

Charles University

Faculty of Social Sciences

The Importance of the EU as an External Factor on Democratic Consolidation:

The Cases of

The Czech Republic and Slovakia

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The Czech Republic and Slovakia

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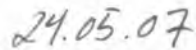
DECLARATION

This thesis is a presentation of my original research work. Wherever contributions of others are involved, every effort is made to indicate this clearly, with due reference to the literature, and acknowledgement of collaborative research and discussions.



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Date:

Abstract:

Title: *The importance of the EU as an External Factor on Democratic Consolidation.
The cases of the Czech Republic and Slovakia*

Supervisor: Petr Just

Outline:

The breakdown of communist rule in Central and Eastern Europe has offered scholars in the field of transition and regime change theory, and comparative politics in general, a major opportunity to test out former theories, but also formulate new ones. Obviously, no theory is alone applicable to the complexity of the transitions. There is a variety of cases, each with distinct developments before, during and after the transition to democracy has been completed.

Some common features are still possible to extract when studying regime change in a region. As for Central and Eastern Europe, one of the most outstanding characteristics of the transition to democracy has been the visibility and importance of external factors. Previously the view was held that external factors were essentially secondary to domestic processes of regime change. The studies on Central and Eastern Europe carried out the last 15 years might show another picture, and that leads us to the core of this paper. How important have the external factors been? After providing the reader with some relevant theories on democracy and democratisation, the focus is turned to the examination of external influences on transition in this region. In order to narrow down the complexity of the subject, the European Union has been chosen as the variable to examine closer, but without ignoring other factors of significance, as for example NATO membership. The incentives for membership in the EU have in general been strong, and in order to receive invitation for accession, the applicants in the post-communist countries had to fulfil conditions governing almost every aspect of their political, economic and social institutions. This again leads to the assumption that external factors are interwoven with domestic developments.

The cases chosen for this study are the neighbouring countries of Czech Republic and Slovakia. Although they had a common past in Czechoslovakia, their paths to transitions to democracy and EU accession parted. Slovakia demonstrated insufficient progress on domestic political reforms, and authoritarian leadership, which again had consequences on their progress in the application progress, while the Czech Republic had a more positive advancement. The cases have been chosen just because of their differences, and with the assumption that these distinctions might help proving whether or not the EU is one of the most important external factors in regime change and democratic consolidation.

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1.0 Introduction

To be born into a world which is already democratic increases the pressures on new democracies to consolidate quickly but provides a more supportive environment which will probably assist the final outcome. The first democracies of modern times were not so much adopting a new political order as inventing it. (...) Post-communist democracies were delivered into a world where democratic ideas were already becoming predominant; as a result, they are expected to mimic established examples without the economic resources and gradual development which helped the countries of the first wave¹.

The countries of Central and Eastern Europe underwent major political and economic changes as their communist political system crumbled away after about half a century. The manners of why and how the transformations to democracies happened are not homogenous; still the processes share several common characteristics. New democracies are political construction sites, and the process of building can differ widely from country to country, even though the final goals are the same. There are a number of factors influencing both transformation and consolidation. One hand there you have the functions of internal factors in the processes; on the other hand, the influences of external factors. The latter has been given a special emphasis in many studies carried out on post-communist political and economic transformations, as international organisations and institutions have played a larger role than what has previously been the case. The importance of external factors on democratic consolidation, and the assumption that they in fact have been rather crucial in many respects of improving the democratic quality, is the subject this paper is seeking to examine. In order to narrow down the subject of study, as well as due to its undeniable significance in the international society today, the focus is

¹ Hague & Harrop (2001): 26

mainly on the role of the EU. The Czech Republic and Slovakia are chosen as cases to prove whether the working thesis hold ground or not. The two case studies described below are serving as good examples of countries with contrasting roads to democratic consolidation, even though they have a great deal of common characteristic as well.

The focus of this thesis will not be on the actual regime change, but rather the transition and consolidation process afterwards. The working thesis has been that the EU has played a specific role in the consolidation process, as the countries have strived for EU membership from the very beginning of their transformation process. The road to consolidated democracies has therefore been one natural and necessary to follow, as several basic democratic requirements must be in place before one can enter the European Union, as a part of EU's so-called conditionality. Here, the cases of Czech Republic and Slovakia are chosen to illustrate how this process has taken place. Czech Republic serves as a good example of how this consolidation process has gone *relatively* smoothly, while Slovakia has had a winding road before they could step into the European family. Hence, the paper starts out with the introduction of democratic history and theories. The democratic roots in the ancient Greece will be briefly examined, before the road from direct to representative democracy is portrayed in the light of the evolution of a few democratic institutions. Then the focus turns to the theoretical part, which first gives the reader a brief look at Dahl's advocacy of the democratic way of governing. Arendt Lijphart provides a useful framework for two types of democracies; the majoritarian model and the consensus model, which will come in hand in the later understanding of the political system of the Czech Republic and Slovakia. Linz and Stepan are two well-known writers in the field of studying democratization, and their classifications are further supporting the later analysis. They divide a consolidated democracy in to five areas: the existence of a free and lively civil society, a political society, the rule of law, a usable bureaucracy, and an economic society. The political society will get most of the attention in the case studies.

Further, the process of democratization is seen in the light of Huntington's three waves of democratization. He argues that the post-communist wave should be included in his third wave, the choice here has however been to treat it as a separate phenomenon. The next chapter gets to the core of the subject, when external factors as a category are considered in the light of conditionality. Subsequently, the case of the European Union is further examined. The Czech Republic and Slovakia are both analyzed in terms of several factors; still the conditionality element is kept as a guiding dimension. Eventually, some remarks about the post-accession period are made, with some notes on the first election to the European Parliament, as well as some general remarks on the post-communist enlargement and the lessons that can be drawn from it.

2.0 History of and theories on democracy

2.1 The early beginning

In order to establish what a democracy is today, a natural starting point is the origin, the core point of democracy, which dates back to the ancient Athens in the fifth century BC. The term itself consists of two words, *krato*, which means rule, and *demos*, which means people. Hence, the true meaning was rule by the people. Athens was the leading city-state of ancient Greece between 461 and 322 BC, and here the first known example of a direct democracy could be found in the *Ekklesia*, which was the People's Assembly. There, every citizen² aged at least 20 could attend assembly sessions, and take part in making decisions regarding everything from minor issues to important ones like those concerning war and peace. The famous philosopher Aristotle described the democracy of Athens in *The Politics*, where he has seven distinct characteristics: 1. All to rule over each other and each other in his turn over all. 2. Appointment to all offices, except those requiring

² I.e. the male population

experience and skill, by lot. 3. No property qualification for office holding, or only a very low one. 4. Tenure of office should be brief and no man should hold the same office twice (except military positions). 5. Juries selected from all citizens should judge all major causes. 6. The assembly should be supreme over all causes. 7. Those attending the assembly and serving as jurors and magistrates should be paid for their services.³ An executive council was responsible for the administrative functions, which through its system of rotation allowed for about one in three citizens to participate at one point in their life, really exemplifying the true spirit of direct democracy. Of course, the moderate size of the city-state, with approximately 40 000 people, made this possible. The final leg of the democracy of Athens was its legal system, which functioned as an arena of accountability, where the juries consisted of several hundred people randomly selected from the public. However, as Hague & Harrop point out, there were also serious flaws in this form of democracy. The vast majority of adults, including women, slaves and foreign residents, did not have the right to participate in the assembly. Further, a majority of those who did have the right to attend to the sessions were mostly absent. In addition, the system itself was elaborate, time-consuming and expensive, and a too complex way of governing such a small society. In our modern, market-oriented world, such time consumption could obviously never work. The last point is that the lack of bureaucracy contributed to a period of ineffective government, which in turn led to the end of the Athenian republic after it was defeated in war.⁴ Still, as S. Finer concluded: *The Greeks invented two of the most potent political features of our present age: they invented the very idea of a citizen – as opposed to subject – and they invented democracy.*⁵

The next time the democratic ideals began to reappear, was around 1100 C.E. in many of Italy's northern cities. Participation in the

³ Hague & Harrop (2001): 16-17

⁴ Ibid. 17-18

⁵ Ibid. 18

governing bodies was at first restricted to upper-class families, but as time went by, people in the lower strata's of society began to demand the right to participate as well. They were what we today call middle-class, i.e. the newly rich, the smaller merchants and bankers, the skilled and organized artisans, and the foot soldiers. They had the ability to organize themselves, in addition to outnumbering the upper class. However, after about 200 years, the governments of some of the major cities eroded because of economic decline, corruption, oligarchy, war, and seizure of power of authoritarian rulers. This was also the end of the city-states, as they became subordinate units of the national state or country.⁶

2.2 From direct to representative democracy

Still, these early examples of democratic rule lacked several of the characteristics of modern representative government. There was no national parliament consisting of elected representatives, nor any popularly chosen local governments subordinate to the national government. In other words, a system where democracy on the local level was combined with the top level was not yet invented. Today, citizenship is encompassing the vast majority of the adult population. Further, the governments in the early days used to be mainly self-governed, while today the governments are elected, and the elections are a central feature of a modern representative democracy. In addition, our democracies are based on a liberal philosophy, which means that the role of the state is restricted by the constitution. Such a distinction between public and private would be unheard of in the ancient Greece.⁷

In the nineteenth century, stimulated not just by the American and French revolutions but also by the diffusion of power brought about by mass literacy and industrialization, the notion of turning ancient

⁶ Dahl (1998): 15

⁷ Hague&Harrop (2001): 19

*institutions into representative bodies elected from a wide franchise rapidly gained ground.*⁸

The seeds of the modern representative democracy were sowed already in the eighteenth century, as certain political ideas and practices were introduced during the Enlightenment. Several great thinkers had put forth their ideas on individual rights and liberties. It was the century of the fathers of political theory such as Locke, Voltaire, Montesquieu, and Rousseau, who were criticizing the absolutistic state and advocating alternative reason-based forms of rule. The climax of the century was the reforms in England, and the Revolution in America in 1776 and France in 1789. The two Revolutions transformed politics within the states, as sovereignty was removed from the monarch and instead fixed in institutions claiming to represent the people.⁹ Due to the logic of equality, local assemblies had been created in Scandinavia, the Netherlands, Switzerland, and Britain, where free men, to a certain extent at least, could participate in governing. This was based on the notion that governments needed the consent of those they were governing. It was initially a claim about raising taxes, but grew into being applied to laws in general. Where the area was too large for direct attendance, representation was introduced. It was not secured by lot or random selection, but by elections. *These European political ideas and practices provided a base from which democratization could proceed (...) but if the ideas, traditions, history, and practices just described held a promise of democratization, it was, at best, only a promise.*¹⁰

Hindering democratization were firstly the gross inequalities. There were differences between the rights, duties, influence and power of the slaves and the free men, of rich and poor, master and servant, men and women, feudal lords and tenants, monarchs and their subjects, just to mention a few. Subsequently, assemblies and parliaments were far from

⁸ Ibid.

⁹ Knutsen (1997): 146

¹⁰ Dahl (1998): 23

meeting minimal democratic standards, the latter being full of privileges for the aristocracy and higher clergy. Representatives from the lower layers of the population did only have a partial saying in lawmaking, and the monarchs were superior and in control. Third, the whole people were not represented. About half the population was not taking part in the decision-making. The time of the expansion of the suffrage was still a century away. Another fault was the problem of including people in the democratic ideas and beliefs, as most of them had no clear perception of what a democracy was. Freedom of expression in speech and press was also strongly limited, and political opposition was neither legitimate nor legal.¹¹

As for the problem of reinventing democracy for large states, representative democracy proved to be an excellent solution; it included a government capable of embracing and confederating the various interests of the population, and it combines the popular preferences with “expert” judgements. The population is too large for a direct democracy to work, moreover are their preferences too altering, and there are too many issues on the political agenda. A representative democracy is then limited to the question of who governs. This theory of democracy gained ground as the first wave of democracies emerged in the nineteenth century, which will be further discussed under. The economist Joseph Schumpeter conceived democracy to be in party competition. He argued that *elections should not be constructed as a device through which voters elect representatives to carry out their will; rather, the role of elections is simply to produce a government.*¹² It is then just a matter of deciding who shall decide, and the elector is merely a political accessory. As for the liberal character of democracy, its core is limited government. The aim to shelter individual freedom and it is protective in terms of defending both the population and its minorities, respectively from its rulers and from a tyrannical majority. Hence, the original principle of self-rule is abandoned, instead the form

¹¹ Ibid. 24

¹² Hague & Harrop (2001): 20

of rule consists of governments who are responsible for the decision-making, and its main tasks are the protection of the rights of the citizens and property-owners, in a flexible and scalable political system.¹³

The nineteenth century saw the rise of ideological politics and mass participation, and a new confidence in reason and science was emerging. The following century transformed such ideas into systems of thought - the spread of “isms”. *One of the most important novelties of this busy age (...) was not so much the discussion of the ideas themselves; rather it was their synthesizing into systems of ideas and the self-conscious placement of these systems in a social context.*¹⁴

Social thought was under evolution, and three schools of authors emerged. First, there were the liberal authors, drawing on the theories of thinkers such as Adam Smith. The second branch was conservative, with theorists like Burke, Malthus, and Bismarck. The third group contained radical theorists, like Marx and Engels. Around the turn of the century, the discussions on social thought resulted in three major secular systems of political thought in the West: the three ideologies¹⁵ of liberalism, radicalism, and conservatism.¹⁶

2.3 Patterns of democracy

After a brief overview of the historical evolution of democratic principles, a theoretical part is useful to grasp the complexity of the subject. First, it is time to introduce Robert Dahl’s definition of why democracy is the preferable system of governing a state. Until the twentieth century, the superiority of nondemocratic systems was the norm in both theory and practice. As referred to above, democratic ideas were introduced earlier; still, democracy as we know it today came to be mainly in the twentieth century. In his classic *On*

¹³ Ibid.

