

**STAGE** (Science, Technology and Governance in Europe)

**Discussion Paper 8**

**June 2004**

## **Environmental Organisations in Greece**

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**STAGE is a thematic network under the Fifth Framework Programme (HPSE-CT2001-50003). STAGE gratefully acknowledges the support of the European Commission.**

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## *Introduction*

The history of Greek political ecology is indeed a sad one. Forced to operate in a political arena which was (till the mid-90s) highly polarised between the Socialists and the Conservatives, the Greek Greens had also to face an insurmountable barrier in their efforts to achieve parliamentary representation: an electoral system which clearly discriminated against minor parties coupled with a 3 per cent threshold.

Nevertheless, when these hurdles were temporarily removed in the late 1980s –as a last minute stunt by the Socialists to liquidate their opponents’ forthcoming electoral win- the Greek *Federation of Ecologists Alternatives* (FEA) managed to elect a single MP, albeit securing less than 0.8% of the vote. What was, then, heralded as the dawn of ‘new politics’ was to fall into tatters in less than three years, mainly as a result of personal grievances and ‘primordial’ factionalism [Botetzagias 2001c; Karamichas & Botetzagias 2003].

Following FEA’s collapse (in early 1992), political ecology was pronounced dead in Greece. The follow-up groupings and/or parties several veteran activists had created during the nineties, proved both moribund and unsuccessful. Only in the early 2000s did a new green party emerged, the *Ecologists Greens*, who despite the fierce opposition by the established Greek Left wing parties<sup>1</sup>, is a member of the European Federation of Green Parties and is going to compete in the European Parliament election of June 2004 [Botetzagias 2003]

Yet, during that brief period of 1989-1992 it looked as if the 'ecologists' had won the intra-movement conflict with the 'environmentalists' who were virtually eclipsed by the former's presence in the Parliament and media coverage. One has to try hard to find even a single report in the press on the activities of any Greek ENGO during that period, for established ones, such as HSPN (*Hellenic Society for the Protection of Nature*), Elliniki Etairia, the Sea Turtle Protection Society (STPS, estd. in 1983) or the Hellenic Ornithological Society (estd. in 1982), and newcomers alike, such as the

Society for the Protection of the Monk Seal (MOM, estd. in 1988), WWF-Greece (estd. 1989), Greenpeace-Greece (estd. 1991) or Arktouros (an ENGO active in the brown bear protection, estd 1992). Nor could the 'environmentalists' hope for a future co-operation with the 'ecologists' since the latter were not very impressed with the ENGOS' conduct which they considered as 'co-opted' and utterly 'conservative', especially when compared with their own radical, socio-political programme. As a leading cadre of the ecologists of the time, M. Tremopoulos, mentioned during his interview 'we [the 'ecologists' of FEA on one hand and the ENGOS on the other] didn't "play" with each other'.

Thus the 'environmentalists' seemed to be on the losing side of the publicity war in the early nineties. Yet by 1993 the situation had changed drastically. The ecologists' cause had failed and the disintegration of FEA had as a direct outcome the breaking down of many its constituent political-ecology groups. Thus ENGO-type organisations could appear as a new kind of groups, completely disassociated with the discredited FEA and 'political ecology'. Although there is no evidence that this break with the past had any immediate impact on the public, it certainly influenced a lot the media's coverage of the environmentalists: the factionalism of FEA had alienated most of the sympathetic journalists who now turned their attention, and favourable coverage, on the ENGOS. Yet, despite the fact that FEA's failure allowed the Greek ENGOS to promote and claim some legitimacy back for *their paradigm* on the environmental debate, these ENGOS and the environmentalists' camp were about to get a double boost which offered them both the financial resources and the missing framework to promote and fight for their cause and, eventually, to become the undisputed leaders of the Greek green movement. These two beneficial developments were the environmental jurisprudence of the Greek Constitutional Court, the CS, and the pro-environmental developments, both in legislation and in funds availability terms, at the EC/EU level.

These developments 'resuscitated' the environmentalists' cause and offered the movement a new chance of establishing itself, albeit in a way drastically different

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<sup>1</sup> Especially *SYNaspismos* (Coalition), the Greek 'new-left' party, which even renamed itself from 'Coalition of the Left and the Progress' to 'Coalition of the Left, the Social Movements and the Ecology'.

from the one envisaged by the ecologists. To label this development as a 'resuscitation' is highly appropriate; as we will demonstrate in latter sections, despite the ecologists' failure, the environmentalists' similarly failed to increase the Greek public's sensitivity on environmental issues or to persuade it that their paradigm was a more valid one. But for the Council of State (CS) and the EC/EU one could argue that 1992 would have probably marked the eclipse of the Greek green movement yet it got a decade's lease on life. As a matter of fact the movement during the eighties and nineties, albeit spearheaded by two different wings, made the same strategic mistake: it tried to promote the environmental/ecological cause *despite* the public, or rather to incorporate the public vertically without taken its priorities into account. The ecologists in the eighties, spurred by their own radicalisation, believed they could create a movement and mobilise the public through creating an unconventional political party. The environmentalists, in the nineties, believed they could promote environmental protection, in the face of determined State opposition and public indifference, only by court rulings; they did not promote a horizontal organisation but rather tried to play one patron (certain CS judges, the EU) against the other (the government). Both the ecologists and the ENGOs failed to realise the public's priorities and thus the failure of their strategy was, in the long run, inescapable.

### *Framing*

#### **Setting the agenda**

A major boost for the Greek environmentalists' cause were developments at the EC/EU level and they were of a double character: on one hand, developments at the legislative level, such as Directives, which were gradually incorporated into the Greek national Law and, coupled with the pro-environmental stance of the E Section of the Council of State (the Greek Supreme court), would allow the environmentalists/ENGOs to challenge more easily the shortcomings of the administration; on the other hand, large sums of money became suddenly available for the protection of the environment and a portion of them, the LIFE-Nature/Environment programmes, were preferentially directed towards ENGOs, thus

allowing the Greek ENGOs to operate since they were offered funds which they were unable to skim from their members.

The EC/EU first indicated the importance it attributed to the environment in the Single European Act of 1986 by which the Community's environmental policy became both more 'legitimate' and stricter. Yet, this did not have any major impact on Greece. The domestically produced environmental legislation suffered from many shortcomings and the EC Directives were poorly incorporated. The Greek natural environment continued to experience severe stresses due to established EC policies (such as the CAP) while new policies that were supposed to be more sensitive on the environment failed to do so (such as the Integrated Mediterranean Programmes) [Botetzagias 2001c]. These latter facts reveal the disparity between different EC/EU policies and also the existence of different power and interest blocks, at the EU level, which held different views and pursued conflicting agendas on the environment.

The next major development of the EC/EU environmental policy was the adoption of the Maastricht Treaty (1991) by which the, appealing and ill-defined term of 'sustainable development', became a guiding principle for the Union. As Haigh (1998:70) argues, the Treaty 'stated that community policy should be based on the precautionary principle, it [the Treaty] strengthened the [environmental] integration requirement<sup>2</sup> and it made qualified majority voting the standard procedure for environmental legislation subject to only a few exceptions'. This positive step forward was quickly followed up by the Commission's adoption of the 5<sup>th</sup> Environmental Action Programme (EAP) in 1992<sup>3</sup> which, as Wilkinson (1998:117) highlights, 'was prepared in tandem with the principal Rio agreements [...] [and it] marked an important change of the community's environmental policy'. The 5<sup>th</sup> EAP was the first *proactive* EAP: previous EAPs were mostly lists of legislation following the events, while this one attempted to address the fundamental causes of environmental degradation and thus achieving sustainability. Environmental concerns were to be taken into account from the very beginning for all governmental policies and projects

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<sup>2</sup> Implying the integration of environmental concerns into sectoral policies with major environmental implications. It was envisaged in the 4<sup>th</sup> EC Environmental Action Programme (EAP) yet it had to wait for the Maastricht Treaty and the, soon following, 5<sup>th</sup> EAP to get its bite. Based on data from Wilkinson D. (1998)

<sup>3</sup> Adopted three months before the Rio Conference and the adoption of Agenda 21

and especially in the target-sectors of industry, agriculture, energy, tourism and transport. It envisaged for public's participation and education as well as for new policy instruments such as voluntary agreements (Wilkinson 1998:118).

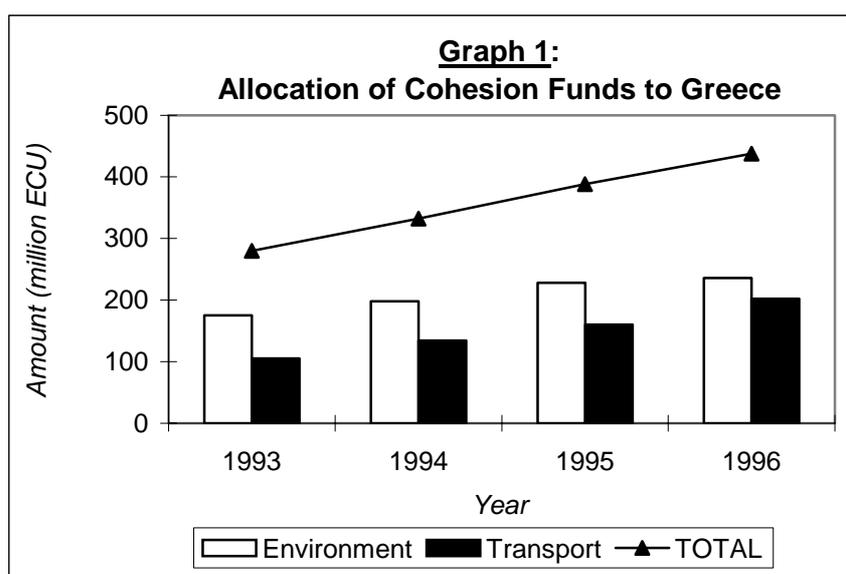
Yet, the more mundane but certainly most important feature of the 5<sup>th</sup> EAP, as far as Greece is concerned, was that it did not only wish for the member-states' compliance. *All* the Community's policies were to abide by the rules, *funding to member-states* included. This was to prove of paramount importance for the Greek ENGOs strategy in the nineties: so far the Greek administration could embark on whatever development plan it felt like and the ecologists/environmentalists could complain to their hearts' content without achieving any change or modification. From now on, since funding for all policies and sectors became connected to environmental protection and because, due to the weak condition of the Greek economy, the Community co-funded most, if not all, of the major projects, *the environmentalists could 'defeat' a plan originating from Athens in Brussels*. All they had to do was to persuade the Commission that the administration was not prioritising the environment and the EC funding for the project would (and had to) stop, forcing the government's hand.

