent a written opinion about the environmental assessment report that had been submitted by the power plant investor to the Ministry of Environment of the Slovak Republic.

The Pezinok citizens and representatives of neighbouring communities were rejecting what they viewed as an experimental project that had not been verified anywhere in the world. In addition they were concerned because there was already an

existing environmental burden from an old landfill in Pezinok that contained millions of tons of waste, some hazardous.

The Pezinok citizens also pointed to the health condition of residents of Pezinok district, noting that based on long-term research the district has a several-fold increase in the incidence of sixteen kinds of cancer.

In the recent past, Pezinok citizens came to be known in Slovakia for their persistent rejection of building a new landfill in their town. The end to building the new landfill in Pezinok came after seven years when Slovakia's Supreme Court, following a previous decision by the European Court of Justice, annulled the legal permission to build the landfill, resulting in its definite demise.

Now Pezinok citizens have managed to repel the investor's new intention to build a gasification plant in their town. Undoubtedly this is a positive signal that will encourage people in other parts of Slovakia who, like the Pezinok inhabitants, are committed to actively protecting their environment.

This campaign was successful due to very strong support of experts from Via Iuris who helped the Pezinok citizens to support their arguments. The advice and expertise from Via Iuris was especially important for the final victory.

Conclusions based on the activities of Utopia and Via Iuris

These cases comprise forms of deliberative democracy. Deliberative democracy focuses in this sense on communication and community building. It also allowed the development of social capital within the group of citizens. This foray into deliberative democracy was a reaction against the socialist and communist era characterized by strong hegemonic slogans and elimination of community life on a local level. This response has brought new problems to the foreground – how to resolve conflicts of interest and conflicts resulting from decision-making processes on the local level. In the early formulations of the deliberative ideal in the 1980s, deliberation was always opposed to strategic behaviour encouraged by voting and bargaining. The superiority of deliberative democracy was established by developing the distinctive rationality of the forum rather than the market [8, p.400]. The goal was consensus, the agreement of all those affected by a decision.

Recently, it goes beyond the limits of liberalism and has recaptured the stronger democratic ideal that government should embody the “will of the people” formed through public reasoning by the citizens. It begins to be a more and more important question of institutions and organizations representing free will of people. Bohman reviews three different ways in which the ideal of deliberative democracy has changed: first, theories of deliberative democracy have come to emphasize the process of deliberation itself, rather than its ideal and counterfactual conditions and procedures. Secondly, deliberative democrats have become increasingly interested in the problems of institutionalization, of making institutions such as voting and majority rule and constitutional law more deliberative rather than rejecting them for more direct democracy. Thirdly, deliberative democrats are concerned with examining and comparing different settings and procedures of deliberation, pointing out empirical problems and obstacles that cannot always be anticipated by conceptual argument alone. [8]

The most important catchphrase is public reason – that legitimate decisions can be accepted by everyone and not rejected by anyone based on free reasoning by equal citizens. In this sense, it begins to be important public justification; it means acceptance does not give any person veto power. Decisions are openly justifiable – in this way justification of actions is important rather than beliefs; practical reasoning and not moral reasoning.

One of the spontaneous statements is deliberation as an ongoing cooperative instrument that does not require citizens to be always fully convinced by the public reasons or be offended by others by the deliberation.

Citizens also know how to cooperate in cases of deep conflict when the procedure is seen as fair and they have reasonable expectations of convincing others of the reasonability of the actions. This process must consist of three items: the kind of reason that should be given; the forum in which it should be given; and the agents to whom it should be given. All these three items help to understand that deliberative democracy is self-controlling.

Civic organizations and municipal reform

This deliberative democracy is possible not only due to activity of local organizations but also due to democracy on a local level such as freedom of access to information and representation of people's free will. This type of democracy began to be manifested particularly after the municipal reform that started in 2012 in Slovakia.

In one way this municipal reform is a very important and effective process helping to revive social life on the local level but it also has caused many difficulties because it is not very well-balanced and has resulted in many problems. This municipal reform offers many privileges to local public administration and its representatives – public officials who very often misuse their executive power and decision-making. Activities by various civic organizations must be understood in this sense as necessary and as an unofficial counterweight to the activities of public administration officials.

The actual outcome of activities of these civic organizations is very important because it supports civic, social and political cooperation on a local level. And perhaps it supports civic cooperation, which is one of the most important issues in local-level democracy. One of the most dangerous aspects of local democracy is its politicization and divergence in understanding the real needs of people living in various local communities – that is why it is important to raise the activity of civic organizations in restoring and supporting community life.

Local democracy definitely has different limits but without local democracy and its rules accepting the free will of local citizens it is not possible to build real deliberative democracy. The activity of civic organizations is especially important in this sense. These two organizations, Utopia and Via Iuris, are different kinds of organizations working with different rules – Utopia is an organization joining together amateur activists and interested local citizens to realize various projects linked with review of public finances; Via Iuris is an organization bringing together experts in supporting or reviewing various projects, which may or may not be in accord with the opinions of local citizens.

Future destiny of civic organizations in Slovakia

Civic organizations support public life in big cities and towns in Slovakia and it is important that their activity be supported as well in smaller towns and villages because only then will it be possible to strengthen the actual functioning of grassroots democracy and to support civic cooperation. Supporting the formation and activities of new civic organizations helps to create a new democratic spirit on the local level, something that is a very important task in a post-communist country such as Slovakia.

On the other hand, it is very important to combine respect for social justice and morality with pragmatic deeds and projects. This is why it is very important to build small bridges for local democracy – meaning to create more new civic organizations.

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