¹⁴ Knutsen (1997): 145

¹⁵ An ideology is a systematic body of beliefs about the structures and processes of society; it includes a comprehensive theory of human nature that sustains a programme of practical politics (Knutsen: 150)

Democracy, Dahl describes ten advantages of democratic rule. The first advantage claims that democracy helps to prevent government by tyranny. To avoid autocratic rule can be described as one of the most fundamental and persistent problems in politics. Secondly, democracy guarantees a number of essential rights that are normally not included in nondemocratic systems, like the right to participate and vote. The third advantage is the general provision of freedom, such the freedom of expression. Fourth, democracy helps the people to protect their own fundamental interests. The argument is explained by referring to John Stuart Mill, who said that you are only able to protect your rights and interests from abuse by government only if you are participating in determining the conduct of the government. The fifth element of democracy advocacy is the notion of moral autonomy. Living in association with others means that it is necessary to live under laws, but these are laws that the individual has freely agreed to live under. Sixth, only a democratic government can provide a maximum opportunity for exercising moral responsibility, as you are subject to collective decisions. Number seven stresses the democracy's influence on human development. The eighth advocating point is political equality, as democracy is the only alternative of government which can foster this. Empirical evidence show that democracies in the modern sense do not fight wars with another democracy, says the ninth claim. Finally, countries with democratic governments tend to be more prosperous than countries with nondemocratic governments.¹⁷

In his *Patterns of Democracy*, Arendt Lijphart gives a far-reaching framework of how a democracy can be organized and run. This includes a variety of formal governmental institutions, like legislatures and courts, as well as political party and interest group systems. He examines the institutions from the perspective of how majoritarian or consensual their rules and practises are.

¹⁶ Ibid. 148-50

¹⁷ Dahl (1998): 45 - 60

Defining democracy as “government by and for the people” raises a fundamental question: who will do the governing and to whose interests should the government be responsive when the people are in disagreement and have divergent preferences? One answer to this dilemma is: the majority of the people. This is the essence of the majoritarian model of democracy. (...) The alternative answer to the dilemma is: as many as possible. This is the crux of the consensus model¹⁸.

The latter model is aimed at sharing, dispersing, and limiting power in a majority of ways and is characterized by inclusiveness, bargaining, and compromise, while the former concentrates power in the hands of a bare majority and is exclusive, competitive, and adversarial. Ten differences of the two models are lined out in two dimensions. The first one is called *the executives-parties dimension* and entails the following five differences: Concentration of executive power in single-party majority cabinets versus executive power-sharing in broad multiparty coalitions; executive-legislative relationships in which the executive is dominant versus executive-legislative balance of power; two-party versus multiparty systems; majoritarian and disproportional electoral systems versus proportional representation; and pluralist interest group systems with free-for-all competition among groups versus coordinated and corporatist interest group systems aimed at compromise and concentration. The second is called the *federal-unitary dimension* and bears five further characteristics: Unitary and centralized government versus federal and decentralized government; concentration of legislative power in a unicameral legislature versus division of legislative power between two equally strong but differently constituted houses; flexible constitutions that can be amended by simple majorities versus rigid constitutions that can be changed only by extraordinary majorities; systems in which legislatures have the final word on the constitutionality of their own legislation versus systems in which laws

¹⁸ Lijphart (1999): 1-2

are subject to a judicial review of their constitutionality by supreme or constitutional courts; central banks that are dependent on the executive versus independent central banks.¹⁹

The majoritarian model is also known as the Westminster model, as it originates in the United Kingdom. The characteristics of the British Westminster model can serve as one of the better examples of the majoritarian type of rule. In the executive-parties dimension, the first characteristic of the British model is the concentration of executive power in one-party and bare-majority cabinets, and the cabinet is the most powerful organ of the British government. The second feature is cabinet dominance, as the system of government is parliamentary; the cabinet is dependent on the confidence of Parliament. However, the cabinet is composed of the leaders of the majority party in the House of Commons, and consequently counting on their support and is in reality dominant towards them. Third, two large parties dominate the British politics: the Labour Party and the Conservative Party, which are mainly diverging from each other on socioeconomic issues. The fourth characteristic is the majoritarian and disproportional system of election. The members to the House of Commons are elected in single-member districts according to the plurality method, the so-called “first past the post” system. Fifth, the system favours interest group pluralism, which means a multiplicity of interest groups that exert pressure on the government in an uncoordinated and competitive manner. Along the federal-unitary dimension, five further elements can be identified. First, the government is unitary and centralized. The local governments do not enjoy any constitutionally guaranteed powers, and they are financially dependent on the central government.²⁰ Next, there is a concentration of power in a unicameral legislature. The majoritarian principle says that the legislative power should be concentrated in a single house or chamber, and here the British system deviates from the

¹⁹ Ibid. 2-4

²⁰ Two exceptions: the autonomy of the parliament in Northern Ireland, as well as Scotland and Wales.

norm, as they have the House of Commons and the House of Lords, still, the sole power of the latter is to delay the bills. The third characteristic is the constitutional flexibility; in the British case, the constitution is unwritten in the sense that there is no single document describing the composition and powers of the governmental institutions and the rights of the citizens. In stead, theses are defined in a number of basic laws like the Magna Carta of 1215 and the Bill of Rights of 1689. The consequence of such flexibility is that the constitution can be changed by Parliament like any other law. The fourth factor of this dimension is the absence of judicial review, which is closely connected to the unwritten constitution; as there is no single document with the status of higher law, the courts cannot test the constitutionality of regular legislation. The final element of the Westminster model is a central bank controlled by the executive. The Bank of England was given its operational independence first in 1997, which was one of the first tasks Blair's Labour government performed.²¹

The consensus model of democracy will be described according to the above-introduced, elements, which are completely opposite, as the goal of this model is to share, disperse, and restrain power. Lijphart has chosen Switzerland as one of the best cases for studying the model in practice. The first characteristic is the executive power-sharing in broad coalition cabinets, in order to let the most of the important parties share the executive power. In Switzerland, four parties share the seven executive positions of the Federal Council proportionally according to a 2:2:2:1 formula. Another criterion is that the linguistic groups are represented in rough proportion to their sizes. Second, there is a balance of power between the executive and the legislative. The Swiss example is not presidential nor parliamentary; the Federal Council is elected individually for a fixed term of four years, and is stated in the Constitution that the legislature cannot stage a vote of no confidence during the period. It is a formal separation of the power making both

²¹ Ibid. 10-21

bodies highly independent. Thirdly, the Swiss have a multiparty system, allowing more people to come to power. Still, as mentioned above, only four parties reach the Federal Council. Fourth, the electoral system is proportional, which means that it aims at dividing the parliamentary seats among the parties in proportion to the votes they receive. Interest group corporatism is the fifth element. Three general characteristics of the corporative system can be identified: tripartite concentration, relatively few and large interest groups, and the prominence of peak associations. The first characteristic of the second dimension is a federal and decentralized government; Switzerland is in fact one of the most decentralized countries in the world. The power is divided between the central government and the governments of twenty cantons and six so-called half-cantons. Second, the bicameral structure of the legislature is strong, and justified by the need to give special representation to minorities, including the smaller states in the federal systems. This requires two conditions: the upper house must be elected on a different basis than the lower house, and it must have real power. Third, constitutional rigidity is an important characteristic. Switzerland has a written constitution, which, in order to be changed, requires a special majority in parliament. Amendments even require the approval in a referendum. As for the fourth factor of judicial review, Switzerland deviates from the pure consensus model, as its supreme court, the Federal Tribunal, does not have the right of judicial review. The final characteristic is independence of the central bank, which Switzerland has, in fact, the bank has been regarded as one of the most independent and strong central banks.²²

2.4 Transition to democracy

A democratic transition is complete when sufficient agreement has been reached about political procedures to produce an elected government, when a government comes to power that is the direct result of a free and popular vote, when this government de facto has

²² Ibid. 34-41

*the authority to generate new policies, and when the executive, legislative and judicial power generated by the new democracy does not have to share power with other bodies the jure.*²³

According to Linz and Stepan, another notion important to take notice of is that it is important to distinguish between liberalization and democratization, as the former can entail a mix of policy and social changes. Examples of such are less censorship of the media, a degree of greater space for the organization of autonomous working-class activities, legal safeguards for individuals such as *habeas corpus*, releasing political prisoners, returning exiles, improving the distribution of income, and most importantly, the toleration of opposition. The latter term is a wider and more specifically political concept. The right to win control of the government through open contestation is a requirement, which in turn requires free competitive election, and then again determines who governs. Two further issues can be said about their definition of democratic transitions. First, the beginning of a transition does not mean that it will be completed, even though a new authoritarian regime does not assume power. Examples of when this can happen is where a previously ruling military retains extensive prerogatives that the democratically elected government is not even in principle sovereign, even though the military claims to have given up direct control of government. Second, the need to reach an agreement on the specific institutional arrangement for producing democratic government means they are alerted towards decision-making within the democratic political area. Institutional disagreements over issues like unitary versus a federal state, a monarchical or republican form of government, or the type of electoral system might raise questions about the legitimacy. Institutional indeterminacy about core procedures necessary for producing democracy are endangering the transition in two ways, as it may leave it incomplete, as well as postponing any consolidation at all. This point implies a deep and continuous

²³ Linz & Stepan (1996): 3

confrontation and ambivalence about democratic institutions among the political elite and the majority of the population.²⁴

2.5 When democracy becomes *the only game in town*

Even though the transition to democracy is completed, a consolidated democracy is not automatically in place, as certain tasks still need to be accomplished, in addition to the cultivation of attitudes and habits. Linz and Stepan sums up the main points of consolidation in one point, namely that democracy has become *the only game in town*²⁵. This includes three dimensions, behavioural, attitudinal, and consolidation. Regarding the first dimension, this implies that no significant political groups seriously attempt to overthrow the democratic regime or secede from the state. The elected government emerging from the transition should no longer have to worry about avoiding democratic breakdown. As for the attitudinal dimension, this entails the overwhelming majority of the people to believe that any further political change must emerge from within the parameters of democratic recipes. The constitutional dimension involves the condition that all the actors in the polity become accustomed to the fact that political conflict will be resolved according to political norms, and that violations of these are liable to be both ineffective and costly. *In short, with consolidation, democracy becomes routinized and deeply internalized in social, institutional, and even psychological life, as well as in calculations for achieving success.*²⁶

The definition of a consolidated democracy according to the three dimensions can then be elaborated. In behavioural terms, consolidation is present when there are no significant national, social, economic, political, or institutional actors who are spending significant resources on attempting to achieve their objective by creating a nondemocratic regime, or turning to violence or foreign intervention to secede from the

²⁴ Ibid. 3-4

²⁵ Ibid. 4

²⁶ Ibid. 5

state. According to attitudinal terms, the consolidation is in place when the belief that democratic procedures and institution are the most appropriate way to govern collective life in a society is held by a majority of the public opinion. Last, the constitutional factor means consolidation when governmental and nongovernmental forces alike become subjected and habituated to the resolution of conflict within the specific laws, procedures, and institutions sanctioned by the new democratic process. Still, a consolidated democracy does not rule out that it could break down at one point. However, this is then believed to be due to a new dynamic, implying a nondemocratic alternative that gains significant supporters and former loyalist that starts to behave in disloyal matters.²⁷

2.6 Five arenas of a consolidated democracy

Linz and Stepan see the need of the presence of five interacting arenas in order for the consolidation to exist. The underlying assumption is that a state already exists, as a large group of individuals who lack identification with the state and want to join another one or create new one raise fundamental and often unsolvable problems, and there cannot be a consolidated modern democratic regime. The first condition is the existence of a free and lively civil society, which is the arena where relative autonomous and self-organized groups, movements and individuals are tempting to articulate values, create associations and solidarities, and advance their interests. The civil society spans from religious groupings, neighbourhood groupings to trade unions. *The idea of civil society (...) had great capacity to mobilize the opposition (...) and was crucial in Eastern Europe as a vehicle for asserting the autonomy of those who wanted to act "as if they were free", especially in Poland.*²⁸ In addition to the organized, there are all the ordinary citizens who are not part of any organization, but they are still often crucial in shifting the regime/opposition balance because they attend to

²⁷ Ibid. 6

²⁸ Ibid. 7

demonstrations, express disapproval of the police and the authorities and their opposition to specific measures, and in the end, they challenge the regime.

The second arena is the political society, which means the arena where polity rearranges itself to contest the legitimate right to exercise control over public power and the state apparatus. It is necessary factor, as it involves the development of the core institutions of a democratic political society like parties, elections, political leadership, and legislatures. A society constitutes itself politically to make these choices and elect and monitor democratic government. The civil and political society are also complementary, as the *political society, informed, pressured, and periodically renewed by civil society, must somehow achieve a workable agreement on the myriad ways in which democratic power will be crafted and exercised.*²⁹ There must be both intermediation and compromise.