The European Union's financial instruments mainly influenced by the 5<sup>th</sup> EAP's adoption were the Structural Funds (SF) and the Cohesion Fund (CF)<sup>4</sup>. The SF had long existed for supporting the weakest economic regions in the Community and the whole of Greece met the criterion. Yet, since the SF focused primarily on regional development, it soon became apparent that 'environmental protection' was in most of the cases a last-minute gusset for a project to 'pass' the stringent 5<sup>th</sup> EAP's guidelines. Thus a number of measures were introduced, trying to tackle the problem: first the creation of LIFE<sup>5</sup> in 1992 (see latter sections) as a specialised environmental fund; the 'broadening' of type of projects which were to receive SF support, in order to include more 'Environment' projects and, the introduction of tighter controls, for example future regional development plans had to come with an environmental assessment study if they were to secure any funding. The Cohesion Funds (CF) were introduced

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<sup>4</sup> The following discussion, unless otherwise stated, is based on Coffey C. (1998)

in 1992 and aimed at strengthening the economic and social cohesion of EU member-states, helping them to comply with the Maastricht Treaty's requirements. The CF had the benefit that they focused only on the poorer countries of the Union<sup>6</sup> and that it had a distinctive 'environment' category, namely investment in environmental projects, alongside a 'transport' one, aiming at 'greening' the relevant sector's projects. The overall budget of CF for the 1993-1999 period was to be 15.15 billion ECUs and for the period 1993 to 1997 the amounts allocated to Greece are demonstrated in Graph 1



(Data found in Coffey 1998:137)

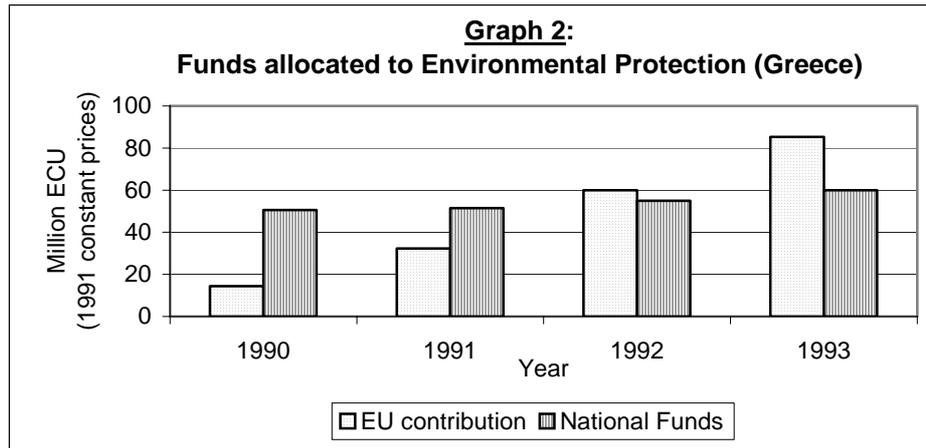
Thus the nineties marked an important shift for the funding of environmental protection in Greece since 1991 was going to be the last year that the money spent environmental protection<sup>7</sup> was going to come primarily out of the Greek State's coffers, as Graph 2 demonstrates. Almost two thirds of the 1990 budget was allocated to the 'Pollution Prevention' category while the funds allocated to 'Nature Protection' were negligible. Attica was to receive 47% of the total budget<sup>8</sup>.

<sup>5</sup> LIFE was instituted as the only economic instrument purely dedicated to the environment, aiming at actions especially in the Mediterranean and Baltic regions. It incorporated some former, minor instruments and its initial budget was 400 million ECUs for the 1992-1995 period.

<sup>6</sup> At the time of the CF creation these countries were Greece, Spain, Portugal and Ireland.

<sup>7</sup> Environmental protection schemes can belong to three major categories: 'Pollution Prevention'; 'Nature Protection'; and, 'Urban Planning-Cultural Aspects of the Environment' which accommodate between themselves 25 sub-categories.

<sup>8</sup> Source: Katochianou D. & Spathi S. (1994). I have to stress that the authors do not make clear which kind of projects 'qualify'. Thus, different criteria can lead to different estimates of funds allocated. This is particularly important if one compares this study with EUROSTAT (1999b), Environmental



(Data found in Katochianou & Spathi 1994)

This influx of funds was to continue throughout the nineties. The total EU Environmental Protection Expenditure (EPE) rose from 1,028 millions ECU in 1994 to 5,289 millions ECU in 1997<sup>9</sup>; the data in Graph 3 refers to 'core' EPE<sup>10</sup> transfers to Greece (EUROSTAT 1999a), which covers the categories of 'air and climate', 'waste-water', 'waste', 'soil & groundwater', 'biodiversity & landscape', radiation protection' and 'research and development'<sup>11</sup>.

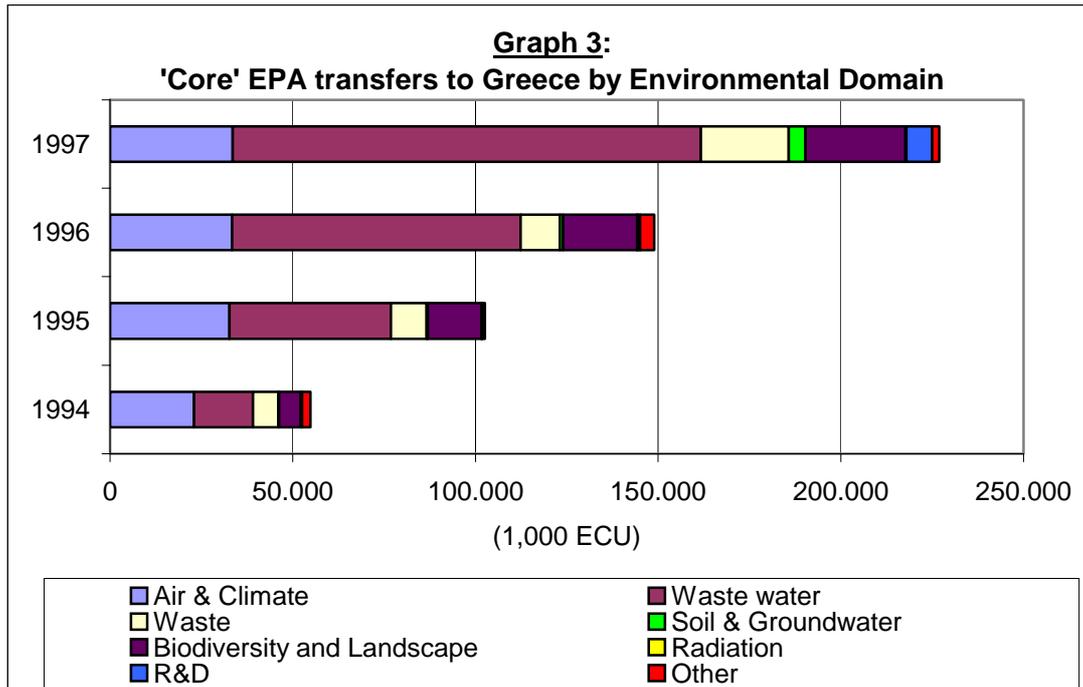
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Protection Expenditure in Member States: 1988-1996, Office for Official Publications of the European Union: Luxembourg which uses uniform criteria for all EU countries and provides **no data** as far as Greece's own expenditure is concerned.

<sup>9</sup> That is from 2.1% of the EU's operational budget to 8.2%. EUROSTAT (1999a:10)

<sup>10</sup> Core EPA enjoys the relevant financial allocations of the Cohesion Fund; LIFE Afforestation; and, ERDF (European Regional Development Fund) funds.

<sup>11</sup> The non-core EPA includes environmental concerns such as 'energy', 'transport', 'agriculture', 'civil protection', consumers protection' and 'civil areas sustainability'. Throughout the period the 'core' component amounted to around 87% of the total EPA.



No data exists for the overall Greek State's own expenditure on environmental protection after 1993 (EUROSTAT 1999b) and the figures for earlier periods are open to debate. Yet it seems that the prime source of funds continued to be the EU, provided that the pattern demonstrated in one area of environmental expenditure, that of water resource management, holds true in general: thus, for the 1994-1999 period 63% of the projected funds were to come from the EU Cohesion Fund<sup>12</sup>.

Thus in less than two years, from the Maastricht Treaty of 1991 to the 5<sup>th</sup> EAP and the Rio Summit of 1992, environmental protection was elevated from a, de facto, second-class EC policy domain to a guiding principle for the Union, ceased to be the poor relative of development projects and became their quintessential moderator. In addition, it was able to draw Community funds of its own. An important note, nevertheless, should be that not all the money envisaged was actually allocated to environmentally friendly developments. For example, as Kazakos (1999:103-104) notes, in the 1997 review of the 1994-1999 Community Cohesion Fund, the Greek government demanded and achieved the transfer of funds initially allocated to pro-environmental projects (such as the National Land Registry, the natural-gas network and so on) to projects 'that, in the final analysis, benefit the "development" of the

<sup>12</sup> Source OECD (2000), based on data provided by YPEHODE. It is not clear whether the total sum that was supposed to be committed by the Greek administration would come **totally** out of the government's coffers or it would be partially 'subsidised' by other EU bodies/programmes.

environmentally degraded Attica'. The reason for these funds 'availability' was the low rate of absorbing them into their respective areas in the first place. Yet, since no one else is to be blamed for their low rate but the Greek government, one can seriously doubt the government's true commitment in using these funds for their initial, pro-environmental, purpose.

### ***Framing issues***

The newly acquired importance of the environment was quickly realised in Greece and led to a change, at least of rhetoric. Developments at the EU level came to reinforce the indigenous developments: FEA, despite its shortcomings and failures, had succeeded in introducing the terms 'Environmental Protection' and 'Ecology' to the Greek political debate, thus the established political parties were 'forced' to comment on the issue. They all did: the 'Environment' section of PASOK's electoral manifesto for the 1993 general election is hailed by Samiotis (1998:277) as 'the most important pre-election text (on the environment) written until 1993, not only by PASOK but in general'<sup>13</sup>. While this latest manifesto was certainly better than ' (PASOK's) two-pages proposal (for the 1990 elections) [...] which was rather improvised and brief', (Samiotis 1998:276), it seems that PASOK's newly acquired interest in the environment was purely rhetorical and symbolic. Its election manifesto kept mentioning the new buzz word, 'sustainable development' (*aiforos anaptixi*), yet, as Tsakiris (1997:23) demonstrates, when Andreas Papandreou addressed the Parliament, after his party's electoral win in 1993, he did not go into any detail about his government's programme on the environment. Papandreou (Tsakiris 1997:23) referred only sententiously to 'the urban planning, the establishment of industrial areas, recycling, fighting pollution' and expressed a willingness to allow for 'general or local referenda for issues concerning the Environment, the Ecology and the Quality of Life'<sup>14</sup>.

In any case, apart from green 'buzz-words', well-written manifestos and bogus promises, PASOK perfectly realised that the 'Environment' was becoming an

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<sup>13</sup> Apparently he is forgetting the very important and radical electoral manifestos of FEA in the 1989-1992 period or maybe he does not consider them worth mentioning.

