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Slovakia's Relations with the European Union 1998 - 2002: Political Conditionality, its Effects and its Limitations

Slovakia's parliamentary election of September 2002, followed by the formation of a centre-right government – the second led by Mikuláš Dzurinda – has been seen widely as confirming foreign policy continuity and as removing the final doubt concerning Slovak politics about EU and NATO membership for this country. Immediate responses from Brussels indicated a welcome relief, congratulations and some surprise at the unpredicted outcome together with a pressure for urgency in the coalition formation.¹ President Schuster, who had warned in the spring that this would be the most important election in Slovakia since 1989, precisely because of the country's Euro-Atlantic integration prospects, now expressed his confidence just after the official result was announced that Slovakia would indeed receive the treasured invitations to join both international organisations.

Slovakia's political direction in its regime change has for some years been the primary consideration in its relations with the EU. It is the one clear case among the ten countries now presently negotiating entry that was originally excluded because the then Mečiar Government failed to meet the political conditions.² After the 1998 election, the government under Dzurinda gave top priority to rectifying the damage to the country's international reputation by Mečiar's authoritarian inclinations. And, at the Helsinki summit (December 1999) it won agreement to open negotiations for EU membership from February 2000. This change thus demonstrated that alternation in power can have a marked effect on EU membership prospects given, as here, that cross-party elite consensus had been weak. This decided approach from Bratislava also reversed the pattern under Mečiar's third government (1994 – 1998) where the EU and other external issues were subject to internal calculations, for this rapprochement emphasised precisely the importance of Euro-Atlantic integration for securing the country's democratic future.

But the Slovak case is important also for both illustrating international perceptions of democratic conditionality as well as demonstrating problems of its implementation which should be set within the domestic context of accession countries and how this responds to and impacts on

¹ See statements by EU leaders in *Národná Obroda* (23 September 2002); *Pravda* (24 September 2002); and, *RFE/RL Newswire*, Part II (23 and 24 September 2002).

² The decision to do so was made at the Luxembourg summit in December 1997 and was based on the Commission's *avis* of July which referred to "the instability of Slovakia's institutions, their lack of rootedness in political life and the shortcomings in the functioning of its democracy."

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their integration process. While both international organisations personalised their rhetorical pressure over the past year and more over the forthcoming Slovak elections, in effect with the message "Yes to Mečiar, No to NATO and EU Prospects", there were some less visible but significant differences of emphasis.

The pressure from NATO, dominated by statements of US government representatives, was highly personalised in line with the American pattern of settling on a key transition actor, as at

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the time of the democratisations in Southern Europe. Only this time the choice was a negative rather than positive one. Statements from the EU, coming in particular from Commissioner Verheugen but also figures in EU member states and the European Parliament, revealed a somewhat less hard line and a better appreciation of Slovak conditions. Issuing suitable and often refined warnings in public, Verheugen realised in private that a difficult situation would arise if Mečiar returned to government in a free election and if the EU's political conditions were met.³ In other words, the EU had less preconceived ideas about how to act in that event over accession compared with NATO and above

all American circles. At the same time, the EU took a guarded approach to Róbert Fico, a populist with prime-ministerial ambitions, because of his attitude to the Roma and indications of wanting to assert power as head of a future government.⁴ There was an element of differentiation in the EU approach which was missing on the part of the United States.

The USA has traditionally paid overriding attention to elections in its role over post-authoritarian regime change in other countries. On the other hand, the EU's demands have been more varied as expressed in the annual regular reports of the European Commission on accession countries. These have been much closer to the requisites of substantive democracy than the formal democracy espoused by American officialdom; and, they include accountable public administration and independence of the judiciary as well as the stability and proper functioning of democratic political institutions, effective anti-corruption measures to protect the operation of the rule of law and the protection of human and minority rights not to mention special demands concerning gender equality and trafficking in women and children.⁵

While political conditions are now formally satisfied in Slovakia, implementing some of them has remained a complicated task, although Slovakia is not alone in Central and Eastern Europe (CEE) in this respect on such matters as deficiencies in the independence of the judiciary, fighting corruption and the rights of the Roma minority. While instituting some changes like calling local elections under a revised electoral law and holding direct presidential elections in the first half of Dzurinda's first government are essentially procedural matters, bringing about improvements over the judiciary, corruption and minority rights demands changes in personnel, attitudes and social behaviour which cannot simply be legislated into existence. Domestic conditions can thus

³ Interview with Eric van der Linden, EU ambassador to Slovakia, Bratislava, April 2002.