The rule of law constitutes the third arena. It must be respected by all the significant actors in a democratic society, and an obligatory condition is that the rule of law is embodied in a spirit of constitutionalism, which means that it is not only rule by majoritarianism. There must also be a consensus, a relatively strong one, over the constitution and a commitment to procedures of governance that are self-binding, additionally *a clear hierarchy of laws, interpreted by an independent judicial system and supported by a strong legal culture in civil society.*³⁰

Further requirements for democratic consolidation can be found in whether or not the democracy has a usable bureaucracy. A government needs to exercise effectively its claim to what characterises very existence of a state: the monopoly of the legitimate use of force in the territory. In other words, it needs to have the capacity to command, and

²⁹ Ibid. 10

³⁰ Ibid.

to make regulations and extractions. *Important questions about the usability of the state bureaucracy by new democrats inevitably emerge in cases (as in much of post-Communist Europe) where the distinction between the party and the state had been virtually obliterated and the party went out of power, disintegrated, or was de-legitimized.*³¹

Finally, a consolidated democracy needs the arena Linz and Stepan label the economic society. They back this up by making two claims. The first one consists of the fact that there has never been, or can be, a consolidated democracy in a command economy in a time of non-war. The second claim is that if there is a pure market economy, there cannot be a modern consolidated democracy. Hence, a set of socio-politically crafted and accepted norms, institutions, and regulations that mediate between state and market is required. They have identified three reasons for why this is the case. First, in order to exist, markets require corporation laws, the regulation of stock markets, regulated standards for weight, measurement, and the protection of public and private property. Second, if the market is not functioning well, the state needs to correct the market failures. Third, the citizens demand certain public goods in the areas of education, health, transportation, a safety net for people hurt by major market swings, a degree of alleviation of gross inequality. A democracy entails free public contestation concerning such governmental priorities.³²

To summarize, the five arenas listed above are highly inter-relating, and dependent upon each other, as no arena can function well without the others. An example: *civil society in a democracy needs the support of a rule of law that guarantees the right of association and needs the support of a state apparatus that will effectively impose legal sanctions on those who would attempt to use illegal means to stop groups from exercising their democratic right to organize.*³³

³¹ Ibid. 11

³² Ibid. 12-13

³³ Ibid. 15

3.0 Democratization in theory and practice

3.1 Huntington's three waves of democratization

*A wave of democratization is a group of transitions from nondemocratic to democratic regimes that occur within a specific period and that significantly outnumber transitions in the opposite direction during that period (...).*³⁴ Huntington has identified three waves of democratization. The first one spans over almost a century, from the 1820s to 1926. The main achievement in this period was the widening of the suffrage, resulting in the inclusion of a large part of the male population, in some countries for the women as well. About 29 democracies were brought into being in the first wave. The USA is regarded to be one of the “ideal” examples of the first wave of democratization, together with Great Britain.

*Even today, we must regard the USA as the clearest example of a liberal democracy in which limited government is entrenched by design. The founding fathers wanted, above all, to prevent tyranny, including tyranny by the majority. James Madison wrote that “the accumulation of powers Executive, Legislative, and Judicial in the same hands...may justly be pronounced the very definition of tyranny”. To prevent any government – and especially elected ones – from acquiring too much power, the constitution set up an elaborate system of checks and balances between the institutions of government.*³⁵

However, by 1942 the number was reduced to 12, in what Huntington characterises as the first reverse wave, marked by a number of fascist regimes like in Italy and Germany. The second wave came about with the triumph of the Allies in the World War II, and reached its peak in 1962. Now, 36 countries were governed democratically. Established democracies emerged from the ruins of defeated dictatorships in West Germany, Austria, Japan, and Italy, in addition to the new state of India

³⁴ Huntington (1991): 15

and in the former British dominion of India. Many of these democracies were established with firm domestic roots, and were helped by American economic aid. Characteristic of this wave was also the domination of single parties in some countries, such as Congress in India, the Christian Democrats in Italy, the LDP in Japan, and Labour in Israel.³⁶ The second wave was also to be followed by a reverse wave; from 1960 to 1975, six countries lost their democratic status. The emergence of the third wave of democracies came around 1974, and included highly diverse elements such as the end of dictatorship in Greece, Portugal and Spain in Southern Europe. The wave also included the retreats of the generals in much of Latin America in the 1980s, and the collapse of communism in the Soviet Union and East Europe at the end of the 1980s.³⁷ The transitions bear five main characteristics. First, there was an inability to maintain the legitimacy due to economic and/or military failure in the authoritarian regimes. Second, there was a major economic growth in the 1960s, which raised the living standard and expanded the middle class. Third, the national catholic churches became unconcealed opponents of authoritarianism, and thereby making a large impact on the catholic population's political orientations. The fourth factor is how the changes in the policies of the external actors, like the EU³⁸, the USA and the Soviet Union. The last characteristic is the "snowballing" effect, meaning that the transformations earlier in the wave were stimulating and providing models for the latter ones. The third wave started out in Catholic countries like Portugal and Spain, then on to several South and Central America, and then back to Europe, this time to the continent's central and eastern parts.³⁹

³⁵ Hague & Harrop (2001): 21

³⁶ Ibid. 23

³⁷ Ibid.

³⁸ At the time, the European Community

³⁹ Huntington (1991): 16

3.2 The post-communist wave of democratization

The above-described classifications are serving well in explaining democratic transitions in the past. Still, there are disputes on whether the post-communist transitions belong in the third wave, as one can argue that the post-communist wave bears several distinctions from the former transitions and therefore needs to be treated as a separate phenomenon. The latter is the approach chosen in this context.

Democratic consolidations are in most cases a result of international pull and domestic push. Still, the degree of importance in either case varies. Sometimes there is an immense domestic demand for change, while in other circumstances the international factors play a major role on the transition outcome. As for the CEE-countries, not many disputes can be identified about the fact that the international environment has played a significant role. The post-communist wave in these countries has three distinct aspects from the former waves, namely the salience of the international environment; the outward orientation of elites and peoples; and the simultaneity of democratization and market reforms.⁴⁰

The collapse of the Soviet Union with both its inner and outer empires did initialize the transition from authoritarian rule, and is hence one of the major international factors. Only the post-war wave can be said to have the same extensive importance of the international involvement factor. The push towards the West holds several elements. There was a wish for a flight from the subordination of the Soviet system with its undermining of national sovereignty. In addition, the elites of the CEE-countries wanted to identify themselves with what they perceived as the heartland of European civilization. Adding up to the last-mentioned element, is the identification of a historical conditioned tendency in several of the countries to look beyond their borders for solutions. They have a centuries' long history of subordination to imperial rule, and this has exposed them to external penetration. The elites have consequently

⁴⁰ Zielonka & Pravda (2001): 2

been fostered to be concerned with external factors, and this can still be shown in their commitment to tie their economic and political development with outside involvement. The last characteristic, the simultaneity of democratization and market reforms, have a number of implications. On one hand, you have the external actors, promoting the market as a decisive factor for both strengthening the democratization and securing the ties with the West. On the other hand, you have the domestic leaders, who are concerned with building power and are politicizing the economic reforms. The citizens can experience both processes as difficult to handle, as they make large alternations in their daily lives, and popular criticism is likely to occur.⁴¹

4.0 External factors on democratization

4.1 Introducing the category

The category labelled external factors encompasses a wide range of actors and manners of behaviour. It can include transnational phenomena, regionalism, non-governmental organisations, states, and international institutions. Here, the international organisations, which include the EU, NATO, OSCE, and IMF, will hold the centre of attention. They have in common a loose set of stated objectives, and these include helping the promotion of democracy and the market, as well as creating or ensuring stability and security. Evidently, they vary in regards to what extent they are focusing on the different objectives, and are consequently subjects to stark criticism. Nonetheless, no matter what their underlying interests might or might not be, they claim a commitment to democratic promotion in the post-communist Central and Eastern Europe; they make efforts to advance the spread a consolidation of liberal democracy in the ashes of communism. In the support given to the democratization in southern Europe in the 1970's, the security concern was of major importance, as the prevention of the

⁴¹ Ibid. 2-3

further spread of communism. Today, the security concerns are tied together with the prevention of instability, as democratic values are seen as the best guarantee of long-term stability and peace both within and between the states. Further, the promotion of free market capitalism reflects a combination of idealism and pragmatism. The creation of free markets are seen as a necessity of democratization, furthermore, the creation of new markets gives economic gains for both the country and the ones interested in investing there. Another aspect is that it is easier to export and implement market capitalism than the political side of the project.⁴² *There is more confidence that the capitalist model can travel across borders; after all, globalization is more advanced in economics than in politics. International organisations think they have more effective levers in the economic realm than in the political.*⁴³ Still, although the international organisations might share some common objectives in their approach to the CEE-countries, they do not have any form of cooperation or coordination towards them. This has again led to efforts being conducted parallel and sometimes overlapping. *As a result, the whole exercise of democracy promotion often amounts to less than the sum of its parts.*⁴⁴

Numerous instruments have been used to strengthen democratic consolidation, most of them being top-down measures such as political conditionality. The countries were supposed to meet certain political conditions in order to benefit from loans, aid, trade concessions, and membership in key regional organizations. *Political conditionality entails the linking, by a state or international organization, of perceived benefits to another state to the fulfilment of conditions relating to the protection of human rights and the advancement of democratic principles.*⁴⁵

⁴² Ibid. 7-10

⁴³ Ibid. 10

⁴⁴ Ibid. 11

⁴⁵ Ibid. 37

Both the IMF and the World Bank distribute funds based on democratic criteria and conditionality, however the basis for when and why a country is given support has been proven inconsistent. Their main reasoning is that if a government shows commitment to democratic and marketing reforms, even if this does not add up to democratic standards, it is better to give support than to withdraw it and risking passing on power to less pro-Western and pro-market forces. This, together with the notion that economic incentives will strengthen the development towards democracy, is a reflection of American thinking. The latter is also evident in NATO, which has the potential of fostering democratic consolidation.⁴⁶

For the CEE-countries, NATO was a key to Western membership and power, as well as security. Hence, NATO has had the opportunity to set certain demands or requirements for joining the organisation. Still, NATO has also had a history of supporting authoritarian regimes when it served their security interests. This was evident during the cold war, when its main strategic goal was to counter the Soviet Union. It accepted the authoritarian Salazar regime in Portugal and the military regimes in Greece and Turkey in the 1960s and 1970s.⁴⁷ As for the importance of the external factors on democratic consolidation, the European Union has, as will be elaborated further under, played the most decisive role⁴⁸. If we return to Huntington and his third wave of democratization, he argues that the European Community back in the 1970s was decisive in establishing democracy in countries like Greece, Spain, and Portugal. (...) *the establishment of democracy was seen as necessary to secure the economic benefits of EC membership, while Community membership was in turn seen as a guarantee of the stability of democracy.*⁴⁹

⁴⁶ Ibid. 11

⁴⁷ Cottey & Forster: 31

⁴⁸ Zielonka & Pravda (2001): 11–12

4.2. Western pressure and promotion for democracy in CEE

As referred to above, the institutions of the Western world wanted democracy to be spread in Central and Eastern Europe, but were not coordinated on how to perform this task. Hence, the assistance from the West has fluctuated from country to country. Still, over the past decade, the international context has been far more present in the democratization process than what has been the case in earlier transitions, and three main reasons for this can be identified. Firstly, international organisations have become more interventionist while engaging in democracy promotion or building. Secondly, the international order has itself been restructured with predictable consequences for domestic politics. Thirdly, the extent of transformations in post-communist Europe is so much greater than in previous regime change and this has engaged international attention and efforts more than ever before. A precondition for the international involvement has of course been the very nature of the environment, as mechanisms for multilateral cooperation were well established at the beginning of the transitions. The political weight of European organisations, above all the EU, and transnational networks are more developed than ever before, as are their capacities and influence for democracy building.

4.3 Conditionality and transformative impact

4.3.1 INGOs and MNCs

Alexander Cooley has examined the Western integration thesis against the transition-era record of five types of external actors. First, he examines how INGOs⁵⁰ and MNCs⁵¹ have affected the transition. Even though their activities have drawn much public attention, they have affected the overall course of the post-Communist transition to a low

⁴⁹ Huntington (1991): 207

⁵⁰ International nongovernmental organizations

⁵¹ Multinational companies

extent. INGOs do not impose conditions on their projects recipients; hence, they lack means through which they can enforce change. Therefore, the countries need to be very receptive and willing to change. Still, this does not say that that they have been unimportant. The INGOs have inserted themselves throughout almost every aspect of post-Communist life, with the promotion of democracy, advising on economic reforms, assessing in the drafting of legal and judicial reforms, or campaigning for the rights of women and minorities. Their most successful efforts can be found in Central Europe and the Baltics, since these societies have a tradition of an independent civil society. As for the effect on the political society, they have assisted in creating electoral systems, constitutions, and representative political parties. Others were involved with reforming civil service reforms, the reorganization of state bureaucracies and in helping to maintain public services, while others again were working with rule of law initiatives and the promotion of independent judiciaries. The economic society received assistance through the drafting of new legal codes and the enacting of institutional reforms that were necessary for the emerging market economies. Such efforts were tax codes, the creation of capital markets, managing rate regimes, developing independent central banks, etc.⁵² The picture is however not so black and white when looking at the countries with less successful transitions. However, they are not in focus in this context, where Central Europe holds the centre of attention.