<sup>14</sup> Needless to say that these referenda have still to institutionalise

important priority. Thus the new minister for YPEHODE was Kostas Laliotis, 'one of the top historical, [but] till then party, cadres of PASOK, [who had an] acknowledged executive capacity and a real interest [sic] on the issue' (Samiotis 1998:277). Samiotis wishes to believe that Laliotis' elevation to Minister of YPEHODE was, as far as the 'Environment' was concerned, 'an indication of an enhancing in status, an institutionalisation but also a novelty to the operational framework of traditional, ruling parties in Greece'. Certainly Laliotis was not a 'nobody': he was a veteran of the Polytechnic uprising against the military junta in 1973, a founding member of PASOK, a close aide of Papandreou, the mastermind of all PASOK's electoral campaigns and one of the dauphins for the post-Papandreou era. The fact that he was given YPEHODE was an *ipso facto* recognition of the ministry's newly acquired importance. Yet this was the *Ministry's*, not the *Environment's*, importance. A new era had dawned into which YPEHODE emerged both as a valuable spoil, due to the Community funds that it would be required to manage in the near future, and as a 'high-politics' ministry needed to be led by a political figure, not a technocrat<sup>15</sup>. Last but not least, vis-à-vis the thorny E Section of the CS, the government needed someone who could, at least in theory, keep it in check.

And it was by all means necessary since the Greek Council of State (CS) had started to exhibit a worrying 'independence'. The CS has jurisdiction over the (constitutional) legality of decisions issued by the administrative authorities; any citizen has the right to challenge any of the latter's decisions before the Court. Furthermore, the CS scrutinises the validity of drafts of laws to be enacted by the President of the Republic. It consists of various Sections, each specialising on a specific category of jurisprudence. Thus in 1991 the Conservatives' government established the Fifth (E) Section of the CS (Act 1968 of 1991) with an interest in unifying environmental case law (Papaspyrou 1999)<sup>16</sup>. The creation of the E Section, being an initiative of the Conservatives who had not been the most environmentally friendly Greek political party, comes as a surprise. One expects that the government would have rather preferred to keep the environmental case-law fragmented, a condition giving a freer hand to developmental policies. A variety of reasons could be stressed for

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<sup>15</sup> Laliotis' academic background was in dentistry so one can safely assume he was not selected for his scientific expertise on environmental management.

<sup>16</sup> The following discussion is based on data found in Papaspyrou N. (1999) op.cit.

rationalising such a decision: the presence of FEA had brought the environment in the spotlight, thus the government might have wanted to demonstrate an interest in this new policy domain; the environment started to figure high on the EU priorities and Greece was experiencing increased problems with the EU environmental Directives, thus the government had to institute an authority which could supervise and rationalise the environmental policy domain. Later developments (read on) demonstrate beyond doubt that this decision was of a symbolic nature. At the time (1991) it sufficed that establishing the E Section gained the government some positive publicity. Furthermore, the CS past decisions concerning the environment had failed to alarm the government. Siouti (1995:82-93) has demonstrated that up to 1992, in the cases the CS debated, whenever there was a conflict between environmental and economic benefits the latter were given priority. That said, there existed nevertheless some early worrying signs (Papasprou 1999:67)

'In one of the most famous decisions of the 1980s (CS 10/1988, 1199/1989) the Court held that [...] any statutory scheme that deteriorated the existing natural and residential environment by intensifying the allowable building density would be considered unconstitutional'

Yet these decisions, albeit worrying for the pro-development lobby, left a lot for speculation: they talked of both 'natural' and 'residential' environment (the latter smacking of quality-of-life/health issues); they also highlighted that 'any change would be upheld provided that it increased the standard of living of the residents'. Certainly one could plausibly argue, and the CS had more or less accepted that in the past, that most developments 'increased the standard of living'. Hence no threat was sensed when it was suggested to create the E Chamber. The person selected to preside over it was Michael Dekleris<sup>17</sup>, a judge of indisputable knowledge and character, qualities necessary for dealing with the Greek environmental legislation that had only a very vague protection under the Constitution's Article 24<sup>18</sup>. The very fact that a person such as Dekleris was appointed to the 'environmental sector' was a clear sign that the government was not expecting any trouble from the E Section, since, the

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<sup>17</sup> In Greece, the government selects the heads of the Greek Supreme Courts and their Chambers/Sections. They serve until the age of 65 when they have to retire

<sup>18</sup> Thus leaving a great deal to the Courts', and Judges', discretion

selection of the heads of Supreme Courts (and their Sections) being at the government's discretion, it is common practice in Greece for 'trustworthy' individuals to get selected or promoted<sup>19</sup>. The next year (1992) the UN's Rio Conference on the Environment took place and, as himself said at an interview (NEA OIKOLOGIA September 1999), Dekleris was 'greatly impressed'. He considered the ensuing Agenda 21 as 'a first attempt to implement the logic of *systemic science* to the human relations, a logic referring to the *context of the problem*' [emphasis added]<sup>20</sup>. He subsequently decided to set forward to implement this new, 'systemic' logic of 'sustainable development' for environmental protection in Greece<sup>21</sup>. It was not long before, due to his personal involvement, legal history was written. As Siouti (1995:84) describes, in 1993 the E Section passed judgement on a case concerning a large, fish farm in an area that had no explicit land-usage plan<sup>22</sup> and the complainants were claiming that the natural environment would suffer from this development. So far the CS had judged quite a few similar cases and had always allowed the development to take place based on the following rationale: Article 24 provides for developments with potential, negative environmental effects as long as they would serve the public interest. If, based on the lack of a land-usage plan, the development would not get a green light that would mean a loss to the public interest 'which certainly was against the intentions of the legislator'.

With the decision CS 304/93 the E Section changed all that. It ruled, based on the same Article 24, that (Siouti 1995:84)

'The developmental economic policy should be practised in combination with the public policy for the protection of the environment and with a prominent interest in anticipating a damage to the environment, so that the development would be sustainable'.

The fish-plant development was therefore denied permission to go ahead; it was deemed unconstitutional to proceed. The decision was heralded as an environmentalists' triumph, so desperately needed after the recent collapse of FEA, establishing the principle of sustainable development in Greece. It was only then that

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<sup>19</sup> Thus it is common practice to 'bypass' older and more experienced Judges for promoting the government's favourite. Dekleris' promotion was certainly not such a case and one cannot wonder enough on the specific choice.

<sup>20</sup> NEA OIKOLOGIA magazine, September 1999.

<sup>21</sup> Interesting enough Dekleris holds a degree in Systemic Science from Yale University.

the government realised its blunders in both creating the E Section and not selecting someone more 'dependable' to preside over it. Shortly after the decision, plans were announced to remove from the Court's jurisdiction important categories of environmental disputes, thus diluting the E' Sections powers. As Papaspyrou (1999:79) mentions

'The Fifth Section replied by holding the Act in question unconstitutional essentially on the grounds that the Act was motivated by unconstitutional animus - CS 1781/1993. The Council upheld the opinion of the Section in a plenary session by using more temperate but equally effective language - CS 2153/1993. The Act in question was held to violate the principles of separation of powers and judicial independence. Its purpose - as distinct from the unreviewable motives of the legislators - was deemed to be "pseudo-organisational" in aiming to subtract part of the jurisdiction of the Fifth Section in the light of the latter's activism, rather than to respond to the Court's organisational needs'.

It was an unprecedented event and it opened the stage for the increasingly polarised debate between the E Section, and Dekleris in particular, and the government. The fact that it was the same ND government that had created E Section in the first place which tried to shut it down clearly demonstrates that the E Section's creation was a public-relations stunt at a time when the 'Ecologists' and the 'Environment' seemed to be at their height; it was not signalling any major change in the Greek government's attitude towards the environment. This assessment of ours is similar to others' appraisal of the Conservatives' (ND) tenure of office (1990-1993). For example Samiotis (1998:275) mentions that ND's short term in office signalled no major change in environmental policy. We would further add that it was characterised by plans that failed to materialise and an attempt to offer official patronage to destructive practices, as far as the environment is concerned. In the former category one should include the grandiose, pre-election plans to deal with the photochemical cloud of Athens, which turned out to be the mere subsidising of modern-technology cars<sup>23</sup>, and

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<sup>22</sup> Determining the kind and level of infrastructural/residential development allowed.

<sup>23</sup> Which led to a swap of 'traditional' pollutants (such as lead) to 'modern' ones (such as benzol and ozone)

a 'green' tax of five drachmas per unit of fuel sold in the Athens area (introduced in 1992), which instead of supporting environmental protection projects, as envisaged, was withheld by the Ministry for Finance to fill some of the budget's deficits (Fousekis & Lekakis 1998). As an example of 'endorsing' the destruction of the natural environment one could mention the suggestion by the junior Minister for the Environment, Ch. Katsighiannis, to 'legalise' 150,000 illegal buildings, *afthereta*<sup>24</sup>.

Following the attempt to bring its existence to an early end in 1993, less than two years after its creation, it seems that the E Section took umbrage at the government's attempt to curtail its newly acquired powers and instead of a, traditional, orderly retreat, it counter-attacked. A few months after the row (Close 1999:340) it overturned a government's decision to 'legalise' unlicensed buildings (*afthereta*), a decision aiming at securing their owners' vote in the imminent election. Similar pro-environmental decisions followed throughout the nineties. As Papsyrou (1999:68) mentions

'The principle of sustainable development [...] has been held a doctrinal element of positive constitutional law - CS 2844/1993- [...] In CS 1821/1995, it was held that a ban on any movement at night for the whole summer period does not constitute an excessive burden on property rights, but a reasonable regulation of the use of property for the purpose of facilitating the reproduction of sea turtles (on Zakynthos island)[...] Article 24 of the Constitution has been interpreted to the effect that alteration in the use of forest and forest expanses would be constitutional only if it were the least restrictive alternative for the compelling and vital state interest. The Court has applied this test with bite. First, invocation of a "mere" public interest would not suffice; secondly, an alteration would not be upheld unless the invoked public need could not be satisfied

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<sup>24</sup> *Afthereta* are a tantalising problem of the Greek urban planning and a plague for the natural environment. As all the experts stressed at the time, despite the rationale and/or morality of legalising a posteriori an illegal activity, such an announcement would have led to a further boom of illegal building activity. Even pro-government newspapers found it hard to moderate their criticism, though they delegated it at their inner pages. See for example *ELEFTHEROS TYPOS* newspaper, 'INCREDIBLE: Official green light for levelling Attica' and 'Major Blunder concerning *afthereta*', 13.8.1991, p.11. The ensuing castigation forced Katsighiannis to retract, yet not before gaining him the nickname "the Baron of *Afthereta*".

anywhere else in the whole country<sup>25</sup> -CS 2435/1995, CS 8197/1993-'.

Similarly minded decisions occurred in urban development, the CS labelling unconstitutional in 1994 a Parliamentary Act of 1979<sup>26</sup> and suggesting that no further expansion of the Athens' metropolitan area could occur without a plan for decongestion (CS 2/1996). The E Section was similarly strict in its other role, judging whether the submitted drafts of Laws complied with the Constitution. While it is true that very few Ministries could boast about their performance in that aspect<sup>27</sup> YPEHODE had had, throughout the nineties, the worst record: Between 1991 and 1998, out of a total 4006 'failing' decrees, YPEHODE was responsible for 1339 (or 33% of the total)<sup>28</sup>.