⁴ Nevertheless, the EU ambassador remarked, "you have to give the man the benefit of the doubt" and "being in power creates responsibility for coalition partners constrain the exercise of power by prime ministers." (Interview with Eric van der Linden, Bratislava, September 2002).

⁵ This by no means undervalues the crucial role played by American NGOs in the development of civil society in Slovakia.



have a powerful restraining effect on implementing democratic conditionality as a precondition for EU membership. While public support for EU accession has long remained rather high, it has always been open to erosion once negotiations broach the more difficult "chapters" and the implications of membership for different sectors become evident. Although awareness of the EU has been strong, public information has been poor about the specifics and possible consequences of accession.⁶

It should not be forgotten with reference again to the strong international focus on the Slovak election of 2002 that much progress has been made over the EU's political conditions. More generally, the country's post-communist evolution as a democracy has advanced in the four years since the previous election, which saw the Mečiar government replaced by the then opposition parties which made no pretence of their commitment to Slovakia's entry to the Euro-Atlantic world. Some of these changes would have been difficult to reverse if a less EU friendly government had been elected to power in 2002. This article, therefore, seeks first to contextualise this question by looking briefly at the EU's formulation of democratic conditionality and Slovakia's pre-1998 relations with the EU before concentrating on the Dzurinda Government during 1998 - 2002. How far is such change over the EU's political conditions simply a question of political will on the part of applicant governments driving democratic conditionality and, if so, is EU policy here essentially a dependent variable? Or, alternatively, should one view the implementation of this conditionality as part of a complex dynamics with domestic constraints as well as European pressures interacting?

Formulating Democratic Conditionality: the EU Version

The EU has developed an ever more extensive portfolio of conditionality demands and increasingly so in recent years. It has elaborated on and added to the original Copenhagen criteria set out in 1993.⁷ The reasons for this trend are several - the end of the Cold War and hence of the predominance of security concerns over democracy promotion; the EU's own political dynamic in a federalising direction; and, in particular, the awareness in Brussels of the various problems of accommodating so many still unconsolidated new democracies from CEE and their Communist legacies.

The EU's democratic conditionality has not only expanded to include substantive democratic requirements, but it has also become a more central and proactive part of the overall enlargement process. This was not obvious when Sweden, Finland and Austria joined in 1995 because they were established parliamentary democracies; but the speed and prospects of rapprochement between CEE and the EU forced the issue - already in 1991 the first Europe Agreements were signed with Hungary, Poland and Czechoslovakia. This more extensive and interventionist approach has not been confined to post-communist applicant states. It has been evident too in the EU's development policy as applied to ACP (African, Caribbean and Pacific) states, with the stress placed on human rights and the rule of law.⁸ Furthermore, member states are now formally

⁶ e.g. O. Gyáriásová - M. Velšic *Public opinion*. In: G. Mesežnikov - M. Kollár - T. Nicholson (eds.) *Slovakia 2001: A Global Report on the State of Society*. (Bratislava: Inštitút pre verejné otázky 2002), p. 220. There has nevertheless been a growth in demand for better public information on the EU.

⁷ The rather vague Copenhagen criteria, set out at the European summit in that city in 1993, demanded "stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union."

⁸ European Commission *The Week in Europe*. (London, 19 March 1998).



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subject to a democracy test since the 1997 *Treaty of Amsterdam* provided for suspension of those which infringed the EU's principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law. The first such case arose very soon with the bilateral sanctions imposed on Austria in 2000. While this proved complicated and became controversial, it was nevertheless consistent with the new human rights dimension of European integration.