As for the MNCs and FDI⁵³, the Central European and Baltic countries had mainly positive experiences. A basic economic theorem holds that FDI inflows will promote the private sector and strengthen the accompanying legal framework that guarantees private transactions. Next, guarantees of private property should promote political liberalization and individual freedom. The advantage of the CEE-countries are several, such as a skilled and relative cheap workforce,

⁵² Cooley: 27

⁵³ Foreign direct investment

geographical proximity to Western Europe, and a favourable legal and institutional climate. These factors have made it possible to develop a wide range of economic markets. Again, by looking behind the shoulders of Central Europe and the Baltics, the picture is not so positive.⁵⁴

4.3.2 The International financial institutions

The IFIs⁵⁵ have had a greater impact on the overall transformation, or *a moderate conditionality and mixed transformative impact* as Cooley describes it. The IMF⁵⁶ has been the most visible of the actors, as it created the Systemic Transformation Facility for the post-Communist countries, and established missions in all the countries. Loans were extended to all the countries except Turkmenistan. Reasons for their greater impact on the transformation can be found in their demands, or in better wording, conditions. If a country wants a short-term loan, it needs to implement a set of economic reforms aimed at promoting market-oriented policies, and restrict the domestic aggregate demand. The countries have had individual agreements, but the main efforts are the same, namely to *combat inflation, achieve macroeconomic stability, eliminate state subsidies and free price control, privatize state-owned enterprises, and liberalize the trade and exchange regimes.*⁵⁷ In order to make the countries follow the rules, they have refused to release subsequent loan instalments to the ones lagging behind in the implementation, and by setting ceilings for external debts and borrowing and thereby regulated the access to the private capital markets. The critics against the IMF say that there has been too much focus on measures like lowering the inflation and spreading privatization, when the attention should rather be placed on the institutional and legal dimensions of market reforms. Further, the objections say that the reforms have been too comprehensive and rapid.

⁵⁴ Ibid. 28 - 29

⁵⁵ International financial institutions

⁵⁶ International Monetary Fund

They have consequently contracted economies adversely and resulted in unnecessary losses of economic output, employment, and social services.⁵⁸

The role of the World Bank has been less significant than the IMF's. Still, it has funded a great number of projects in the region. One of the main aims has been to strengthen or reconstruct the infrastructures or domestic institutional capacities of the states. Another target has been energy reform, and seeking to develop new sources of power within the market environments. There have also been broad initiatives in reforming health care, education, the civil service, and the social services, and land and agriculture reform. The latter approach has been successful in Central Europe and the Baltics, where private property in the agriculture sector has been institutionalized. The UN Development Program and the EBRD⁵⁹ have focused on large-scale infrastructure projects, in addition to reforming state monopolies like energy, utilities, and telecommunications. The results have varied; sometimes they have been successful, while on other occasions the projects have been hindered by rent-seeking behaviour and corruption among state officials. In general, the problems with the IFIs have been the presence of too many of them within a country or even within an area of focus. Moreover, the transition process has been further complicated by rivalry between the IFIs and economic policy INGOs. All of them have different approaches to technical criteria and reforms, which has led to disputes, misunderstandings, and competition when they have been involved in the same sector. Over and above that, this lack of cooperation has been harmful for the sector itself.⁶⁰

⁵⁷ Ibid. 30

⁵⁸ Ibid. 30-31

⁵⁹ European Bank for Reconstruction and Development

4.3.3 The European Union and the NATO

The role of the European Union will be examined more in-depth later in this paper; still some generalisation about its significance can be introduced here. Together with NATO, the EU has by far been the most influential on the transition process in post-Communist Europe. These institutions have exercised strict demands, and hence Cooley has labelled them as external actors with high conditionality and a major transformative impact. *In order even to receive invitations for accession, the post-Communist applicants have to fulfil detailed conditions governing almost every aspect of their political, economic, and social institutions. The record now indicates that these conditions have promoted significant change within applicant states and legal harmonization with their Western counterparts.*⁶¹

Observing the economic society, the detailed and extensive conditions for the reformation of the market gave the applicants no choice but to enact the changes designed to smooth the integration of candidate countries into the EU. Examples of the measures are capping public debt at 5% of the GDP, liberalizing prices, reforming regulations, allowing foreign ownership of privatized assets, etc. There was furthermore a positive spillover effect on the social policies in many cases. As for the critics, they have mainly been centred on worries about eroding the state sovereignty with the standardization process, and hindering traditional customs and domestic political processes. Additionally, the socioeconomic conditions are said to have inflicted great economic pain on already vulnerable segments of the society, and contributing to high employment rates.⁶²

⁶⁰ Ibid.32

⁶¹ Ibid. 33

⁶² Ibid. 34

The NATO conditions have been overlapping those of the European Union in many respects. Their conditions are, amongst others, a functioning democracy and a market economy, institutionalised democratic civilian control over the military, an accountable defence ministry, resolved territorial disputes or conflicts with neighbouring countries, bring down state corruption and organized crime, and active involvement in the Partnership for Peace program. Two percent of the GDP must be spent on defence and the upgrading of military equipment, logistics, and weapons systems in order to become compatible to NATO-standards. The Partnership for Peace program, founded in 1994, was the initiation of the accession processes and started out with the cooperation of former Warsaw Pact members. The first applicants, the Czech Republic, Hungary, and Poland were guided through this vehicle for NATO-compatibility before they were formally invited as members in 1997, and accepted in 2000. A formally preparatory program for prospective members were institutionalized in 1999, named the Membership Action Plan (MAP). The program consists of five distinct chapter covering different areas: political and economic institutions, defence and armed forces modernization, resource issues, security and intelligence issues, and legal standardization. The design is meant to ensure that a country's domestic institutions are made compatible with those of the other members. As a part of its second wave of post-Communist expansion, Estonia, Latvia, Lithuania, Romania, Bulgaria, Slovenia and Slovakia were invited to Prague in 2002 to start accession talks.⁶³

As for the direct impact of the conditions for membership, this has for example played a stabilizing role on the Hungarian-Romanian disputes over borders and minority rights, or helped reducing the excessive trafficking of people and restricted materials, weapons, and drugs from countries like Romania and Bulgaria. Slovakia might serve as the best example of what the conditionality of the EU and NATO has done to

⁶³ Ibid.

accelerating their transition process. Led by the authoritarian nationalist Vladimir Meciar, the small country was left of the first group of post-Communist countries invited to EU accession talks. It was also excluded from NATO's first Central European expansion. Both were consequences of their lack of progress domestic political reforms. When Mikulas Dzurinda and his coalition finally managed to alter the political landscape in 1998, they initiated rapid and wide-ranging reforms to catch up with the country's neighbours. The case of the Slovakian transition will be further and more detailed discussed below.⁶⁴

*The strict accession criteria advanced by NATO and the EU have overlapped to a great and have encouraged the institutionalizing of democracies, market economies, and guarantees for individual and group liberties. For their part, the advanced reformers of the Czech Republic, Hungary, and Poland viewed admission to NATO and the EU as complementary processes of Western integration. Although the technical criteria for admittance to these institutions were quite similar, very little was made of the potential differences in the foreign policy orientation of these bodies.*⁶⁵

5.0 The EU's conditionality

5.1 Pre-1989 developments

Before turning to the actual enlargement policy towards the post-Communist states, a brief overview of the EU's development is in order. In 1950, the brainchild of the civil servant Jean Monnet was publicised by the French Foreign Minister Robert Schuman, and the idea of the European Coal and Steel Community begun to unite the European Countries economically and politically, with the main goal of securing lasting peace on the continent. The devastating experiences of World War II was still in fresh memory and made France, Germany, Italy, Belgium, the Netherlands, and Luxembourg sign the Treaty of

⁶⁴ Ibid. 34–35

Paris in 1951. The signing of the Treaty of Rome in 1957 marked the six countries' formation of the European Economic Community and the European Atomic Energy Community. The former was aimed at developing a common market for goods and services based on the freedom of movement of goods, services, capital, and people, while the latter was intended to pool the non-military nuclear resources of the states.⁶⁶ The first round of enlargement came in 1973, with the accession of Great Britain, Ireland, and Denmark. Then Greece joined in 1981, and Spain and Portugal in 1986. In 1995, the EFTA countries Austria, Sweden, and Finland joined, without altering the structure, which was originally created for six members.⁶⁷

5.2 The Copenhagen Criteria and after

The political conditions for joining the European Union have undoubtedly undergone a major evolution. They have been refined to be concerned about special problems relating to post-communist politics, but this has again had impact on the pre-2005 enlargement member states. At the European Council summit in Lisbon in June 1992, full support for the process aiming at consolidating democratic institutions in the CEE countries was expressed, thereby guaranteeing the rule of law and respect for human rights. This includes the principles governing the right of minorities, and the inviolability of borders, *which can be altered only by peaceful means and through agreement, in accordance with the commitments accepted by the signatories to the UN charter, the Helsinki Final Act and the Charter of Paris for a new Europe.*⁶⁸ The section devoted to the conditions and criteria says that three basic conditions have to be in place before applying: European identity, democratic status, and respect for human rights.

⁶⁵ Ibid. 36

⁶⁶ The three institutions merged into the European Community in 1967

⁶⁷ The EU at a glance

⁶⁸ Sevic & Wright: 173

The next decisive step for the accession of the CEE countries to the European Union were taken at a summit the European Council held in the Danish capital in 1993. The Copenhagen criteria consist of three main conditions. First, a candidate country must have achieved stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities. Second, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union must be in place. Third, a country must have the ability to take on the obligations of membership including adherence to the aims of political, economic, and monetary union.⁶⁹

Another important move came in Essen in December 1994, as the EU now not only had acknowledged the possibility of membership for the CEE countries, but also initiated on undertaking a plan of action in preparation for it. It was taken into account that the EU itself had to undergo a process of preparation for the upcoming enlargement. Consequently, a meeting plan was set up in this respect, including multilateral high level meetings between heads of states and governments, foreign ministers, ministers responsible for the internal market, in particular in the areas of finance and agriculture, ministers for transport, telecommunication, research, environment, justice and home affairs, and culture and education. In other words, along the whole spectre of policy areas.⁷⁰

At the Madrid European Council in 1995, some further conditions were put forth. The Council underlined the importance of a country to have created the conditions for its integration through the adjustment of its administrative structures. The European Community legislation must be transposed into national legislation, but it was stressed as more *important that the legislation is implemented effectively through*

⁶⁹ The European Commission:
http://ec.europa.eu/enlargement/enlargement_process/accession_process/criteria/index_en.htm

*appropriate administrative and judicial structures. This is a prerequisite of the mutual trust required by EU membership*⁷¹. The conditions were further elaborated in the Commission's Opinion of 1997, and as of 1998 in the annual regular reports on candidate countries. Further, the conditions have been incorporated with several EU programmes, like the programmes on financial assistance, the accession partnerships, and the pre-accession strategy in whole. There have been specifications and additions to the criteria, with the inclusion of the fight against corruption as the most notable example. Some critics argue that the Commission's continuous elaborations have been unfair, and by doing so they have made far greater demands for the political standards of the candidate countries and new Member States compared with what the pre-2005 members had to deal with in the past.⁷² Still, the 1997 Treaty of Amsterdam additionally provided for suspension of member states that violates the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, and consequently are the "old" member states now formally subject to a democracy test.⁷³

5.3 The EU's potential for impact

Pridham argues that there are three stages for when the EU has a potential for influencing democratization in a candidate country. First is the period before the negotiations, when the Copenhagen criteria have to be satisfied in order to even considering starting the talks. The second stage is when the actual negotiations are conducted, and the political conditions as updated are monitored regularly. The final stage is once membership begins, and the EU's direct influence and control over the subject begins to weaken. Still, this is the time when the indirect effects of the integration are helping the consolidation of

⁷⁰ Sevic & Wright: 174

⁷¹ Ibid.

⁷² Cooley: 36

⁷³ An example of this policy is the bilateral sanctions that were imposed on Austria in 2000 after the controversial policies of the newly elected Jörg Haider.

democracy due to the intensification of networking that goes with membership. He argues that this stage is most important for the indirect effects, as *the deeper effects of integration of integration are most likely through the embedding of new democracies within the EU itself*. Still, the direct effects are most visible in the two first stages. If a country fails to satisfy the political conditions in stage one, as with Slovakia under Meciar, the negotiations are blocked. The same can happen in the second stage, if the country reverses or violates the fulfilment of the political conditions.⁷⁴

5.4 The limitations

Pridham has also elaborated the limitations of the European Union on the conditionality of democratic consolidation. Firstly, there are the limitations to the timing of conditionality impacts on the democratization. The new democracies in CEE had already established their institutions before the methodical and annual application of EU's political condition started in 1997. Hence, the conditionality could not be about macro-institutional choice. The second limitation concerns the institutional weakness of the European Commission, which was in charge of the conditionality and accession business. The objections against the Commission are mainly its bureaucratic, instead of political, approach. *The standard "list system" it adopted for monitoring the political conditions indicated this just as did the Commission's avoidance of any model of democracy*⁷⁵. Thirdly, even though the conditionality policy of the late 1990s and after was the most ambitious attempt ever seen in the EU's history or in any international organization, some of the limitation can be characterized as self-imposed in the Commission's conditionality agenda. Important gaps were the lack of attention to crucial democratic actors such as political

⁷⁴ Pridham (2002): 958–959

⁷⁵ Pridham (2006): 381

parties, which were completely neglected, or the civil society.⁷⁶ In addition, the Commission has at occasions, discreetly encouraged the European Parliament to raise issues it finds difficult to handle publicly. The fourth issue of limitation is the Commission's inter-governmental focus, as national governments were chosen as the main agents in candidate countries. This set forth several obstacles, as accession governments were not always in a position to carry through conditionality effectively.⁷⁷

6.0 Case Studies: Slovakia and Czech Republic

6.1 Introduction to the political structures

In Western Europe, the party system was getting its shape already in the late 19th and early 20th century. The basic structure was defined by socio-political cleavages translated into partisan alignments around the time universal suffrage was introduced. In sharp contrast to this stand the Central European countries, which first democratized or re-democratized in the early 1990s. The socio-political cleavages valid for the Western countries cannot simply be transferred to the latter. The formation of the party system has been divided into four phases. The first one is ranging from the collapse of the communist regimes to the first elections, and had one dominant ideological division, namely the supporters and opponents of the old regime, communists from anti-communists. In this period, mass movements were formed and then transferred into umbrella-parties.⁷⁸

The second phase took place during the first half of the 1990s, and the ideological line of the first phase was replaced by a new conflict line between those who had success and those who did not after the economic transformation from central planning to "free-market"

⁷⁶ Civil society is narrowly defined as the development of NGOs, which is covered more via the Phare Programme than the political conditions

⁷⁷ Ibid. 381-82

economy. As truly free elections were held, the former umbrella parties disintegrated, and anti-communist parties formed coalition governments, mostly unstable. In addition, several parties with a narrow popular base gained representation in parliament.⁷⁹

In the third phase, during the second half of the 1990s, the conflicts of the second phase intensified. The second and third⁸⁰ free elections were held, and the political result was that the social-democratic successors of the former communist party took over in many places, and the party system got more concentrated. In addition, the electorate was highly unpredictable. The last phase of this categorization has showed that the main conflict lines did not alter. At the next elections, the voters punished the social democrats were they failed to deliver, but not everywhere. The political camps of the third phase proved to be stable and the number of parties in the parliament did not rise again. A relatively stable party system seemed to have emerged, organised along the recognizable left-right scheme⁸¹.