The animus of all this pro-environmental activity was the President of the E Section, M. Dekleris. He went on to write a book (Dekleris 1996), denouncing the Greek political system, which he argued to be

'[...] an enemy to planning and order and perceives the environment as a mine of low-cost, yet profitable benefits and of transactions with political clients [...] nothing explains better the case law of the Council in environmental issues than its stable opposition to the actions of a clientele-oriented political system'.

Dekleris became something of YPEHODE's nightmare. A high-ranking official in YPEHODE joked that 'it was fortunate that Dekleris wasn't around in those old days, thus Iktinos and Kallikrates got their chance'<sup>29</sup>. Yet the confrontation between Dekleris and the administration went beyond mere jokes. Following a blackout in the

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<sup>25</sup> One could rightly argue that this was a highly controversial decision: it is one thing for a developer to examine a few alternatives and quite another to expand this search throughout the country

<sup>26</sup> 'The Act envisaged a system of compensation to owners of buildings subject to development restrictions. The owners were permitted to transfer unused building densities (quotas) to landowners in other areas who could then utilise them for more extensive development...the Council held the scheme unconstitutional for not designating specific criteria or acceptable limits to such designation' (Papasprou 1999:68-69)

<sup>27</sup> In the period between 1991 and 1998 of the total 5,008 decrees sent by all Ministries to the Council of State for validation 68% were deemed 'unconstitutional'. TO VIMA newspaper, 5.4.1998, p.A52

<sup>28</sup> For 1997 only 24% of the decrees YPEHODE submitted got the 'green light' while 30% were deemed unconstitutional. For 1998 the 'scores' were 34.5% and 22.4% respectively. TO VIMA newspaper, 5.4.1998, p.A52 & TO VIMA newspaper, 17.10.1999 p.A52.

Athens' area in 1998, some government's officials tried, unsuccessfully, to put the blame on him<sup>30</sup>. These attacks simply reinforced the environmentalists' idea of Dekleris as some kind of an environmental Messiah, fighting a one-man crusade against a corrupt and insensitive administration. It is important to note that it was **not** the Greek judicial system or even the CS in general that commanded the environmentalists' affection and respect but rather the E Section and Dekleris in particular. It was generally felt that it was only the E Section that exhibited the 'appropriate' sensitivity to the environmentalists' concerns while the plenary of the CS was more balanced<sup>31</sup>, or 'slightly negative' if one uses the environmentalists' term.

The case of the Dekleris' cult substantiates our earlier point that the environmentalists condoned the prevailing vertical mode of interest mediation in their struggle against the government's development plans. One could argue that the whole debate started acquiring a distinctive populist character. From quite early the debate lost its '*reified*' character, which, in any democracy, takes as an axiom that the judiciary controls the administration's acts. Dekleris dealt a severe blow to that 'abstract' formulation when, in his 1996 book, he *personalised* the conflict as one between an 'evil' administration and a 'good' judiciary. For most of his environmentalists' followers even this was not good enough: they introduced a further distinction between a 'good' and a 'bad' judge where the former is not simply the one who correctly interprets the Law while the latter does not: rather, a 'good judge' was the one interpreting the Law the way the environmentalists felt it *should* be interpreted, following *their* paradigm and accommodating *their* needs. Thus, the President of the Ornithological Society was writing (Dorovinis 1998) that

There exist information mentioning that Judges with no environmental sensitivities [sic] would be "handpicked" for the E Section ("*eisodismos*" *dikaston*) in order for strong minority

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<sup>29</sup> The Parthenon's architects. Mentioned in TO VIMA, 5.4.1998 p.A52

<sup>30</sup> The blackout was blamed on the absence of a third high-power line. There existed plans for this line yet the inhabitants of the nearby local community of Kryoneri appealed to the CS. Thus the Court was 'accused' of stalling the procedure and being 'partly' responsible for the blackout. For more details see TA NEA newspaper 28.3.1998 and 17.4.1998 p.14

<sup>31</sup> For example Article 7 of the Athens' airport law (see Section 5.A.4) was branded 'unconstitutional' by the E Section yet the Plenary of the CS did not uphold that view. I cannot assess the legal details yet this specific Article of the law certainly stemmed from an un-sustainable mentality, trying to silence dissident voices (from the ENGOs/public) and speed-up infrastructure projects

[views] to form [within the Section] which would then delegate the ['sensitive' cases] to the Plenary<sup>32</sup>.

Such arguments are typical of *vertical, interest mediation practices and mentalities*: the 'client', in this case the ENGO, hopes for a positive development in his case not because of some abstract, institutionalised, "just" norms and procedures but rather because of the *personal views and qualities* of the arbiter, because of the *person of the patron*.

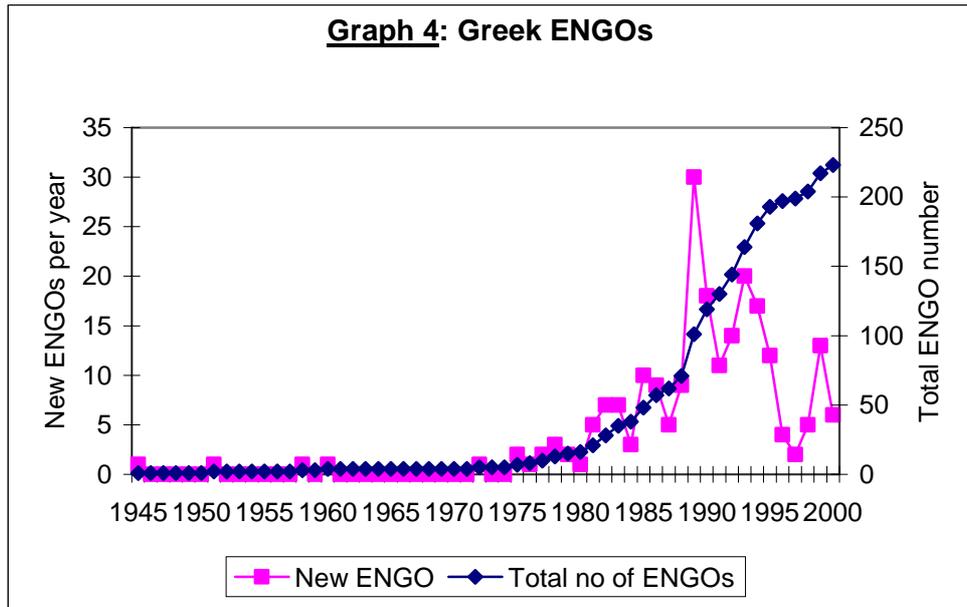
### ***Framing expertise and the publics***

Although a handful of 'environmentally minded' citizen groups have long existed in Greece, the numbers of what was going to be labelled as Greek "ENGOS" started to rise in the late seventies while their creation rate became almost exponential in the late eighties-early nineties (Graph 4)<sup>33</sup>.

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<sup>32</sup> Dorovinis also claimed that there existed information that 'the E Section is going to be restructured, as it was the attempt of ND's government (in 1993)'. This last piece of information proved to be correct. Such an attempt was to occur in 1999.

<sup>33</sup> The data originates from a database compiled by the Greek Centre of Social Research (EKKE - Tsakiris K. et al. 1998) and its subsequent updates (EKKE 2000). The, almost 800 pages, database includes the answers to a set of structured questions, devised by the researchers of all Greek ENGOS, operational at the time. It provides raw information on issues ranging from membership size and year of creation to contacts (and level of satisfaction for this interaction) with other ENGOS and/or state agencies. Since the database includes only raw data, any coding, statistical analysis and/or results based on it herein presented are my own, unless otherwise clearly stated. For a more detailed analysis of the database's formulation see Botetzagias 2000a



It is interesting to note that the starting points of the two most important periods for ENGO-creation in Greece were 1989 and 1993, the same years which mark the beginning and end of most successful to date Greek Green party, the Federation of Ecologists Alternatives (FEA). FEA's performance certainly brought environmental issues to the centre of the public agenda (Botetzagias 2001c) thus one could plausibly argue that the ENGOS' creation rate 'peaks' were the collateral outcomes of FEA's presence. If this is indeed the case, it was certainly an unintended development, since these newly created ENGOS were by no means FEA's offspring: of the 101 groups created in the 1988-1993 period, only 7 profess an interest in 'political ecology', the guiding principle of the ecologists' camp. Thus it seems that (a) the ENGOS founded at that period originate from individuals who were not interested in political ecology and could not/would not accommodate themselves within FEA while (b) its backbone, the socio-political group/organisation, withered away with the Federation ['it' – refers to FEA??]<sup>34</sup>: by 1996, in a population of 196 ENGOS only 16 mentioned 'political ecology' as one of their thematic interests<sup>35</sup>, the last amongst them founded in 1992.

Although the nineties witnessed an impressive increase of the Greek ENGOS' membership, this positive development did not improve the financial standing of the Greek ENGOS' population: a more detailed overview reveals a network struggling at

<sup>34</sup> A point also made by several of the FEA's activists we have interviewed

the levels of subsidence<sup>36</sup>. Seventy per cent of Greek ENGOs had less than 200 registered members<sup>37</sup>, 65% had no assets whatsoever, 64% had one -or none- volunteer worker while a little over 80% could not afford a single paid worker. As far as their income sources are concerned, in 1991 (EKKE 1998) 61% of all the ENGOs were obtaining 75-100% of their income through membership fees while by 1995 this percentage had dropped slightly to 53.5%. Overall, the rough image of the Greek ENGOs' network is of small groups with no money and/or human resources and totally dependent on their members' fees.

Nevertheless, this generic portrayal is misleading since it fails to depict the properties of a small 'core' group of ENGOs which differ dramatically from the rest. This 'core' group is easily identified using social network analysis. In network analysis an important issue is the 'centrality' of a given actor within the specific network. The more central an actor turns to be, the more prominent it is considered (supposed to be) within the network. One could wonder why it would be of any importance to assess the centrality/prominence of the Greek ENGOs. As it will become clear, the prominent Greek ENGOs have very different characteristics from the remaining and have reached a completely different accommodation with the state agencies. This fact, alongside their tactics and alliance-building, gives them a distinct profile, which had severe implications for the trajectory of the Greek green movement of the nineties.

Thus, by employing social network analysis techniques<sup>38</sup>, we have identified that central/prominent within the network are the ENGOs who have a large fee-paying membership and thus can employ a considerable number of people; in other words, 'business like' ENGOs<sup>39</sup>. Furthermore we have established that there exists very little interaction between the Greek ENGOs. Network analysis identified a group of ten strongly inter-connected ENGOs. These 'core' group of Greek ENGOs, perceived by

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<sup>35</sup> It is interesting to note that the ecological groups of Ptolemaida and Elefsina, two cities experiencing severe environmental problems due to pollution, are included in this group.

<sup>36</sup> The data refers to 1996 (EKKE, 1998) yet we have no reasons to believe the situation has changed drastically –for the better that is- in the meantime.

<sup>37</sup> Yet, only half of these members had paid their membership fees, thus probably moving the 'threshold' down to 100 active members.