Although the term "democratic consolidation," familiar in transitology, is now fairly common currency in EU circles, as evident in the annual regular reports of the Commission on applicant states, this does not presuppose a well-considered conceptual approach to conditionality. Its evolution since the Copenhagen criteria has at best been incremental, but it has been subject to procedural pressures and, as typical of EU working methods, also the involvement of different actors. The drafting of the annual regular reports now involves more actors than at the outset, apart from the two main ones – the Commission and the EU delegation in the country concerned – including local think tanks, institutes and NGOs but also other IOs like the Council of Europe and the World Bank (on economic conditions).⁹ There is also some consultation with applicant governments over drafts of these annual reports. The process is virtually continuous but particularly intensive for the six months preceding publication. While official satisfaction of the Copenhagen political criteria is necessary for the opening of membership negotiations, these are not regarded as being fulfilled once and for all and any regression is noted. Specific political conditions are reported on in the regular reports each year; while accession negotiations concentrate on the thirty policy "chapters". Altogether, this procedure of political monitoring reflects the Brussels view of democratisation as that of a rolling process and not a state that is reached at a certain point of time.

In this way, the EU provides a consistent and direct pressure for the introduction and elaboration of democratic rules and procedures but also civil and other rights. Some of the political conditions also have implications for democratic behaviour in the sense of autonomy from state institutions and of political tolerance as with, respectively, those requiring independence of the judiciary and respect for human and minority rights. A survey of opinion in applicant states in CEE in autumn 1998 identified the weakness of the rule of law and corruption as the strongest particular problems facing them during accession.¹⁰ But how far can the EU really promote a solution to such problems?

What EU democratic conditionality lacks is an integral approach to regime change. When measured against indicators of democratic consolidation, an obvious gap emerges for instance over civil society. Even though the term appears in some EU official business like the Phare Democracy Programme, there is no clear meaning attached to it and it is usually related to one or two specific conditions like civil rights. Thus, implementation of democratic conditionality tends to be disaggregated and, for this reason, it is useful to distinguish between various direct and indirect effects of the EU on applicant countries.

There is a more serious problem which has a potential for conflicting with democratic consolidation. It derives from the very process of accession which encourages executive dominance and the exclusion of parliament, a problem enhanced by the lack of widespread EU expertise and the unrelenting pressure of negotiations.¹¹ This may worsen the gap between elites

⁹ Interviews with Walter Rochel, head of EU delegation to Slovakia, Bratislava, October 2000; and with Bernd Biervert, Slovakia team, DG Enlargement, European Commission, Brussels, February 2001.

¹⁰ R. Rose, "Two cheers for democracy", *The World Today* (October 1998), p. 253-255.

¹¹ M.B. Williams, "Exporting the democratic deficit: Hungary's experience with EU integration", *Problems of Post-Communism* (January-February 2001).



and mass opinion at a time when democratic institutions are not yet properly rooted in these new democracies. The problem is magnified further by Brussels understandably favouring political consensus within applicant states – a condition which can lead to discouraging serious debate about accession – all the more as these post-communist states are very determined to join in the near future. Thus, there may be some contradictions in the overall effect of European integration on democratisation. This suggests more the scenario of complex dynamics, identified above, rather than a straightforward matter of political commitment on the part of applicant governments, although both hypotheses require examination.

Slovakia since Independence: integration and conflict

Slovakia's early relations with Brussels were defined from Prague through the Czechoslovak state. This included diplomatic relations established in 1988, a trade and cooperation agreement in the same year and then the Europe Agreement signed at the end of 1991. The latter had to be renegotiated by the two separate Slovak and Czech republics following the split in the country, in Slovakia's case this being signed in October 1993 with effect as from February 1995. The Europe Agreement set up the usual institutional arrangements, including Association Council and Committee as well as the Joint Parliamentary Committee (JPC) with the European Parliament. At the same time, the so-called "structured dialogue" provides for regular meetings between presidents of the European Council and heads of state or government of CEE countries. As a result, ministers and officials and parliamentarians as well as government heads become involved in EU procedures although somewhat on the periphery of the main EU policy process.

Contacts with Brussels are not confined to official circles, for quite significant for elite socialisation and Europeanisation effects are transnational party contacts. These commenced soon after Communism fell and before the split in Czechoslovakia.¹² In addition, Slovakia joined other IOs like the OSCE, the Council of Europe – which included sending a delegation to its Parliamentary Assembly – and the UN and its constituent bodies, all in 1993. Slovakia also joined the Partnership for Peace programme of NATO in 1994, although for political reasons was not one of the first CEE countries admitted as full members in 1999. Meanwhile, the country has become signatory to a whole range of human rights conventions. In 2000, Slovakia was finally admitted to the OECD. This added lustre to the trend through the 1990s of growing economic and commercial relations between Slovakia and the EU. By the first half of 2000 the country's exports to the EU accounted for about 60 % of its total exports, compared with 41 % in 1996, while 52 % imports came from the same source.¹³ This trend is almost certain to grow with EU membership. It has the effect of binding economic elites and interests into the integration process albeit to differing degrees and in some cases with negative consequences through enforced change.