In the three years following the dissolution of the Communist regime in 1989, a majority of the CEE countries embarked on the task to form new constitutions that would respond to the new realities the countries now faced. For Czechoslovakia, this task was to be one of many complications, and eventually lead to the creation of two sovereign republics. As will be referred to below as well, the first parliament was dominated by a lengthened struggle to define the divisions of powers between the federation and the two republics. The alternatives in June 1990 were a common state with large powers vested in central government; a common state with large power vested in Czech and Slovak governments; a confederation; or two completely independent states. Tripartite talks took place between the federal government and the governments of the two republics took place between August and

⁷⁸ Schmitt & Thomassen: 14

⁷⁹ Ibid.

⁸⁰ In Czech Republic and Slovakia, the second free elections were held in 1994.

December in 1990, and resulted in the adoption by the Federal Assembly of a constitutional amendment on power sharing. *The amendment went quite far in meeting Slovak demands, including a somewhat absurd provision that the governorship of the central bank would alternate annually between a Czech and a Slovak. Yet it soon became clear that it did not go far enough*⁸². The debate started out with questions concerning the division of powers between the federal level and the national governments. Then, the main dissent was between the proposals on a federation and a more loosely structured confederation. In the end, it was not easy to distinguish the diluted idea of a confederation from the creation of two independent states. In 1991, a federal bill of rights was adopted, as the attempts to create a new federal constitution had not succeeded. Slovakia adopted their constitution on September 1, 1992, within which the federal bill of rights was retained. The constitution came together in a hurry, and included an unusual feature⁸³, as the parliament had the power to elect and remove both executives, the prime minister and the president.⁸⁴ According to the constitution, Slovakia is a parliamentary system of government in which the government is responsible to the parliament. The legislative branch is represented by the National Council, which is the sole legislative body. It consists of 150 members, elected for a term of four years by proportional representation. The office of the president and the government represent the executive power. The constitution was changed in September 1998 to allow direct popular election of the president, who is elected for a term of five years. Mainly ceremonial powers are included in the presidency. The government is the supreme executive body, and it is appointed by the president on the recommendation of the prime minister. The judiciary's main body is the Supreme Court and it is independent of the executive and legislative bodies.⁸⁵

⁸¹ Ibid. 15

⁸² Elster, Offe & Preuss (2000): 71

⁸³ Article 106 of the Slovak Constitution

⁸⁴ Ibid. 71 -73

⁸⁵ Kegler (2003): 321- 34

The process of drafting a Czech Constitution began when it had become evident that the Federation would dissolve. The government commission, including many of the MP's and experts who had participated in the attempts at drawing the constitution of the federal assembly, dominated the process. In order to present alternative proposals to the government commission, the Czech Parliament also appointed a commission, including representatives of all parliamentary parties. Still, the latter's function was mainly to comment and amend, while the former would take the lead of the drafting process. The debate centred around issues such as the quorum for passing constitutional laws, the scope of the presidential powers, the structure of the parliament, the territorial division of the republic and whether or not the federal bill of rights passed in 1991 should be included. *The past seemed more influential⁸⁶ than, for example constitutional models from democracies abroad. However, the importance of the past – or at least the ghosts of the past – cannot be isolated from the immediate political context⁸⁷.* The political context was marked by two features. First, a widening gulf between the government coalition on the right side and the opposition on the left side of the centre was making the political spectre dominated by two ideological blocks, and second, there were legal and political problems stemming from the dissolution of the Federation. These elements made constitutional bargaining more demanding. The constitution was finally adopted on 16 December 1992, as the product of a political deal made under pressing conditions, by a vote of 172 to 6 with 10 abstentions. A few words should be given on the actual constitutional arrangements agreed upon as well. The Czech Constitution established a parliamentary system, in which the government is dependent on the support of the majority in the parliament. The government can be removed from office by a vote of no confidence. The president is meant to enjoy only ceremonial functions, and is indirectly elected. The parliament is bicameral,

⁸⁶ In shaping the constitution

⁸⁷ Zielonka (2001): 332

consisting of the Chamber of Deputies with 200 members elected for four years, while the Senate has 81 members elected for 6 years. The principles of elections to both chambers are anchored in the Constitution, with proportional representation for the election of Chamber of Deputies, and a majoritarian system for election to the Senate. The judiciary is independent and includes the constitutional court. The Constitution emphasises a civic rather than national concept of citizenship.⁸⁸ Zielonka argues that the decision of the Czechoslovak elites in 1989 to continue working under the communist Constitution was paid dearly for, since the first period of decision-making has shown to be the crucial one for forming consensus on constitution making.⁸⁹

6.2 The Czech Republic

6.2.1 Historical context

The Czech Republic, consisting of Bohemia, Moravia, and Silesia were united under the Bohemian crown in the past, but in 1526, the Czech lands became a part of the Habsburg Empire. In 1918, Czechoslovakia was created by the Treaty of Versailles out of the ashes of the Austro-Hungarian Empire. Influenced strongly by the political philosophy of its first president, Tomas G. Masaryk, the first republic was an industrialized liberal democracy.⁹⁰ *The memory of the Czechoslovak Republic between the wars is a strong one in the contemporary Czech Republic. Newly created at the end of World War I on the northern rim of the Austro-Hungarian Empire, the Czechoslovak Republic was the only Eastern European nation to experience a continuous democracy until the beginning of World War II.*⁹¹ Governments were selected as a result of regularly held elections from a multiparty system, and the election system was proportional. A five-party coalition, *the Petka*, was the dominant governing mode within the parliament, and agreements were made after negotiations among the party leaders prior to the

⁸⁸ Ibid. 331 -36

⁸⁹ Ibid. 336

⁹⁰ Dryzek & Holmes (2002): 240

formulation of official cabinet level policy.⁹² The country had the most developed industry and the most fully literate population in the region.⁹³ However, the industry and commerce were concentrated mainly in the Czech parts of the republic. The territory faced several internal problems, as land that had never before been under one administration were now put together, and it included numerous minorities, with the Slovaks, the Sudeten Germans, and the Hungarians being the majorities of these. The situation was further complicated by the Czech efforts to consolidate the new state in a unitary rather than a federal structure. In addition, there was the active agitation by Nazi Germany, which had the aim of incorporating the Sudetenland into the Third Reich. The Munich Agreement resulted in the incorporation of the Sudeten Germans and the most of the area where they were living into the Third Reich in 1938, and the remaining parts of the First Republic were invaded by the Nazis in 1939.⁹⁴ The Communist party had enjoyed the legal right to participate in the political system throughout the interwar period. After 1941, they supported the Soviet efforts to fight the Nazi occupation. When the first election was held in the post-war period, the Communists emerged with winning 38 percent of the votes.⁹⁵

A period of extensive repression followed the 1948 Communist coup, and Czechoslovakia was one of the most Stalinist of the peoples democracies. In 1968, the Slovak leader Alexander Dubcek began cautious party-led efforts at reform that rapidly emerged as the peaceful Prague Spring. However, the happiness of liberalization did not last for long, as Soviet tanks; leading groups from some of the Warsaw pact countries soon crushed any attempt of reform. Instead the era of the Brezhnev Doctrine and *normalization* begun, marked by two decades of

⁹¹ Darwisha & Parrot (1997): 151

⁹² Ibid.

⁹³ The high level of literacy was a result of the introduction of compulsory schooling for children between 6 and 12 in the Czech lands. Linz & Stepan (1996): 317

⁹⁴ Hollis (1999): 8-14

⁹⁵ Linz & Stepan (1996): 317

suppression of independent thought and action either by individuals or through groups.⁹⁶

Before turning to the events of 1989, it is worth having a look at some of the systemic inheritances from communist rule. First, one important feature of the era was the legal change of the unitary structure of the state to a federation in 1968. The central rule hindered the practice of federalism; nonetheless, some formal structures were created which persisted until the collapse. National Councils were created for both republics at the provincial level, and serving as elected assemblies, both bodies were revivals of earlier national councils from their independent experiences. These are today the sovereign parliaments in their respective republics. Second, the decision to alter the composition and balance of political forces within the National Assembly was also important. The unicameral body became the bicameral Federal Assembly, and within one of the two houses, the Republics had equal representation and constitutional decision required separate majorities among each of the two Republic delegations. These powers were not used under single party control, but were of great importance in the transition to democracy.⁹⁷

Even in a brief overview of the communist legacy, some social, cultural, and historical differences between the Czech Republic and Slovakia should be mentioned as well. Historically, the Czech lands were part of the Austrian half and Slovakia of the Hungarian half of the Austro-Hungarian empire. During that time, the former became one of the most industrial parts of the Empire and the latter remained one of most agrarian. The languages were different, but still mutually intelligible. Slovakia has been more Catholic than the Czech lands. From 1939 to 1945, the country was a quasi-independent puppet state under Nazi-Germany. Under Communist rule, Slovakia underwent rapid heavy industrialization, which was oriented towards the USSR.

⁹⁶ Linz & Stepan (1996): 317-318

⁹⁷ Dawisha & Parrot (1997): 151-152

The result after 1989 was greater structural vulnerabilities toward the transformation to a market economy.⁹⁸ The great disparity in the unemployment rates was a clear indicator of that factor.

6.2.2 The Velvet Revolution

Expectations of change started to rise in 1988 with the *perestroika* of Mikhail Gorbachev. Civil society groups like the Charta 77 played an important role in mobilizing the citizens, and with the student demonstrations in Prague on 17 November 1989, it became evident that something was about to happen. The student march, which was regime-approved to commemorate the murder of a student during the Nazi invasion, turned into an anti-regime demonstration that was brutally beaten by the police. Without getting too much into details, a number of peaceful demonstrations and general strikes were carried out in the following days. One of the main events, and how it was reacted upon, can serve as a general illustration:

Early Tuesday, November 21, after a General Committee meeting, the government issued various statements that they would resist further antisocialist actions by all possible means. But that afternoon Havel spoke to his first large public demonstration. The ambivalence of the police was evident to the demonstrators. "The policemen sighted during the demonstration were sporting the national colours on their lapels, a sign of solidarity with the demonstrators, and were also seen cheering Havel"⁹⁹

Subsequently, three days after, the internal defections started to show at the elite level of the regime. An all-day meeting was held of the Central Committee, which resulted in the submission of resignation by Secretary-General Jakes, his secretariat and his politburo.¹⁰⁰ The speed of the regime dissolution was rapid. Negotiations between the

⁹⁸ Linz & Stepan (1996): 326

⁹⁹ Linz & Stepan (1996): 326

¹⁰⁰ Ibid. 100

communist prime minister and the leaders of the emerging opposition movements, Civic Forum in the Czech lands and Public against Violence in Slovakia, were initiated, with the objectives of the formation of a non-communist interim government, the appointment of opposition representatives to seats in the parliament and the resignation of President Gustav Husak on December 10, 1989. Only nineteen days later, on December 29, 1989, the process was completed with the election of Vaclav Havel to the presidency.¹⁰¹

6.2.3 From federation to a unitary republic

With the founding election of June 1990, which witnessed a participation of 96 percent of the eligible voters, the interim administration ended. Civic Forum and Public against Violence triumphed and used their new ruling coalition to prepare legislation that would turn the country into a market economy. Already from the early days of policy formation, membership in the EU formed the cornerstone of the foreign policy programme of the Civic Forum. *The idealism of the post-dissident Czech government and its sympathy for the difficult domestic position of Mikhail Gorbachev led it to propose the simultaneous dissolution of the Warsaw Pact and NATO, accompanied by the creation of a collective security system embracing the whole of Europe based on the conference on Security and Cooperation in Europe*¹⁰². However, after negative Western responses, a more pragmatic stance was taken, and membership in NATO became a declared goal of the Czechoslovak foreign policy.¹⁰³

Some obstacles that influenced the way of the ordinary parliamentary business should also be mentioned. The process known as lustration; the search for StB collaborators in the new political elite was in October 1991 put on a statutory footing and extended to the entire public sector.

¹⁰¹ White, Batt & Lewis (2003): 43

¹⁰² Zielonka & Pravda (2001): 329

¹⁰³ Ibid.