<sup>38</sup> The network analysis programme UCINET IV (Borgatti and Everett and Freeman) was used. For a detailed analysis of the process see Botetzagias I. (2000a)

<sup>39</sup> For the rise and consolidation of business-like ENGOs in industrialised countries see Jordan & Maloney (1997)

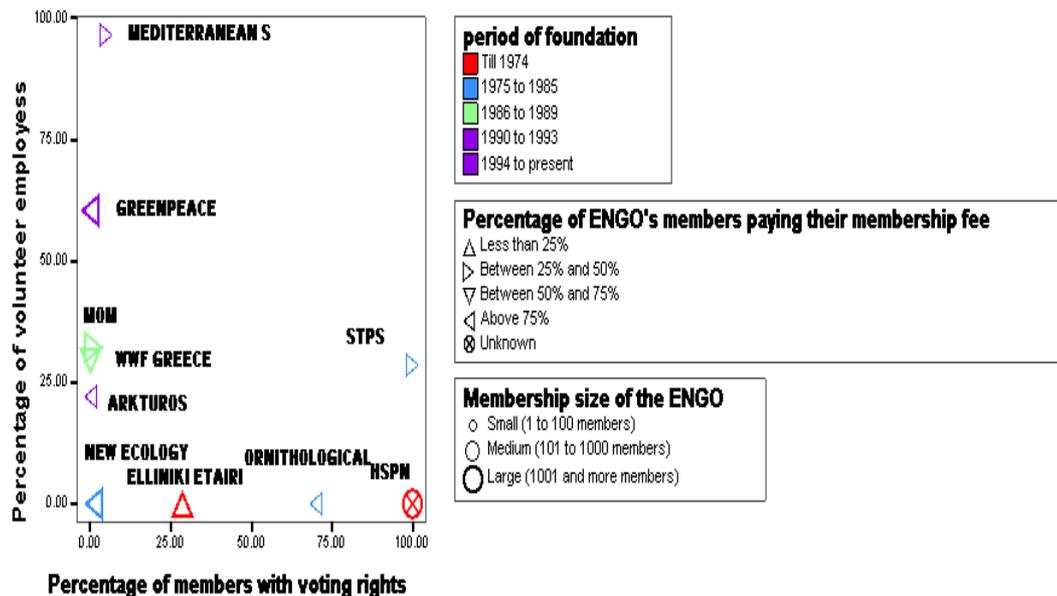
the rest of the network as its 'leaders' are: *NEA OIKOLOGIA* (group-magazine); *HSPN* (Hellenic Society for the Protection of Nature); *Elliniki Etairia* (Hellenic Society for the Protection of the Environment and the Natural Heritage); *Hellenic Ornithological Society*; *STPS* (Sea Turtle Protection Society); *MOM* (seal protection); *Arktouros* (bear protection); *Mediterranean-SOS*; *Greenpeace*-Greece; and, *WWF*-Greece.

A closer look revealed that the members of that 'core' group participate in the same (cross-) national 'alliances', have the same kind of relations with State agencies, have secured public/EU funding and are given specific 'responsibilities' on conservation issues, and have initiated/spearheaded all the major environmental campaigns of the nineties in Greece. Graph 5 demonstrates the structural characteristics of the 10-member strong 'core' group<sup>40</sup>.

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<sup>40</sup> Based on EKKE 1996 data and latest (2001) info for some of the ENGOS (WWF/STPS/Mediterranean SOS/MOM) following personal contact. A notice of caution is necessary: these results should be viewed as descriptive of the situation. It is very difficult to determine the actual numbers due to constant change.

**Graph 5: Professionalisation and 'democratic deficit' of 'core' Greek ENGOs<sup>41</sup>**



The overall picture denotes an increased professionalisation as well as a distinct internal 'democratic deficit', [term of use in English] not unlike ENGOs in other countries: the majority of the Greek 'core' ENGOs depend on professional employees and operate on paper-membership. It is only in 'senior' ENGOs (formed prior to 1985) where the percentage of members with voting rights exceeds 50% of all members<sup>42</sup>, hence they could be labelled as 'participatory protest groups' (Diani and Donati 1999) where 'rank-and-file members and sympathisers are involved in organisational life [yet] there is a reluctance to adopt protest techniques and focus is rather on conventional lobbying technique<sup>43</sup>. The majority of the newly created 'core' groups (post 1990), resemble the 'public interest lobby'<sup>44</sup> type of organisation (Diani and Donati 1999), which is 'a political organisation managed by professional staff, with weak participatory inclinations and emphasis on traditional pressure tactics<sup>45</sup>.

<sup>41</sup> Data for 1996

<sup>42</sup> NEA OIKOLOGIA is an exception since, being a magazine-ENGO, includes in its non-voting members its subscribers. My analysis of the EKKE database shows that paying a membership fee does not automatically, if ever, grant you voting rights within the 'core' ENGOs' group.

<sup>43</sup> See Kousis and Dimopoulou 2000:3 for exactly the same point

<sup>44</sup> *ibid.*

<sup>45</sup> Further credence to this claim is given if one reviews the type of activities for a sub-group of the 'core' Greek ENGOs for 1999 (Kousis and Dimopoulou 2000, Table 8); Kousis and Dimopoulou

Overall, it seems that there exists a network within the network<sup>46</sup>.

The vast disparity in membership size is acutely portrayed in Table 1, where the average group memberships are contrasted for ‘core’ and ‘peripheral Greek ENGOS<sup>47</sup>.

**Table 1: Average formal membership for ‘core’ and ‘peripheral’ Greek ENGOS**

		1996 <sup>48</sup>	2001
‘Peripheral’ ENGOS		542 (N=182)	Unavailable
‘Core’ ENGOS		5967 (N=10)	6.080 (N=7)

Despite their impressive (and increasing) membership, the core Greek ENGOS, unlikely most of the Greek ENGOS, *do not depend financially on their members' fees*. Rather they are depended on, state-regulated, EU subsidies (such as LIFE). One has but to juxtapose the budget of the ENGOS that have secured LIFE money to those which have not, to get a striking picture of the difference<sup>49</sup>.

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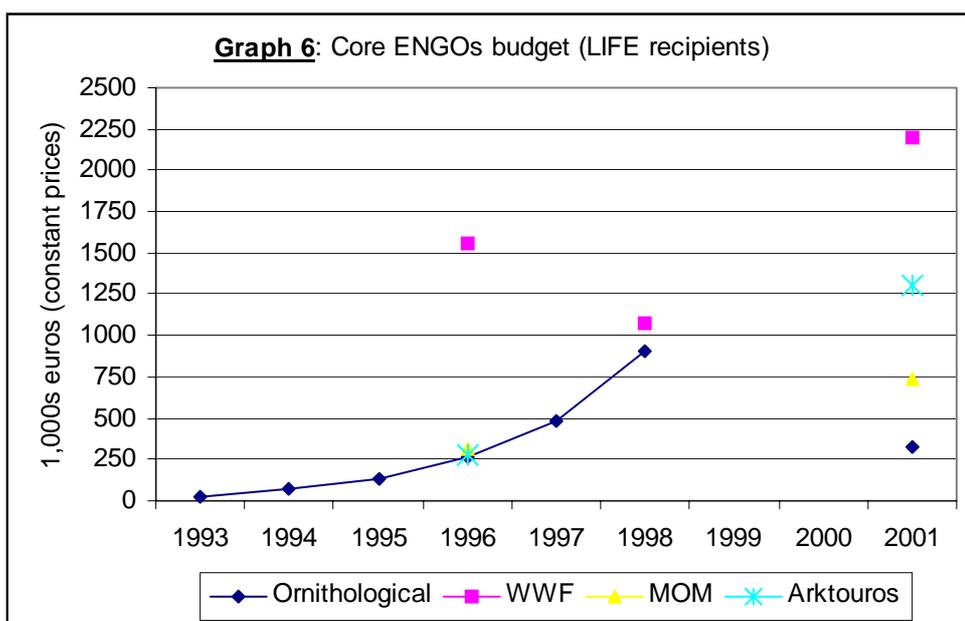
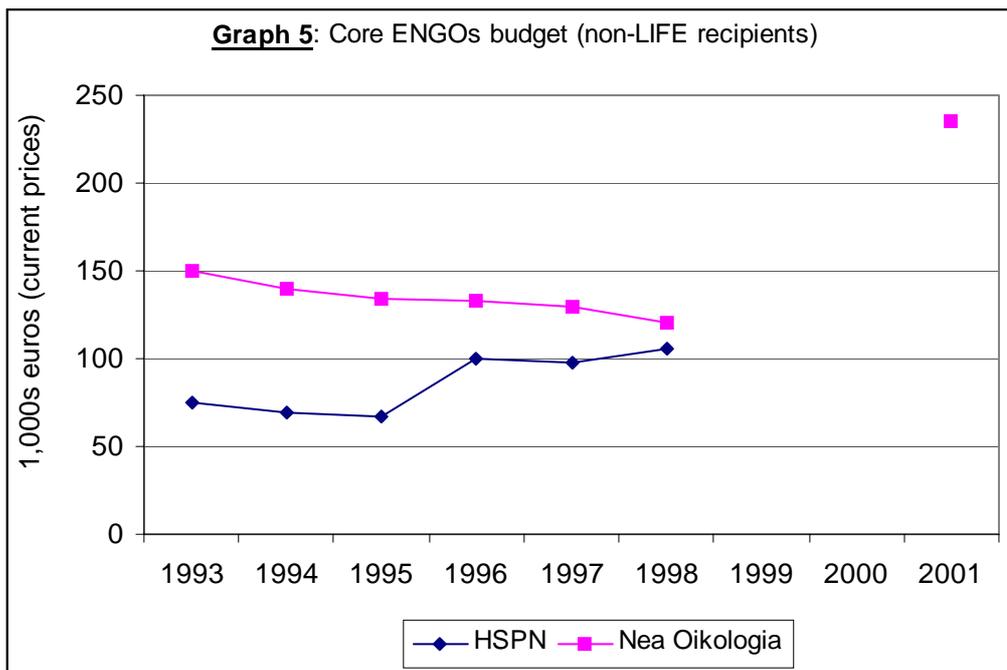
identified such a high level of specialisation in this sub-group of ENGOS (with the exception of Greenpeace-Greece) that they speak of ‘organisations within organisations’ (ibid: 4)

<sup>46</sup> This claim is not sustained only through network analysis (since the core sub-group exhibits a *density* of 0.44 as compared to the 0.01 score for the whole network) but also by the ENGOS’s own accounts, since they identify an ‘informal network between them’ with the exclusion of NEA OIKOLOGIA and Mediterranean-SOS (Kalamaras 2002:47-48). The former is currently inactive (if not disbanded) since most of its leading cadres (and they were never more than a handful) are currently heading state environmental agencies

<sup>47</sup> Data originating from EKKE for 1996, and from Kalamaras (2002) for the year 2001. The figures are only indicative of the situation since not all the Greek ENGOS (core and peripheral alike) are included. The reader should be reminded that the actual ratio of core to peripheral Greek ENGOS were as follows: 1992: 10/134; 1996: 10/187; and, 2000: 10/223 (EKKE 1998; 2000)

<sup>48</sup> A more reliable figure might be the number of members who have actually paid their membership fees, which are 5161 (N=9) for core ENGOS and 126 (N=138) for peripheral ones

<sup>49</sup> Data originating from Kousis & Dimopoulou (2000) for the years up to 1998 and Kalamaras (2002) for years 1996 & 2001. The reader should note that while Kousis & Dimopoulou use the category ‘Annual Budget’, Kalamaras employs the category ‘Annual Expenditure’: thus these trends are purely descriptive. In cases where there existed a disparity between the two authors I have relied on the former dataset.