Overall, Slovakia quickly became networked within international and especially European organisations and this pattern had implications for democratic conditionality. While the EU was the main proponent of this from outside, other international networks reinforced pressures for and helped to mould elite attitudes over conditionality demands. But Slovakia illustrates only too

¹² G. Pridham, "Complying with the European Union's democratic conditionality: transnational party linkages and regime change in Slovakia, 1993-1998", *Europe-Asia Studies* (November 1999), p. 1229.

¹³ European Commission, *2000 Regular Report on Slovakia's Progress towards Accession* (Brussels: 2000), p. 31.



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well that adopting conditionality demands is not automatic. Persistent reluctance to meet the tenets of democratic conditionality in practice resulted in failure in 1997 to be included among those first CEE countries invited to start negotiations for EU membership, with the same basic reason operative for the failure with NATO.

That year, the European Commission had given Slovakia a negative verdict for not fulfilling "in a satisfying manner the political conditions set out by the European Council in Copenhagen, because of the instability of Slovakia's institutions, their lack of rootedness in political life and the shortcomings in the functioning of its democracy".¹⁴ With Mečiar's third government (1994 - 1998) international concern rose over the tendencies of regime change with repeated signs of authoritarian practices emerging from Bratislava.

Mečiar's policy while formally continuous with that pursued since the end of communism left doubts in practice about the priority accorded to relations with the EU. Notwithstanding major initiatives, like making an application for EU membership early in his third government in June 1995, the strategic commitment to follow through with necessary measures was not strong. This was above all evident in the high politics of relations with Brussels, although not absent at the bureaucratic level where organisational preparations were underway in the Ministry of Foreign Affairs from 1995. It was noticeably shown in the persistent failure to meet political conditions despite official warnings (demarches) from the EU, the European Parliament and also the USA. Government reactions to these criticisms about the trends in Slovak democratic life hardly suggested an appreciation of the need to adjust for the sake of eventual accession as a member state.

Furthermore, the redirection of external policy towards Western Europe was called into question by Mečiar's notion of Slovakia as a bridge between West and East and his rapprochement with Moscow which went beyond merely Slovakia's dependence on Russia for energy supplies. His sympathies towards the East combined with an awkwardness with Western elites. This absence of engagement with representatives from Western countries was apparent too with top officials in the Mečiar Government responsible for such contacts.¹⁵ The lack of foreign language capacity at this level of the government reinforced the view of a problem of elite culture in relations with the EU and hence a potential for misunderstandings.

Diplomatic mistakes and the lack of rapport between figures in the Mečiar Government and European governments helped to account for the strong reaction in European circles to internal developments in Slovakia. It also made the country's exclusion from both EU and NATO negotiations increasingly likely. While Slovakia did suffer from a national image problem, in part due to the country being an unknown quantity in international circles, it was compounded by Mečiar's practices at home. The main objections, as demonstrated in the various demarches, resolutions and statements by leading Western politicians, included a concern over the growing power of the executive in Slovak politics, attempts to undermine parliamentary control and the opposition parties, assaults on the independent media and moves to discriminate against the Hungarian minority in official matters. The most visible development that affronted international opinion was Mečiar's persistent conflict as Prime Minister with President Kováč as this lay at the heart of the question of democratic institutional stability.

¹⁴ European Commission, *Agenda 2000: 3. The Opinions of the European Commission on the Applications for Accession* (Brussels: 1997), section on Slovakia.

¹⁵ M. Beblavý - A. Salner "Ugly duckling, ugly swan - foreign perceptions of Slovakia", *Slovak Foreign Policy Affairs* (Spring 2000), p. 74.