Another hinder was the fragmentation along ideological lines within the broad political groupings, with the result that in 1992, there were eighteen fractions within the federal legislature. In addition, the passing of bills was complicated by complex rules guaranteeing Slovak deputies the veto in key areas, in order to safeguard them from being outvoted by the more numerous Czechs. Finally, there was a general, and justified, dissatisfaction from the Slovak side regarding their portion of autonomy within the constitution, which will be discussed further below.

Sufficient to mention here is that it can be argued that the velvet divorce came as a result of two contemporary main events. First, the constitutional debate was mainly so-called politics of symbols, and second, due to two charismatic leaders, which emerged from the ashes of the Civic Forum and Public against Violence and gained power after the 1992 election, Vaclav Klaus and Vladimir Meciar respectively.¹⁰⁴

Some remarks should be made about the elections, as several changes had taken place. By the time of the elections, the broad cross-ideological groupings had turned into political parties. In the Czech part of the federation, the result gave Vaclav Klaus and his Civic Democratic Party, ODS, most confidence, with 38 percent of the votes for the Czech National Council¹⁰⁵. They allied with the Christian Democratic Party, KDS. Other major parties were the Left Bloc, consisting of the Communist Party of Bohemia and Moravia, and the Democratic left, got 17.5 percent, and the Czechoslovak Social Democracy¹⁰⁶ gained 8 percent of the votes.¹⁰⁷ The plurality winner succeeded in forming a four party coalition, consisting of ODS, KDS, KDU-CSL and ODA¹⁰⁸, which occupied 105 out of 200 seats, and remained in office for the entire period. *The 1992 election was, in effect, two separate elections, one in each of the republics. The issues were different, as were the participants. While the dual regime change movement had disappeared in the Czech Republic, in Slovakia, one*

¹⁰⁴ White, Batt & Lewis(2003): 44–45

¹⁰⁵ The future Czech Parliament

¹⁰⁶ Later named the Czech Social Democratic Party- CSSD.

¹⁰⁷ Kernén (1999): 252

¹⁰⁸ Civic Democratic Alliance

*regime change movement was succeeded by another*¹⁰⁹. Nonetheless, no matter of why and how, as of 1 January 1993, Czechoslovakia was history and the world witnessed the birth of two independent republics: the Czech Republic and Slovakia.

6.2.4 Towards consolidation

In the period from 1992 to 1997, the Czech Republic was a reliable and steady member of the first wave of applicant countries. Expectations from the EU went well along with the political and economic agenda of the Czech government, and did not influence the regular policy-making much. However, in areas such as reform of the state administration, protection of minority rights, and support of civil society, the progress was not so positive, although this was not noticed much by the EU due to its lack of systematic evaluation. In early 1995, the Europe Agreement governing trade liberalization between the Czech Republic and the EU came into force, even though most of the provisions for it were adopted with the earlier interim agreement of 1992. It included provisions for a steady liberalization of trade over a ten-year period, with some expectations in areas such as agriculture. In accordance with its free market ideology, the Czech government wanted an acceleration of the schedules in the agreement. They were considered hindered by protectionist measures, such as the 1993 ban on the import of livestock, meat, and dairy products from Eastern Europe. After the establishment of the Copenhagen criteria in 1993, the Czechs were criticised by several international actors for the treatment of the Roma minority. In 1995, the White Paper on integration into the Single Market was put forth, which measured the free movement of goods, services, capital, and people. In large, as with the Europe Agreements, the requirements were corresponding with the government's free market ideology. The formal application for EU membership was submitted in January 1996. The role of Prime Minister Klaus should also be given a brief notice in

¹⁰⁹ Dawish & Parrot (1997): 327

this context. He favoured a rapid entrance into the EU, and was at the same time criticizing a supranational EU as well as any measures that could hinder the free market.¹¹⁰

Criticism of the EU did not tarnish the Czech Republic's star status of in the West, in part because the Czech foreign ministry worked overtime to smooth over Klaus' controversial statements. But it did limit the direct influence of the EU on Czech Politics. By claiming to be "West" of the West Europeans, Klaus ensured that his administration, much of the media, and a good deal of public opinion retained a provincial confidence in Czech superiority, rather than opening the country to perhaps salutary influences. EU membership came to be understood as a reward for an economic job already well done¹¹¹.

The first half of the 1990 had proven to be relatively stable in terms of the political system, obviously, if one disregards the decision to break up of the federation. By the time of the 1996 elections, some complications occurred, as the parliamentary was doubly complicated by the new senate. A new legislative chamber was added to the Chamber of Deputies, but with a different election system with elections occurring in November following the June elections to the Chamber of deputies. The election in June produced a near-stalemate, as the Coalition led by the Civic Democrats and Klaus obtained 99 seats, only two seats in short of absolute majority. The orthodox Communist Party overshadowed the more moderate Left Bloc, and two small centrist parties disappeared from the Chamber. The Czech Social Democrats became the second largest party in the Chamber of Deputies. No clear single winner emerged by either party or ideology, but more importantly, the party system was simplified by fewer parties entering the Chamber of Deputies than before. In addition, while in the previous election 19 percent of the votes were cast for small below-threshold

¹¹⁰ Zielonka & Pravda (2001): 330 - 32

¹¹¹ Ibid. 332

parties, only 9 percent suffered from the same fate in 1996. The end-result was the beginning of a parliamentary term with an unstable balance between government and opposition parties. As for the voter participation, it was decreasing. The voter turnout had been 85 percent in 1992, while it declined to 76 percent in June 1996. It is also worth noting that many changes were taken place among the parliamentary political parties, mostly among the ones in opposition that resulted in a slight increase of the power of the government coalition, the emergence of independent members, and a series of splits among the opposition parties. The changes paralleled the shifts in the public opinion, showing an increased popularity for the Social Democrats, rivalling the Civic Democratic Party. In this election period, the European Commission's Opinion on the Czech Republic's application, examining the political and economic reforms in the country was published in July 1997. It stressed the shortcomings of the reforms in areas such as enterprise restructuring, bank privatization, and public administration. The lack of reform in the latter was the single greatest cause for concern, as it was necessary in order to be capable to implement the *acquis communautaire*. The judiciary and civil service were also strongly criticized. Just as the report was written, and negotiations were about to begin, the country experienced economic downturn and political instability. Klaus and his government were deposed in November 1997 by its coalition partners and a faction within the party. In exchange for money, party officials of both ODS and ODA had given favours related to privatization and banking.¹¹² Due to the fall of the Klaus government, an interim centre-right technocratic government was formed by the Czech National Bank Director Josef Tosovsky, including independents, members of the ODA, the KDU-CSL and the anti-Klaus wing of the ODS. It had the support of the Social Democrats in return for promising early elections in June 1998. A new right-wing party was formed in January 1998, called the Freedom Union, US. It collected its members from both ODS and the disintegrating ODA. The government initiated

¹¹² Zielonka & Pravda (2001): 343

important reform steps in order to regain the trust of the international community, and used the NATO and EU requirements as an argument for new legislation. Opinion polls in the period showed an increased support for EU membership, 61 percent favoured entry in January 1998 as compared to 58 percent in September 1997.¹¹³

From the 1998 election for the Chamber of Deputies, the political scene consolidated further. The vast majority of the significant parties had retained relatively stable support from the electorate since the mid' 1990's. The result of the election was five political parties securing their place in the Parliament, and during the following four years, no other parties appeared to be able to emerge above the threshold. The Czech Social Democratic Party, led by Milos Zeman won the electorate's trust this time, and gained 32.3 percent of the votes, followed by the Civic Democrats with 27.7 percent, while the Communist Party of Bohemia and Moravia won 11 percent. The Christian and Democratic Union and the Freedom Union gained 9 and 8 percent.¹¹⁴ This parliamentary period was going to be unusual, in terms of the Czech Republic being a post-communist country, as several observers in the West interpreted it as the atypical rise of a Social Democratic party without ties to the Communist past. This is however a truth with modifications. The other unusual factor was the forming of a government based on just one party, as the proportional election system tends to create coalitions. In addition, it remained in office the full term.¹¹⁵ The reason for the stability in the 1998-2002 term was the so-called opposition agreement with ODS, which meant that ODS would not bring the government down, and thereby getting some of their preferences through as well. CSSD initially wanted a coalition with the KDU-CSL and US, but the latter refused the cooperation as they claimed they could not betray their right-wing voters. Zeman did in other words not have many choices left but to make a deal with the

¹¹³ Ibid. 344 -45

¹¹⁴ Dawisha & Parrot (1996): 177-79

¹¹⁵ Henderson (2003):

ODS. CSSD faced several problems in this period, as the economy was shrinking, the number of unemployed people was increasing, in addition to general social problem, which had been ignored or set aside due to other priorities. As for the EU-question, the party had been strong advocates of membership all the way, and meeting the requirements had been a cornerstone in their electorate programme. However, due to several factors, such as malfunction in preparing relevant legislature, and a lack of political will, there was not a great progress in meeting the conditions. Consequently, Czech Republic was ranked behind Hungary, Poland, and Estonia in the Commission's Regular Report of October 1999. Criticized was first and foremost the slow pace of legislative alignment and economic reform across the board. Still, some of the efforts were rewarded as well, in the area of bank privatization and judiciary.¹¹⁶ Although the political scene remained stable, it had its consequences. The electorate did not approve of this way of performing politics, and showed their discontent by not attending to the 2002 election.

CSSD won for the second time with 30.2 percent of the votes, while ODS gained 24.5. The big surprise in this election was the Communists, KSCM, which managed to get 18 percent of the votes, mainly due to protest votes from the *transition losers*, i.e. those who were economically worse off after the regime change.¹¹⁷ Further notice was given to the fact that the CSSD managed to stay in government. The voter turnout was quite low though, only 58 percent of the electorate showed up on the day of the election. After negotiations, CSSD formed a coalition with the Christian Democrats and the Freedom Union, which gave them 101 seats in parliament. CSSD's leader Vladimir Spidla became the new prime minister, while Cyril Svoboda from the Christian Democrats was chosen as foreign minister.¹¹⁸

¹¹⁶ Zielonka & Pravda (2001): 346

¹¹⁷ Henderson (2003): 160 -61

¹¹⁸ Ibid.

According to Kopecek and Sedo, one can divide the Czech parties' attitudes towards EU in the year 2002 into three groups: consistently pro-European, pro-European with reservations, and anti-European. The first group includes CSSD, which already in 1995 declared EU integration to be the main priority in Czech foreign policy. (...) *the party considers consistent participation of the country in the European structures alongside with the adoption of norms common in member countries to be very advantageous*¹¹⁹. The party saw it as important to adopt European models in social welfare, and further the benefits in other fields, such as the economic arena. The coalition partners, the Christian Democrats and the Freedom Union, shared the same positive attitude towards EU membership, although they stressed different areas as important, such as human rights and the freedom of movement in wider space, as well as the larger markets. Alone in the middle, ODS is characterized with the positive term *pro-European with reservations*. A more commonly used expression to characterise the party is Eurosceptic, or in their own words, *Eurorealist*. The paradox is that the majority of their voters have been supporting the accession. The party has not been rejecting membership, just strongly criticized what the EU has become, i.e. the social dimension and the deepening of the cooperation and the institutions. The positive aspects in their eyes are the possibilities of participating and sharing in greater economic space. The above-mentioned expression *Eurorealist* originates in the publication *Manifesto of Czech Eurorealism*, which was an outline of political alternatives should the Czech Republic not be accepted in the European Union. In the third category, the Communist Party of Bohemia and Moravia rules alone with the label anti-European. Still, it is not a major political issue for the party, and the ODS has more often been commented upon by the media with its critical remarks towards EU. Their stance has been said to derive more from the opinions of the grass-root members and party sympathizers. Consequently, the coalition government formed after the 2002 election was, in light of the

¹¹⁹ Kopecek & Sedo (2003): 2

characterizations made above, consistently a pro-European one. However, this does not say that the result of the election can be interpreted as a pro-European vote, as no party based their campaign solely on the EU-question, other issues dominated in the campaigns.¹²⁰ Both parliamentary periods had shown a stable commitment of the governments, as well as the oppositions, in implementing the accession criteria and conducting the negotiations. Nothing stood in the way of the prospective EU- membership of the Czech Republic.¹²¹

6.2.5 Back to Europe

During the accession period, the West often honoured the Czech Republic as one of the best pupils in the class, as no major hindrances got in the way of the accession process. Most of the business was running smoothly, and the citizens appeared to want the membership. The low turnout in the referendum on the EU membership was therefore a surprise to some of the Western observers. Only 55.2 percent decided to use their vote when the referendum was held 13-14 June 2003. In political terms, that year did not start out in the best manner, as the Czech Republic had failed to choose a successor to President Vaclav Havel. An absolute majority of all members in both chambers was required for the candidate, and the Czech politicians were just not willing to make a compromise. There were even discussions on altering the constitution in order to permit direct elections. Eventually, after several votes with two sets of candidates, the controversial former Prime Minister Vaclav Klaus managed to win by a single vote, with the help from the Communist Party and some members of the CSSD. The presidential office in Czech Republic is a ceremonial one, but Klaus was soon making political statements that were highly political. He was a prime minister when the country submitted its application, but was far from encouraging people to vote yes in the upcoming referendum,

¹²⁰ Ibid.

¹²¹ Henderson (2003): 162

while all the other presidents of the accession states promoted membership. The referendum was in fact the first one to be held in the Czech Republic, and a special constitutional law was passed to permit one on the membership question.¹²² 1 May 2004, the Czech Republic reached the goal that, more or less, had been the main priority of their foreign policy for a decade and a half.