The importance of these resources cannot possibly be overestimated. They not only allow the ENGOS to employ more (and more specialised) personnel, thus increasing their efficacy and professionalisation, but it also has the indirect effect of establishing the ENGOS as an identifiable actor within the field and in the public eye, since LIFE programmes' funding envisages resources for advertising the project, its so-called 'public awareness' module. Thus a public 'warm feeling' is created through which the

ENGO's membership will benefit greatly in the future<sup>50</sup>. Thus, the subsidies the ENGOs receive, and especially the EU subsidies – simply because of their magnitude -, are important for meeting the financial obligations, the maintenance and the further development of the recipient ENGOs. The ENGOs themselves seem to appreciate the fact, even if only when faced with the dire alternative. Thus, while the head of STPS stated during an interview that *'we do not run on LIFE money. Such projects are but a financial boost. Nothing more'*, his statement has to be juxtaposed with the head of the Ornithological Society of Greece, an ENGO which has not been successful in securing LIFE money for some time: *'[...] "we are going through one of our worst phases"'. The main reason is that [the ENGO] did not achieve to participate in any new LIFE projects and also because some other programmes failed to meet their financial obligations'* [Kalamaras 2002:28].

Past research has demonstrated that there exists intense competition between 'core' and 'peripheral' Greek ENGOs, as in the case of species' conservation [Botetzagias 2001a]. Latest research [Kalamaras 2002:46-47] further substantiates these claims, namely the existence of intra-movement conflict between 'core' Greek ENGOs, enjoying access both to state-regulated funds and the status of a legitimate interlocutor with the administration, and provincial and/or 'peripheral' ones, *de facto* excluded<sup>51</sup>.

This disunited front has not allowed the Greek ENGOs to focus on the public's environmental needs<sup>52</sup>, despite a pressing demand. Detailed research at the micro-level, for example Papaioannou et al. (1998:150)<sup>53</sup>, identified that the public in the nineties was very worried about environmental degradation: thus the respondents agreed<sup>54</sup> that *'humankind uses nature in a dangerous way'* (89.9%); *'the economic development has natural and social limits which it cannot break without creating problems'* (83.2%); *'if the present economic model remains, it is projected that the natural stocks will soon run out'* (81.8%). The researchers were surprised to find out

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<sup>50</sup> Thus the Greek edition of the gentlemen's magazine *Esquire*, in its 'A to Z Style Information [report]' amongst its entries on **B**lazers, **C**hinos, **P**anama hats and the rest, includes **W**WF, since 'being sensitive about the environment demonstrates, among other things, an exceptional style' (Nov.2002, p.161)

<sup>51</sup> On the actual impact even of core Greek ENGOs onto decision making, read on

<sup>52</sup> They rather pursued grandiose yet unsuccessful campaigns (see later section)

<sup>53</sup> The survey took place in the area of Kouropitos, which was to witness major mobilisations concerning a waste treatment facility.

<sup>54</sup> The percentage given combines the categories 'I agree' & 'I agree with some reservations'

that the same respondents believed that '*the nature can reassert its balance despite the human interference*' (36.3%) and that '*science and technology are capable of giving solutions to human problems*' (79.9%). Thus, despite the widely realised problems, the Greek public was quite optimistic that a solution could be found and was not espousing the usual eschatology of the green movement. Yet, the most important finding of Papaionnou et al.'s paper is that, despite a widespread concern and the experience of acute problems, the majority of the citizens actually do *not* complain/mobilise. While 33.5% believe '*there is a serious problem to the natural environment in our area*' and a further 58.1% believe that '*there is a limited problem*' (a cumulative percentage of over 90%), only around one third had complained or mobilised, as Tables 2 & 3 show

Category	Reason	Percentage
<i>I have NOT complained of/about an environmental problem because:</i>	I have never witnessed a problem	6.5
	I did not know where to complain	13.0
	None in a position of authority is interested	24.7
	I did not have time	8.9
	There isn't the appropriate agency in my area	5.9
	Other cause	5.1
	More than two causes	3.8
<i>I have complained</i>		32.2

Category	Reason	Percentage
<i>I have NOT participated because:</i>	I consider other problems more important	19.5
	I do not have time to participate	
	I do not agree with this method of protest	26.1
	I do not know other people who deal with such issues	27.1
	The solution of environmental problems does not depend on me	15.3
<i>I have participated</i>		36.2

The key elements these two tables bring to fore are the lack of information the local population is experiencing<sup>55</sup> coupled with a sense of impotence ('*Nobody in a position*

<sup>55</sup> 94.9% of the respondents believed that 'an essential prerequisite for environmental action is [to receive] frequent and reliable information'.

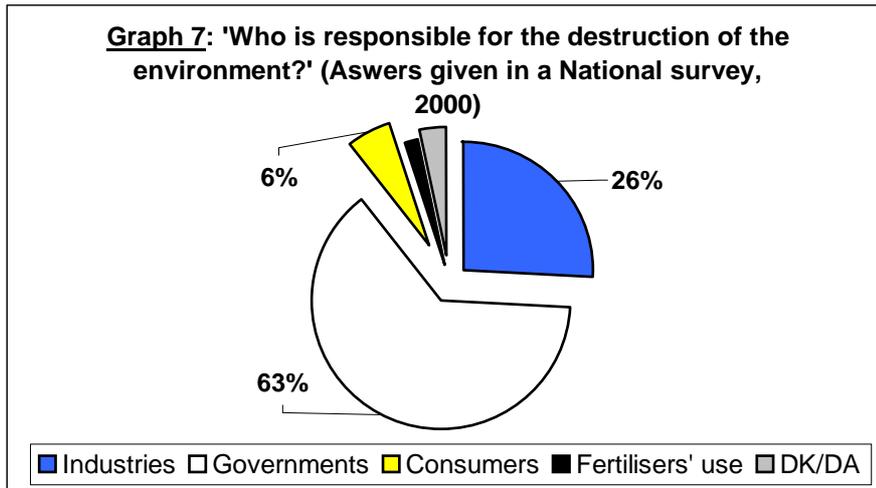
of authority is interested'/'The solution of environmental problems does not depend on me'). It is very important to note the role 'authority' plays in the Greek mind for tackling environmental degradation: despite the many environmental problems, the '*scientific authority*' is deemed capable of providing the solution; 60% of the respondents argued that they 'cannot help in solving the ecological problems cause I have little power and no influence over the decision making'<sup>56</sup>. Thus a solution can come only from those with '*authority*'. Yet those people 'are not interested' (24.7% think so, as recorded in Table 2): a fortiori, they are rather themselves responsible for the environmental degradation, as Table 4 demonstrates

Possible agents (Multiple answers possible)	Share of responsibility (Percentage)		
	Mainly	Partly	Not at all
The economic interests of the local businesses	41.6	41.9	16.5
The activities or the failings of the local government	29.9	59.7	10.4
The activities or the failings of the State	50.4	41.9	7.6

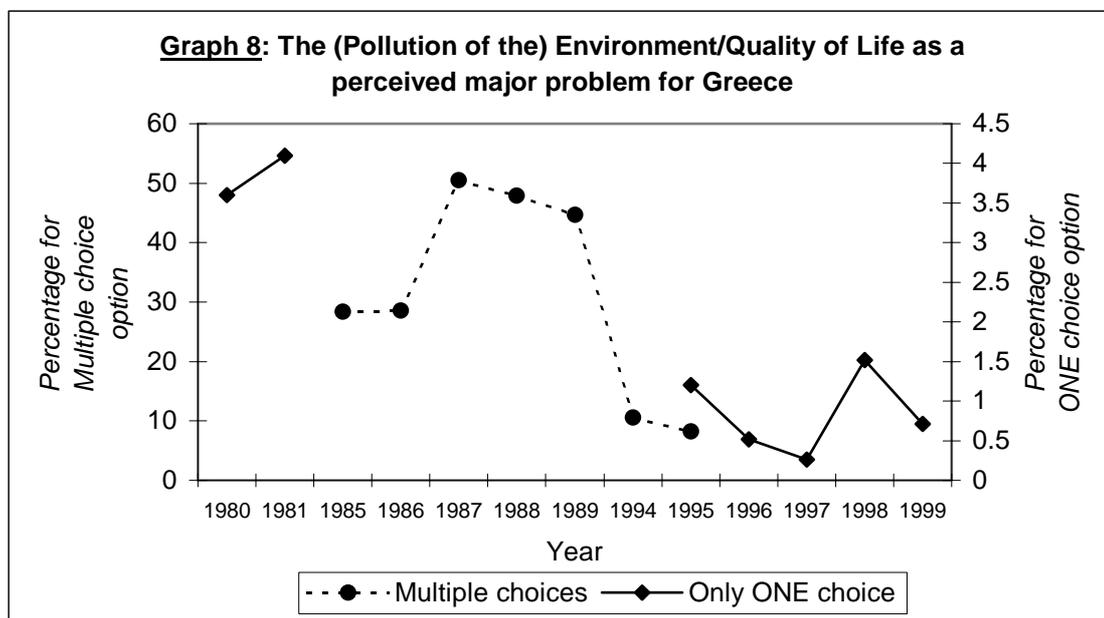
This feeling holds true for the general Greek population, as Graph 7 depicts<sup>57</sup>.

<sup>56</sup> Papaioannou et al (2000:158). Compare that to those who agree, by 73.7%, or agree with reservations (13.4%), to the more general statement 'The important decisions about our lives are taken without our participation' (ibid. 151)

<sup>57</sup> Data from V-PRC (2000)



Despite the generalised feeling of environmental degradation, it was not perceived as such an important problem vis-à-vis other ones, capable of rallying the Greeks around it. As Graph 8 demonstrates<sup>58</sup> the public's interest in environmental protection was actually in the decline during the nineties. For the second half of the nineties (1995-1999), only 1% of the Greeks consider the 'Environment and the Quality of Life' as an important problem of the country<sup>59</sup>.