6.3. Slovakia

6.3.1 Historical context

Prior to 1990s, Slovakia's only experience of statehood was as a Nazi puppet state during World War II. However, that experience is obviously not looked upon as a favourable foundation for creating a new state. In order to build a "new" identity, the Slovaks had to look far back in their history, to the Great Moravian Empire, in order to find previous experiences with statehood. The Slovaks were under Hungarian control for centuries, yet they had no separate status or any state-forming institutions during the period as some other countries were entitled to have. The religious composition of Slovakia was mainly Roman-Catholic, but there were also Protestants, Greek Catholics, and members of the Orthodox faith living in the territory. The Slovak language was first codified in 1787, and the whole process of codification was complicated by the various dialects. The first version was not widely used, so Ludovit Stur made a new and more successful attempt in 1843, based on the dialects. With this, language became a key aspect of national identity. Ivan Hudec, Culture Minister under Meciar's 1994-1998 government even went as far as stating that *without Stur's literary Slovak, the modern Slovak nation would most certainly not have arisen*¹²³.

¹²² Henderson (2004): 160 - 61

¹²³ Fisher (2006):26

Slovakia became a junior partner in Czechoslovakia at the end of World War I. Czechoslovakia was the only state in Central and Eastern Europe which remained democratic during the interwar period. Still, the Czechs were very reluctant to give Slovaks more control over their own affairs, as they feared the effect this would have on demands from the Sudeten Germans. Another factor was the many Czech citizens working as officials in Slovakia. Such aspects were contributing to making Slovakia an easier target for manipulation by the national-socialists led by Hitler before and during World War II. Insignificant independence was experienced, before Slovakia once again was incorporated into Czechoslovakia. The experience of being a Nazi puppet state was nothing but damaging, among the most severe experiences was the deportation of 70,000 Jews to concentration camps. Antifascist partisan movements were present during the wartime, and the 1944 Slovak National Uprising was fought by both communist and democrats. In the 1946 election, the Democratic Party won 62 percent of the Slovak vote, while the Communists won about 30 percent. In an agreement signed in Kosice in 1945, the Czechs and Slovaks were given equal status; however, this was not upheld in the aftermath.¹²⁴

During the communist era, there were some experiences of reform movements. Most notably were the liberal and nationalist elements during the 1968 Prague Spring.

The pre-1968 Communist regime had been in many respects harder on the more traditional and religious Slovaks than on the Czechs, and Slovak writers and politicians provided the impetus for many of the changes that occurred throughout the 1960s, with the Slovak Alexander Dubcek becoming the symbol of the Prague Spring movement. Nonetheless, Czechs blamed the Slovaks for being more concerned about the federalization of the state than about liberalizing the economy and providing for civic freedoms¹²⁵.

¹²⁴ Ibid.

In the period after 1968, known as *normalization*, the regime in Slovakia were relatively more moderate than in the Czech Republic, as the Czechs were punished harder than the Slovaks were. Hence, the regime was also generally more accepted in Slovakia. During the years of normalization, the Slovak national question was a topic only among dissidents and émigrés. Nationalism was given a deeply negative meaning by Communist propaganda. The opposition activity first became visible in the late 1980s, with the so-called *nonconformist communities*, consisting mainly of artists, scientists, environmentalists, and Catholic activists who were united only in 1989. The Anticommunist ideas were expressed through underground publications.¹²⁶

The first Slovak alternative political organization was Public against Violence, VPN, which was an anticommunist umbrella movement founded on 20 November 1989; three days after the Communist regime started to loose their grip in what later became known as the *Velvet Revolution*. The VPN were crucial in forming the first post-communist federal and republic governments, as well as in implementing the initial political and economic reforms. *The period of political change in late 1989 and early 1990 was similar in Slovakia and the Czech Republic, and prominent slogans included* The end of one-party government, Return to Europe, Truth and love wins over lies and hatred, Free elections, *and* We are not like them¹²⁷. Vladimir Meciar, which will be given more attention below, was also a VPN representative, and served as Slovak minister of interior and environment in the government that held office prior to the June 1990 first free parliamentary elections.¹²⁸

¹²⁵ Ibid. 27-28

¹²⁶ Ibid. 25-29

¹²⁷ Ibid. 30

6.3.2 Towards Slovak independence

In early 1990, the first conflict occurred between the Slovaks and the Czech, in connection with the new state name and symbols. The Slovak parliament proposed to name the new state the Federation of Czecho-Slovakia, by which they wanted to demonstrate the existence of Slovakia as a separate nation. After several disagreements, and complaints from the Slovak side, the official state name became the Czech and Slovak Federative Republic. In the elections held in June 1990, VPN won 29.3 percent of the vote and emerged as the strongest Slovak party. It formed a coalition government with the Christian Democratic Movement, KDH, which received 19.2 percent, as well as the Democratic Party, DS, which gained 4.4 percent.¹²⁹ Meciar became the first Slovak prime minister. Nationalist sentiments were shown when a draft for a constitutional bill was put forth, which declared Slovak as the state and official language with no exceptions, which led to protests from the significant Hungarian majority. The final version allowed ethnic minorities to use their mother tongue in official contexts when they represented at least 20 percent of the population.

The language question developed to become the central issue in the strife between the Nationalists and the Europeanists. The latter camp, consisting mainly of government representatives, argued that tolerance towards minorities was an important step if the country wished to be a part of Europe again. The Nationalists argued that Europe was not going anywhere and that the domestic issues were more important. Because of the disputes, the VPN experienced a greater distance to its voters, which again turned to eventual disintegration. Another outcome was the radicalization of certain pro-national groups in Slovakia, as *Matica slovenska*. Throughout the period of the language debate, the debates on the competencies of the republic within the federation, and the drafting of a new constitution to replace the communist one, were running simultaneously. The Czech public was now not very

¹²⁸ Ibid.

¹²⁹ http://www.statistics.sk/webdata/english/volby_a/volby90a/uvod90_a.htm

*sympathetic to Slovak efforts at making themselves more visible in the world, and the Czech politicians and media frequently labelled Slovaks as nationalists or even fascists*¹³⁰. There was a growing gap in the two populations' tolerance towards each other.

Within the political fractions, the tension was also increasing. In 1991, the VPN dissolved, and the parliamentary presidium voted to dismiss Meciar from his position as prime minister. The accusations were his visit to the Soviet Union and the misuse of Communist-era secret police files against his opponents. Jan Carnogursky, the founder and leader of the KDH, took over the post as prime minister. Another result was the establishment of the HZDS¹³¹, where about half of the VPN joined Meciar. Consequently, the VPN changed its name to the Civic Democratic Union. The HZDS' program was based on the support of Slovak sovereignty, and the party became increasingly popular with the nationalists.¹³²

In the 1992 election, Meciar was the central figure of the party's campaign. His image was influenced by his dismissal as prime minister, as well as the allegations that he had been an informer of the KGB and StB, which, contrary to what one might expect, strengthened his position. The independence issue was at the centre of the political discourse, and the parties ranged from those who wanted full independence, like the HZDS, to gradual independence coinciding with the integration into the European Community, which was favoured by the KDH, to a freer federation, proposed by the SDL, as well as the ODU view on continuing the current federation. Other topics were the economic policy, as unemployment had reached 11.5 percent by the second quarter of 1992, while it was only 2.9 percent in the Czech Republic. An opinion poll conducted early in 1992 showed that 31.2 percent of the Slovaks saw this as the most crucial social problem. The

¹³⁰ Ibid. 37

¹³¹ The Movement for a Democratic Slovakia

¹³² Ibid. 30-38

HZDS won the election with 37.3 percent of the votes¹³³, SDL got 14.7 percent, and KDH came in third with 8.9 percent. The HZDS' popularity was in large based around the notion of having Meciar as a strong leader of Slovakia.¹³⁴

6.3.3 The break-up

As mentioned above, there were negotiations on the form of the continuing federation between the Czechs and the Slovaks. However, things were complicated by several factors. The election result in Slovakia was not the only problem. The Czechs had elected Vaclav Klaus as prime minister, and he was a hard-liner who told the Slovaks to either accept the existing federation or declare full independence.¹³⁵

It was widely known that Meciar went into the negotiations with the aim of creating a confederation of equal states; however, since Klaus called his bluff by rejecting such an arrangement, Meciar was forced to accept full independence. Repeated opinion polls showed that a minority of Slovaks and Czechs favoured outright independence for their republic, and Czechoslovakia divided without a referendum. Although it was Klaus who in the end pushed Slovakia toward independence by refusing to accept a looser partnership, Slovakia was frequently seen by the world as the instigator of the split.¹³⁶

It was time to face the new realities. The HZDS now found itself in the forefront, the party had moved from opposition to position, and Slovakia had gained the independence the strong nationalist fractions of the party had been aspiring. In addition, the country's economic difficulties were worsening. Still, when it came to making the new constitution, the HZDS could not act entirely on its own, as they had to rely on both the right wing¹³⁷ SNS and the post-communist SDL to gain

¹³³ The result gave HZDS 74 out of 150 seats in the parliament

¹³⁴ Ibid. 40-51

¹³⁵ Ibid. 58

¹³⁶ Ibid. 59

¹³⁷ Slovak Nationalist Party

the necessary majority, which was three-fifths of the seats. This made the constitution retaining many elements of the Czechoslovak system, with a relative weak presidency and a unicameral parliament.¹³⁸

6.3.4 The 1994 and 1998 elections

After the 1992 election and the independence, many changes occurred within the HZDS. The party had troubles with making a consistent approach in their foreign policy. Meciar's original intention was a "third way" between capitalism and socialism, but he realized that there was little chance of success in this position. Several important figures left the party, like the first foreign minister, Milan Knazko, as well as his successor, Jozef Moravcik. They managed to dismiss Meciar's government in March 1994, but lost to the HZDS again a couple of months later in the early elections.. Still, the short-lived government had some importance, as it took some of the glory away from Meciar. His next move was to make his deputies in the upcoming election to sign a pledge promising that they would give up their parliamentary seat if they left the party during the electoral term. This move had two effects. It did make the parliamentary bloc more uniform, but the obvious negative effect was the authoritarian tendencies it showed within the party. The 1994 coalition was built together with the SNS and ZRS.¹³⁹ It quickly embarked on an authoritarian path, as it sought to concentrate power in the hands of Meciar and curb the rights of the opposition in Parliament, and tried to force President Michal Kovac out of power.¹⁴⁰ Meciar managed to loose two foreign ministers in his 1994-1998 government as well, due to his controversial and often non-consistent politics, the latter especially true in regards to the foreign policy. The HZDS's disputable way of conducting politics did not go unnoticed by the international community, and the European Union had

¹³⁸ Ibid. 60-61

¹³⁹ The Association of the Workers of Slovakia

¹⁴⁰ Schimmelfenning, Engert & Knobel (2003): 502

to react. In October 1995, a demarche¹⁴¹ by the EU Troika started a continuous stream of criticisms of Meciar and his government, and made appeals to them to comply with its obligations as an associate of the EU. The demarche reminded Slovakia that it was an associated country in a pre-accession period, and that the criteria of the Copenhagen Summit were applicable to it. The year after, Slovakia was given increasingly concrete signals that its chances of receiving membership had diminished sharply. Finally, the decision was made not to invite the country to accession negotiations in 1997. However, Slovakia was assured that it still was eligible in and welcome in principle, but a precondition for it was a change of the government.¹⁴² Of course, the EU was not the only actor in the international community that reacted:

The erosion of rights, which first attracted the attention of international observers in connection with the vocal and well-organized Hungarian minority, spread to all groups in society that did not support the ruling coalition. Parliament passed or attempted to pass laws to control the media, NGO's, educational establishments, and culture. Thus in 1997 the Organization for Security and Cooperation in Europe could conclude that "there are some ways in which Slovakia has negatively distinguished itself from other post-communist, newly independent states; by a pattern of violence against opposition leaders and journalists, by threats to parliamentary and constitutional democracy, and by the presence of a right-wing extremist party within the ruling coalition"¹⁴³.

Schimmelfenning, Engert and Knobel¹⁴⁴ argue that in spite of the EU's warnings, and the high stakes involved, the conditionality of the EU did not have no major or lasting impact on the behaviour of the Meciar government. He did not share the intense anti-Western orientations of some of his coalition partners; still, he was prepared to give in on his former pro-integration beliefs in order to remain in power. *During*

¹⁴¹ A formal diplomatic presentation of the EU's official position

¹⁴² Ibid. 503

¹⁴³ Dryzek & Holmes (2002): 176

*Meciar's four-year term in government, Slovakia was a clear-cut instance of failed response to democratic conditionality*¹⁴⁵.