<sup>58</sup> Data based on Loulis (1995) and V-PRC (1999). The sharp decline of the "Multiple choice" category for the 1994-1995 period could be attributed both to the failure of FEA, which 'discredited Ecology' as most activists believe, but also to the fact that for these two years **only three answers were allowed.**

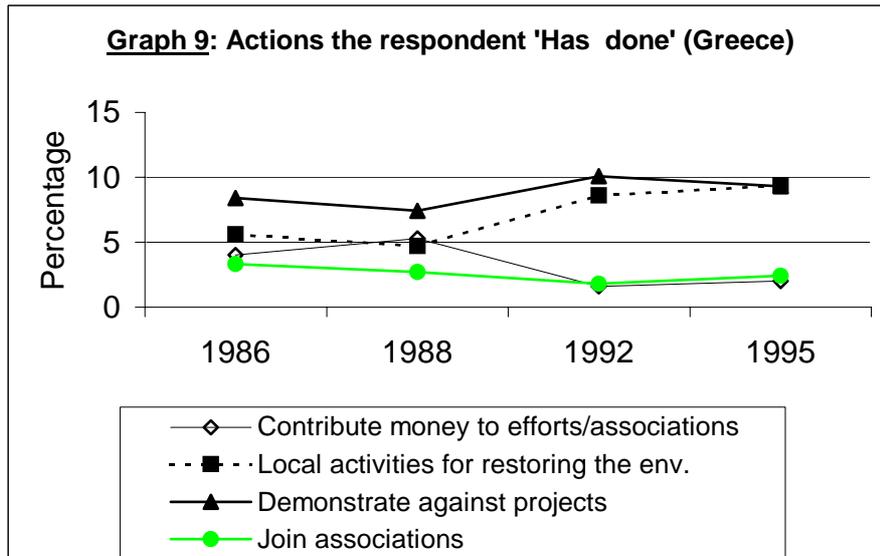
<sup>59</sup> V-PRC Institute, (1999:55). Only one answer was allowed. The 'Economy' came first with 36.74% while 'Environment' came last

On the issue of legitimisation, the Greek ENGOs were viewed as trusted sources of information concerning the status of the environment, (Table 5)<sup>60</sup>

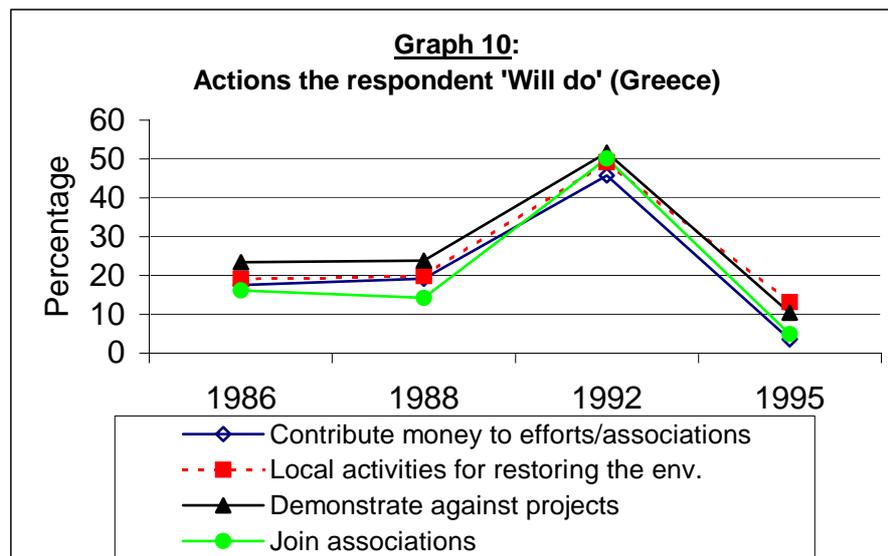
<b>Table 5: Who tells the truth about the environment? (Greece)</b>			
Possible sources of information	Answers given (Percentages)		
	1992	1995	2002
Consumer associations	3.9	4.7	13
<i>Environmental protection associations</i>	<i>39.8</i>	<i>43.6</i>	<i>53</i>
Professional tourism organisations	1.1	1.8	-
Political parties	0.6	0.3	-
Trade Unions	2.0	2.1	4
Public authorities	1.4	3.3	-
Industry	0.3	-	-
Teachers, at school and University	4.4	5.2	18
Scientists	29.0	16.8	41
The media	8.2	8.0	-
Nobody	9.2	14.2	-

Yet this impressive level of trust does not lead to increased levels of participation in (or acknowledgement of) the work done by the ENGOs. The following Graphs 9 & 10 depict the percentages of environmentally friendly actions the respondent has done and was willing to do (more or for the first time in the future). Multiple answers were allowed, except to the 'What will you do' 1986 question, when only two answers were allowed.

<sup>60</sup> Question: 'Which source of the following tells the truth about the state of the environment? (ONE answer allowed) Eurobarometre No37 (1992:568) & Eurobarometre 43.1 (1995:171). Question: 'Who do you trust when it comes to environmental issues? (THREE answers allowed)' Eurobarometre 58 (2002:27)



(Not all possible actions included in this Graph)

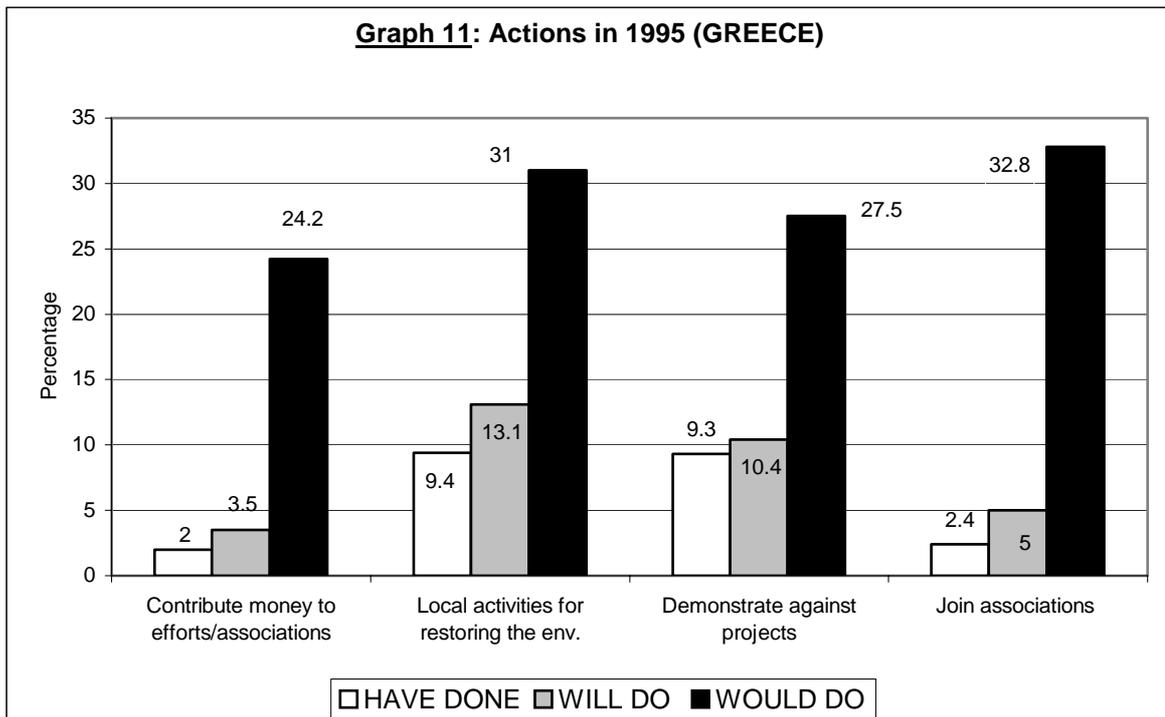


(Not all possible actions included in this Graph)

The really puzzling issue is not the low percentages of all the participatory forms of action. It is neither that even the prospect of joining an ENGO has the lowest score of all and the one that fails to materialise<sup>61</sup>. The most peculiar finding is in Graph 11<sup>62</sup>. It shows that when (in 1995) the public was asked '*If we accept that we should adapt our behaviour and expectations for the sake of future generations, what would you be willing to do?*' (multiple answers possible) the following, surprising, pattern emerged:

<sup>61</sup> The reader should keep in mind that 1992 was the Rio Conference year, which should explain the high scores on the 'Will do' graph

<sup>62</sup> Eurobarometre No 37 (1992) & Eurobarometre No 43.1 (1995)



The differences between the scores of actions Greeks "will" and "would" do is stunning. One would expect the two percentages to be similar. What more peculiar is the fact that the "join association" category demonstrates the most acute difference between "have done", "will do" and "would do" scores, while the results are even more surprising if compared to other Southern European countries [Botetzagias 2001].

*Forms and formats of participation*

In the early nineties, against the background of the pro-environmental E Section's activity and the understanding between the environmentalists and head of E Section, M. Dekleris, several of the leading Greek ENGOs appealed to the CS demanding a halt to the Acheloos' diversion project, till the submission of an Environmental Impact Study (EIS) for the project, and access to the relevant information, so far withheld by the government<sup>63</sup>.

<sup>63</sup> While the CS decreed in 1994 for a halt, the projects nevertheless continued in anticipation of a study, which was published in 1995, and in defiance of the CS verdict. Following the EU' pressure the project was also downscaled. For a wider discussion see Botetzagias (1997a)

The Acheloos' case was considered in its day, both by researchers (e.g. Close 1998; 1999) and the ENGOs involved, as the (non-electoral) high moment of the Greek Green movement. Thus M. Skoulios (1995:53), the President of *Elliniki Etairia*, one of the oldest and most well-established Greek ENGOs involved in the Acheloos' campaign, was boasting that 'It is certain that almost any project that the [Greek] ENGOs drastically and forcefully opposed failed to materialise'. Even academics, getting their information from similarly over-optimistic individuals, such as Close [1998; 1999], were writing of 'recent challenges to centralized state authority'.

That ivory-towered approach can be well explained if one focuses on the preferred strategy of the prominent Greek ENGOs, namely to contest the administration's decisions at the Courts, especially the CS, and to try to secure EU/foreign ENGOs support. They have never tried to create any consensus among the peripheral ENGOs or to rally the public. This strategy was to achieve very little, if anything, since the government, in most cases, simply ignored the Courts' rulings and the EU pressure and went ahead with its plans [Botetzagias 2000b].

The Acheloos' campaign demonstrated beyond any doubt that the ENGOs were no match for a determined State authority: the project continued to crawl forward, albeit with sparse EU funding and the forbidding court orders. It had also uncover their utter dependence to their foreign allies, since the real prominent actors behind this campaign were *not* the Greek ENGOs spearheading it (Hellenic Society for the Protection of Nature, *Elliniki Etairia*, *Nea Oikologia*, WWF-Greece<sup>64</sup>) but rather their European counterparts. Close (1998) narrates in length how the Acheloos' campaign provided much needed impetus for the (WWF-Europe, Friends of the Earth, Greenpeace and European Environmental Bureau) alliance pressing for the reform of the EC's structural funds and thus it was actively supported; how foreign ENGOs contributed most of the funds behind the campaign in Greece and of the 320,000 signatures gathered against the project; how the (UK-based) Royal Society for the Protection of Birds (RSPB) wrote warning letters to the many partners of the international consortium which tendered for the project in 1987-1993. Thus the Greek ENGOs' claim to have won a 'victory' was, even at its time, both wrong and hollow.

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<sup>64</sup> And Aetolian Society (*Aitoliki Etairia*), a local group which lacked the resources to play a part other than the Athenians' ENGOs local 'agent' for the campaign.