In 1998, it was again time for the electorate to evaluate the government performance, as the election was coming up in September. The HZDS campaign was based on a few themes, such as the protection of the nation, and it encouraged people to have confidence and trust the party's vision for the future, in other words rather vague slogans with little emphasis on concrete problems. Both HZDS and SNS used similar images, such as beautiful and familiar scenery of the countryside, as well as national figures and history. The former used slogans such as "The country of your heart", the latter spread their word with slogans such as "Our homeland, our nest". The opposition parties, on the other hand, were addressed pressing issues such as social problems, democratization, European integration, and privatization, and emphasised personal contact with the citizens. However, they were also playing on patriotism; an example was the SDK's leader Dzurinda doing a bicycle tour around the country as well as a trip on a steam train, all the time with stressing his close contact to the nature and the people. Change was another key issue for the opposition parties, and themes such as the rule of law and equality, and the call for values such as justice, decency, peace, and dignity. As for the economic factor, the most crucial issues were wages and prices. All the opposition parties were stressing the importance of integration into the EU, while HZDS was mostly ignoring the EU in its campaign.¹⁴⁶

The result of the election in 1998 came to change the political landscape in Slovakia. Although HZDS gained most of the votes once again, it was a narrow victory that only gave them one more seat in parliament than SDK., 43 to 42. Most importantly, this did not matter much, as the party was unable to form a government. The SNS gained 14 seats, while

¹⁴⁴ Shimmelfenning, Engert & Knobel (2003): 504

¹⁴⁵ Pridham (1999): 1223

¹⁴⁶ Shimmelfenning, Engert & Knobel (2003): 505

the third partner failed to gain any seats at all. The opposition side's four major parties won totally 93 of the seats, which gave them a constitutional majority.¹⁴⁷ They formed a grand coalition government under the leadership of Dzurinda. The failure of the HZDS was their rhetoric, although it kept the former voters mobilized, it did not attract enough new ones. In addition, voters who had been apathetic in the last election were now mobilized by the efforts of the civil society, which worked strongly in favour of the opposition. Another important factor was the unification of the opposition itself, which also showed an improvement in the political atmosphere.¹⁴⁸ Schimmelfenning, Engert, and Knobel argues, that the EU conditionality might have had an impact on the 1998 parliamentary election, as public opinion data suggest that there was an awareness and preoccupation in the majority of the Slovak citizens about their country's exclusion from the enlargement process and the deterioration of their position in Europe. It is likely that these factors helped to mobilize the supporters of the democratic opposition, and affected the general mood for change. Still, the foreign policy was not the most pressing problem in the electorate's opinion, and one cannot argue that the absence of conditionality would have altered the election outcome.¹⁴⁹

6.3.5 Hello, Europe?

With the election of Mikulas Dzurinda, and a broad anti-nationalist coalition, the international environment turned to Slovakia with renewed interest. This was a strengthening factor for the coalition, which otherwise could have had troubles with internal fractions. The fact that they were working towards the prospect of joining both the EU and NATO, was undoubtedly unifying and motivating. Wide-ranging changes occurred in the field of culture, as former foreign minister Knazko was appointed culture minister. Still, there were critical voices claiming that the coalition had gone too far in distancing itself from the

¹⁴⁷ The SDK won 42., the SDL 23, the SMK 15 and finally the SOP 13 seats

¹⁴⁸ Fisher (2006): 156-168

importance of culture for the national identity that had prevailed under Meciar. In the 2002 election, Dzurinda was again given confidence by the electorate. He formed a government coalition of four centre-right parties; his newly established Slovak Democratic and Christian Union, SDKU; the SMK; the KDH and the ANO, the New Civic Alliance, a liberal party founded in 2001. The parties received 15.1%, 11.2%, 8.3% and 8% respectively. Further political changes were the new left-leaning party, Smer, which had emerged from the ex-communist SDL.

Only HZDS, SMK and KDH experienced parliamentary continuity. In other words, the Slovak political landscape was far from being consolidated.¹⁵⁰ The HZDS was still the party who gained most votes, 19.5 percent had voted for Meciar and his colleagues. Still, they did not have any chance of forming a government, due to a combination of personal ill feelings towards Meciar, and a fear of international reactions, as it had been made clear by certain Western voices that Slovakia's accession opportunities would be threatened if Meciar became prime minister. The international actors managed through its direct and indirect influence to help Slovakia catch up with its neighbouring countries, and in 2004, it became accepted as a member of both the European Union and NATO.¹⁵¹

Many of the reforms implemented in 1998-2002 were made with a single goal in mind: catching up in the race for EU membership with the other countries in the Visegrad group, which also included the Czech Republic, Poland, and Hungary. Slovakia's improved international position was not only the primary goal, but also the major achievement of Dzurinda's successive governments. In fact, an October 2004 poll showed that Slovakia's EU accession was seen as the greatest success of the second Dzurinda government by 60 percent of the Slovaks, while other perceived

¹⁴⁹ Schimmelfennig, Engert & Knobel (2003): 506

¹⁵⁰ Kopecek & Sedo (2003): 4-5

¹⁵¹ Fisher (2006): 173-86

successes included the fight against organized crime, the strengthening of the Slovak currency, and the country's accession to NATO¹⁵².

The importance of EU's conditionality was evident. Slovakia was hoping to get an invitation to start accession talks in December 1998, but the country faced rejection due to its lack in fulfilment of Copenhagen political criteria. As mentioned above, the criteria required that candidate countries have stable institutions which are guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities. This showed the Dzurinda government that it had to work hard and sincerely in order to reach its goals. Half a year later, it had taken the necessary steps, including the approval of a law on the use of minority language, the restoration of parliamentary control functions of the opposition, and the holding of presidential elections. Subsequently, at the Helsinki Summit in December 1999, Slovakia was invited to start accession talks, and the formal negotiations begun two months later. As for the positive efforts taken by Slovakia to show its good intentions, it is worth mentioning a few. The first Dzurinda cabinet raised its credibility with the inclusion of the Party of Hungarian Coalition, SMK, joined the government coalition.¹⁵³ On the demand of SMK, and the approval of the parliament, the first Hungarian-language university was established. Regarding the judiciary, several changes were made, for example the establishing of an independent judicial council to oversee nomination and dismissal procedures. The economic sector was in need of major reforms as well. Slovakia had to step up the enterprise restructuring, in particular in the banking sector, as part of the OECD required efforts. Three of the country's major banks were sold to foreign investors, thereby allegedly bringing more stability and greater competition into the sector. The European Commission acknowledged in 2001 that Slovakia had a functioning market economy. Of course, there were drawbacks as well. The country faced major fiscal challenges in relation to the slow development in reforming the

¹⁵² Ibid. 186

¹⁵³ SMK was also part of the second coalition

pension, health care and social welfare system. The unemployment rates were still high. Corruption was a major problem in both public and private sector, as well as within the government.¹⁵⁴

Further reforms were initiated after Slovakia received its invitation to join the EU. Large fiscal reforms were carried out on the justification of bringing the public finance deficit in line with the Maastricht criteria for entry into the Euro zone, and they were made possible due to the homogeneity of the government after the 2002 election. A radical shift was made in the taxation policy, with the introduction of a 19 percent flat tax, and a harmonization rate of VAT at 19 percent. This gave the country one of the highest indirect tax burdens in the EU, and had negative impact on lower- and middle income categories. The goal was to catch up with West European income levels as well, and the special emphasis on attracting foreign direct investment was seen as one of the most important means of achieving that.¹⁵⁵

7.0 The end of the EU-journey

On 1 May 2004, the Czech Republic and Slovakia joined the European Union together with eight other countries. It was the biggest enlargement in EU's history. The former communist countries had undergone rapid and radical transformations, both in economic and political terms. In only 15 years time, they had gone from being communist regimes into reaching the EU's conditions for being classified as consolidated democracies. Still, it was too early to say the political systems were completely consolidated, as several of the new member states showed signs of instability that were not common among the Western democracies.

¹⁵⁴ Ibid. 186-188

¹⁵⁵ Ibid. 190

The very first month after accession, elections were held to the European Parliament. The low turnout was perceived with disappointment by many observers, and several explanations were put forth to explain the low interest in the election. Some would argue that the citizens of the new member states had limited knowledge about EU institutions and the function of the European Parliament. A contradictory argument was that the EU had been given a high profile in the CEE states, there had been accession referendums, and the accession date had been celebrated throughout Europe. Critics would emphasise the subordinate role of the countries in the accession period, and claim that the election result also had to be viewed in the light of the widespread annoyance at the continuing restrictions on the free movement of labour. The campaigns by the political parties were mostly focusing on domestic questions and a general promise to promote their country's national interest in Brussels. In addition, the electorates had undergone a decade and a half of elections that had great significance on both the political and economic development. The status of political parties and politicians was in general not very high, and disillusionment with politics was widespread. Further, due to the small size of most of the CEE countries, the number of MEP's elected was also marginal, often constituting around 1 percent of the total number of 732 MEPs. Czech Republic had a voter turnout of 28.3 percent, while Slovakia set a new record by achieving the all-time low EP election turnout of 17 percent. The year before, Slovakia received a record high 93.7 percent yes-vote in the referendum on EU membership. Both from Czech Republic and Slovakia, a majority of the MEPs joined the right-of-centre European People's Party-European Democrats (EPP-ED). Three MEPs from Meciar's Movement for a Democratic Slovakia aspired membership, but was rejected due to the party's past. ODS and Vaclav Klaus were allowed to express their hostility towards the EU in the smaller European Democrats part of the group, together with the British Conservatives and Unionists. Nonetheless, even though there was much talk about a growing euroscepticism, the voting in the EP-election was interpreted as protest votes against the incumbent

governments, rather than to express the electorate's views on the EU. This was particularly evident in the case of the Czech government, The CSSD, which had gained a 30 percent vote in the 2002 parliamentary election, was only getting 9 percent in the EP election, and consequently two of the 24 Czech EP seats. The prime minister at the time, Vladimir Spidla, gave the poor election result as one of the main reasons for his subsequent resignation.¹⁵⁶

At the end of the journey, it can also be useful to summarize some of the lessons of the general enlargement, which led to the accession of ten new members of the EU family in 2004, with eight of them being fresh democracies with communist pasts. Pridham argues that the EU's influence on the accession states has been extensive in a wide sense, and his main conclusions serve as a good example for the cases studied above. The pressure to satisfy the political conditions for membership has been relentless, hence the push and pull factor has had a great impact on democratic conditionality. The dynamics have provided significant scope for the conditionality policy, but the limitations have also been visible, in particular by its timing: *democratic conditionality is not co-terminous in its timescale with democratic consolidation*¹⁵⁷. Further, the policy has in large been top-down, and limited in its effects. This is shown by the greater impact on the institutional level, rather than the intermediary and societal levels, as well as the greater success in formal terms such as institutional and legislative than in concrete terms, such as the actual implementation. As for the role of the Commission, it has mainly been bureaucratic, but high policy can dominate when the member states intervene over conditionality matters. Important is also the unqualified commitment of accession governments to Euro-Atlantic integration on the conditionality's chances. Through this element, their action on conditionality matters becomes strategic and rather instrumental for the sake of achieving entry. *Nevertheless, domestic factors may play an influential part in the implementation of*

¹⁵⁶ Henderson (2005): 163 - 68

¹⁵⁷ Pridham (2006): 397

*conditionality ranging from state capacity to party-political consensus on integration, together with social compliance and adaptation, although with much variation according to the particular political conditions as well as the country in question*¹⁵⁸. Pridham's last point are the various negative aspects to the pursuit of conditionality, meaning for example possible effects on democratic procedures from EU bureaucratization, and complications from the mistrustful state of elite or mass relations in post-communist societies and some elite resentment in CEE towards apparent double standards over political conditions. Still, if the popularity of membership is high, such factors do not need to be damaging during the process of accession. Improvements for future enlargement are summarized as follows:

*If there are any lessons for improvement in conditionality policy in the future, these would have to include: on the EU side, a less rigidly top-down approach, one with more decided cooperation with "bottom-up" actors like NGO's as well as one that is less mechanically bureaucratic and fragmented in its conception and more sensitive to national particularities in its application; on the CEE side, more realism and less obsession with the accession deadlines, thus allowing for a more considered implementation of the political conditions. It is, however, recognized that these suggestions run into basic problems of working methods on the one hand and of political expectations on the other*¹⁵⁹.

3.0 Conclusion

The countries of Central Europe serve as interesting cases for scholars of many sciences. There are a number of subjects suitable for analyzes and comparisons, both within each country as well as in examining the region as a whole. Consequently, post-communist studies have been

¹⁵⁸ Ibid. 398

¹⁵⁹ Ibid. 398

incorporated into the academic structure of many universities. Theories have been developed in the fields of economics, comparative politics, political theory, sociology, and anthropology, to mention a few. Here, the writing has been aimed at keeping the focus on the transition towards democracy in Czech Republic and Slovakia. The EU as an external actor has been used as a variable for examining how its conditionality has affected the democratic consolidation within each case. In order to show the development, the elections have been evaluated, as it is the governments, i.e. the political elites, who have played the most important role in deciding on which policies to pursue at the domestic level. Additionally, the general historical development have been applied as a natural driving force for the analysis.

Even in their years of coexistence in Czechoslovakia, several divergences could be identified. One factor offered to explain their varieties is by looking at their different historical paths. The Czech Republic was part of the Austrian half, and the Slovaks of the Hungarian part of the Austro-Hungarian Empire. This led to more development in terms of industrialization and literacy in the Czech parts. Further, one can emphasise differences such as language and religion. After the regime change, it seems like the choices of political elites have played a rather important role in the development of Slovakia. The EU has without doubt influenced the democratic reforms after Meciar lost power. The negative remarks and disapproval from the international society during the Meciar period influenced both the political elites as well as the public. To which extent is however difficult to measure, as one cannot argue that the prospect of membership was the most important factor in the 1998 election. Still, it is certain that EU membership would not have happened without the end of Meciar's era in government. The Czech Republic is not such a clear case study for the impact of the EU's conditions, as there has been a consensus among the political elites, as well as in a majority of the electorate all along. Of course, some periods have shown greater signs of instability, such as around 1997, and the persistency of the negative

statements from high profiled politicians, such as the country's current President Vaclav Klaus, might have seemed disturbing at times. Still, by looking at the larger picture, the Czechs accession to the European Union was never really threatened. The Czech Republic and Slovakia have now celebrated their third birthday in the EU family, without getting involved in any major quarrels.¹⁶⁰

¹⁶⁰ The Czechs, led by President Klaus, have tried to show muscles with their unwillingness to accept a future constitution of the EU. How far they are willing to take their opposition remains to be seen.

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