The Acheloos' campaign had also exhibited the manipulation of scientific data that the mobilisations of the late eighties first fashioned: when faced with a governmental EIS full of mistakes and resembling rather a wish list than a research document<sup>65</sup>, the environmentalists did not stop at denouncing the EIS shortcomings but used environmental/scientific arguments of dubious, to say the least, quality. For example the impact on the Messolonghi lagoon (nearby the Acheloos delta) was exaggerated; the fact that the river was, probably, not contributing much water to the nearby wetlands was never mentioned; the negative effects on the Acheloos' fauna were exaggerated while the beneficial effects on Pinios' river fauna, where most of the diverted water would end, were downgraded<sup>66</sup>. One could argue that it was especially this alleged threat to the wetlands and the lagoon (which both are important bird habitats and fishing areas) that had to be mentioned if the interest and support of the RSPB and the local inhabitants of Aitolokarnania was to be won over and maintained.

The Achellos' campaign also demonstrates that similar campaigns' outcome is completely independent of the issue, the allies and/or the arguments of both sides and rather depends on the importance the developer/government places on carrying forward the project: despite the ENGOS running a high profile campaign, the E Section issuing favourable rulings and the EU withdrawing its funding, the project did go ahead since it was of both a high priority for the government and the other major political party, ND, decided not to side itself with the mobilisers (thus denying them with an all-important *political* patron). The reason was that the diversion was a pledge of all Greek governments ever since 1974 to the farmers (i.e. voters) of Thessaly.

While it might sound cynical, the only concrete result of the Acheloos' campaign was that both the Greek ENGOS involved and the E' Section infuriated the government. It has been argued [Botetzagias 2000b:22] that due to their short-sighted strategy 'the "core" Greek ENGOS were walking on very thin ice'. The Constitutional reform initiated in mid-2000 was but the first major crack: the government decided not only to

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<sup>65</sup> See Botetzagias 1997 for a review of the Acheloos' EIS according to Environmental Impact Assessment guidelines

<sup>66</sup> See Botetzagias (1997a); Efthimiopoulos I., Tsantilis D. and Chatzibiros K. (eds.) (1999); and, Margaris N. (2001)

revise the Constitutional Article 24<sup>67</sup>, in effect down-grading the protection of sylvan areas, but also to both curtail the powers of the CS and make it more difficult for a development to be debated before it. It was the mere audacity of the governmental proposals that forced the fomenting of a grand alliance of all the Greek ENGOs, political ecology's activists, academics and, professional bodies and associations against the proposed revisions, rather than any realisation (on the core Greek ENGOs behalf) of the fruitless tactics of the nineties or any strategic plan to unite the environmentalist and ecological wings of the movement.

During the campaign, innovative tactics were employed (such as e-mail petitioning) alongside the more traditional ones, such as demonstrations etc. Despite the existence of this alliance and the favourable media coverage the public's participation was very low. Thus the government had little difficulty in finally revising the articles it had wished for.

It has been argued that albeit the revised Article 24 was worse than the original one (of 1975), the campaign managed at least to force the government to retract some even more destructive clauses it had proposed in the first place. Yet, as it was demonstrated elsewhere<sup>68</sup>, the government only retreated on issues that were in contradiction with the country's international obligations or with previous decisions of the Greek Supreme Courts. Furthermore, the original Article 24 was not pro-environmental *per se* but rather became so through the pro-environmental jurisprudence of the CS. By curtailing the powers of the latter the government was aiming at the heart of Greek environmental protection's practice. As a matter of fact, and as far as the CS is concerned, the government passed every single change it had wished for. The activists' unwillingness and, to a lesser extent, inability to make the obvious connection, on the one hand, and the highly polarised/personal (yet also technical) debate over the changes in the CS, on the other, did not allow for a double campaign against the revision of both Article 24 **and** the CS-related Constitutional articles.

Moving to the 'established' ENGO-State interactions, an overview attests to their poor condition. Thus, the analysis of the Greek ENGOs 'external' (i.e. not originating from

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<sup>67</sup> Regulating the protection of the natural environment in Greece

<sup>68</sup> Botetzagias 2001c : Chapter 6

within their own network) information sources, presented in Table 6, reaches an uncomfortable conclusion: the two Ministries mainly dealing with the environment, the Ministry for the Environment (YPEHODE) and the Ministry for the Agriculture, scored very low

<i>Information Source</i> <sup>69</sup>	<i>Percentage of ENGOS naming as an info source:</i>
Citizens/Local inhabitants	44.66%
Media ( <i>TV/Radio/newspapers</i> )	44.61%
Research Institutes ( <i>e.g. Universities etc.</i> )	30.78%
Scientific/Specialised magazines and journals	17.95%
State Agencies ( <i>NOT Ministries</i> )	16.41%
Local government	14.36%
Other Ministries ( <i>NOT YPEHODE/Ministry for Agriculture</i> )	11.28%

The exact results for the two Ministries are 7.69% and 6.66% respectively, placing them amongst the least popular information sources. Such low percentages can imply that either the information provided is irrelevant or that the ENGOS-Ministries interaction is indeed problematic. Both theses are equally disturbing, yet there exists evidence for selecting the latter. Further analysis of the ENGOS' responses demonstrates that less than 1/3 of all Greek ENGOS had any kind of contact with YPEHODE for 1996 while they reported that their level of satisfaction -as far as these contacts were concerned- was 'average'<sup>70</sup>. Of the total 72 reported interactions between Greek ENGOS and the Ministries for the Environment and for the Agriculture (1996) only two (-2-) were initiated by the ministries<sup>71</sup> themselves while there exists not a single case involving any input into policy or decision making.

These results are in accordance with earlier research (Spanou 1995:163) which has identified the uneasy interaction between state agencies and ENGOS. Thus it was

<sup>69</sup> Based on EKKE (1998). Coding and percentage calculation was conducted by myself. Among the least popular information sources were the 'EU' (8.2%), 'International Bodies' such as the United Nations Environmental Programme-UNEP (5.64%) and the 'Internet' (4.1%).

<sup>70</sup> ENGOS characterising such a contact as '*highly satisfactory*' usually had contacted YPEHODE for securing a programme/funding or for acquiring a specific piece of information. On the other hand, '*not at all satisfied*' were ENGOS that had contacted YPEHODE on specific issues, which YPEHODE was slow/unwilling to react upon (i.e. establishing protected areas; producing impact studies of projects; promoting tougher environmental/protection legislation and so on)

mentioned, in YPEHODE's view, the ENGOS 'are not "trustworthy", they are not "reliable" ', since they 'do not reason, [they] adopt extreme positions and do not offer any alternatives', '[they] do not know how to negotiate'. On their behalf the ENGOS felt they 'are not welcome' and that the Minister 'does not respond [to their suggestions/demands]'. Their suggestions or reports on specific issues 'are not considered, neither are their suggestions for co-operation'<sup>72</sup>.

In the past seven years no remarkable change has occurred. Thus, researchers note that not even the principal, national Greek ENGOS 'do not have members who sit on public bodies and agencies' (Kousis & Dimopoulou 2000:9)<sup>73</sup>. Yet recent developments (2003) signal towards a more institutionalised participation for the ENGOS, through the establishment of 'Management Bodies' (*Foreis Diachirissis*) for protected areas, where ENGOS are invited to participate. Up to know, 27 Management Bodies have been set up. Although established by Law back in 1999, only two are currently operational, while the remaining 25 were announced in June 2003 yet still remain on paper. In addition, there exist to semi-official agencies the 'National Centre for the Environment & the Sustainable Development' (*EKPAA*) and the 'Natura 2000' network, where ENGOS' representatives do participate.

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<sup>71</sup> While 33 interactions were labelled as a 'common' initiative

<sup>72</sup> The quotes come from Spanou's interviews with YPEHODE officials and ENGOS representatives respectively

<sup>73</sup> Rather a handful of their members happen to be involved in politics (ibid). This is clearly different from an institutionalised participation into the policy making.

## *Discussion*

What the previous sections have shown is that hitherto the (core) Greek ENGOs, the ones that spearheaded the movement, did not command the support of the public. In many cases during their campaigns they have managed to alienate the local population, seriously jeopardising the goal they were striving for. They failed to undertake any major campaign on issues that would affect the general public (such as health issues, illegal building activity and so on) but concentrated solely on conservation issues. However noble this cause might be it did not capture the public's imagination. They failed to establish a nation-wide network of ENGOs that would enhance the movement's strength and possibly allow it to embark on proactive instead of reactive campaigns. The campaigns they did embark upon (such the Acheloos' one) were fought mainly at the Courts' level yet they failed to achieve anything when faced with determined, governmental administration. There is evidence for one to believe that the support from external allies (the European Parliament, their foreign peers) was what that kept their campaigns going.

Thus, and although we agree with O' Neill (1997:243) that 'The Greens [in Greece] have fewer options here than in almost any other western European polity', we seriously doubt his rationalisation, namely that 'it is a question of compromise - the tactic of carefully nurturing concessions by working with allies at every level of the system - or bust'. The (core) Greek ENGOs failed both to win the public over, the most important ally of all, and established permanent inter-organisational alliances. Whenever they registered any success, and that was very rare, it was due to the use of potential extra-polity 'allies' such as the EU. Their actual importance and kudos within Greece was extremely low thus none of the established political forces ever considered of negotiating with them on any major issue; thus this was no case of 'carefully nurturing concessions' but rather an unavoidable capitulation - due to their actual, meagre potential. Furthermore, we would seriously doubt that the other available scenario would be to 'bust', unless of course O' Neill means by that the undeniable fact that a more confrontational strategy would have denied some core Greek ENGOs the preferential treatment they have received so far from the state apparatus.

The environmentalists let the nineties pass thinking that the influx of EU funds, which was government-regulated, would allow them to run their campaigns and day-to-day operation while they could make increasingly use of a sympathetic judiciary to 'force' the government's hand. In their tactics they demonstrated the same 'vertical incorporation' characteristics typical of the Greek society, either seeking a patron for themselves against the government (the foreign ENGOS, the 'good Judge') or trying to 'enforce' themselves as patrons against the 'cornucopian' locals (trying to enforce their environmental paradigm while dismissing other possibilities or accommodations).

It was a bad strategy: their utter dependence on EU funds made them dependent upon the continuation of these funds and the government's good-will; they were thought of by the peripheral Greek ENGOS as 'co-opted'; they spent money and time in conducting conservation studies that the administration would never implement contrary to the locals' will and they succeeded in alienating the local population. It is true that all core Greek ENGOS are dealing more or less with species conservation and thus it is the very nature of their interest that forced them to prioritise over conservation. Although informing the public that the bear or the seal are endangered species and protecting them are both important and legitimate tactical priorities, a strategy was missing. And this strategy could have been none other than getting the public involved and persuade it that the environment is a top-priority; in one word, to 'socialise' or 'politicise' the issue. Yet the core Greek ENGOS considered such a 'politicisation' as anathema thinking; that if they keep equal distances from all everyone would support them. They employed an environmental rhetoric focusing on furry bears, the destruction of the Amazon forest and the Chernobyl nuclear accident thus when the Greek administration moved in to deal away with the annoying E Section and distribute a few more favours to the developers' lobby, nobody was there to support their panic-stricken calls for action.

Throughout the nineties, the Greek ENGOS were effectively barred from decision making. The creation of the Management Agencies and the ENGOS participation in them marks an important break with the past: this is the first time they are recognised as legitimate interlocutors and given specific responsibilities. That said, it is too early to assess to which extent they will have any impact on decision making.

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