However, the period of the Mečiar Government demonstrated the limitations to EU influence at the official level for the Government did not evidence any contrition over the demarches; in fact, on the contrary. One should, at the same time, place this problem in a wider context. From the foregoing discussion, it is clear that Slovakia was by the mid-1990s – when the crisis with the EU developed – already fairly well networked with different international and European organisations. This was in part a legacy from the “Czechoslovak period” of 1990 – 1992 when the policy broadly named the “return to Europe” was established. This policy line continued after independence in 1993 and this included Mečiar’s earlier spell in office as prime minister in 1992 – 1994. At the same time, Slovakia had already begun integrating with the EU in some respects notably at the commercial level as well as through the Europe Agreement and indirectly with its member states through the “halfway house” of the Council of Europe. This meant certain commitments and constraints already operated, although the main breakthrough in terms of opening the way to EU and NATO membership had yet to be achieved. The situation facing the Mečiar Government was therefore one prior to negotiations for accession, and this placed an onus on meeting political conditions before an invitation to commence such negotiations could be issued.

The period of the Mečiar Government demonstrated the limitations to EU influence at the official level for the Government did not evidence any contrition over the demarches; in fact, on the contrary.

EU Conditionality and Domestic Politics: the Dzurinda Government, 1998 – 2000

In 1999, the second regular report of the European Commission concluded that Slovakia now fulfilled the Copenhagen political criteria although continued efforts were needed “to sustain the stable functioning of democratic institutions.”¹⁶ Then, the third report of 2000 noted that Slovakia continued to meet the political criteria for accession and had ‘further advanced in the consolidation of its democratic system and in the normal functioning of its institutions’; while the speed of the reform process had lost momentum.¹⁷ Finally, the reports for 2001 and 2002 have continued to praise Slovakia for maintaining progress in consolidating and deepening the stability of its democratic institutions while recording deficiencies in particular areas. In other words, Brussels has throughout the last four years monitored closely and sometimes critically the country’s observation of the EU’s political criteria with the general trend being a positive one of praise for the direction of regime change. The first Dzurinda Government’s European policy was perhaps its brightest achievement.

This suggests a considerable role played by political will on the part of this government. It sought to improve relations with Brussels giving a strong priority to satisfying EU political conditions, as the most important step towards opening eventual membership negotiations. Certainly, political will was immediately evident at the start of its term of office. Within days of taking office, prime minister Dzurinda visited Brussels and opened up a dialogue that had been missing at the high

¹⁶ European Commission, *Enlargement 99, Commission Report, Slovakia* (Brussels: 1999), p. 18.

¹⁷ European Commission, *2000 Regular Report*, p. 22.



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political level. A decision was taken by Dzurinda and van den Broek, European Commissioner for Enlargement, to set up an European Commission/Slovakia High Level Working Group "to support Slovakia in its efforts to regain momentum in the process of preparation for accession to the EU following the political changes in Slovakia in autumn 1998."¹⁸ This met over the following ten months and contributed to Slovakia's preparations for membership negotiations through policy consultation on accession-related matters and also provided training in Brussels for Slovak parliamentary deputies, government officials and NGO representatives. But most of all it helped with establishing a new atmosphere of mutual trust, all the more as during this period the new government actually carried into effect its promise over the EU's political conditions.

There was a very different mentality from that found among senior members of the Mečiar Government, one more in harmony with the historical perspective found in conventional European integration thinking; and, it significantly made the connection with democratisation. The different elite culture was also evident from the fact the new government leaders and their parties had during their opposition years developed standard transnational links with ideologically close parties at the EU level and in member states¹⁹ and from their familiarity with West European languages in most cases.²⁰

Foreign Minister Eduard Kukan called the 1998 election "a decisive milestone in our country's development,"²¹ although this became more apparent with time. The changed atmosphere in EU/Slovak relations was remarked on by the EP rapporteur on Slovakia, Jan Wiersma, who found now easy access to top government ministers and "less emphasis on the democracy situation": "before the [1998] election I was considered an enemy of the government; afterwards, a great friend of Slovakia."²² It was undoubtedly this change that helped move matters along in the direction of negotiations with Brussels. The Dzurinda Government could at the same time benefit from some preparatory steps taken by the previous government. This included during 1998 the launching of the Accession Partnership in March, and in the same month the Mečiar Government had presented the first version of the National Programme for the Adoption of the *Acquis* (NPAA).²³ Then, in August the cabinet presented its report on the fulfilment of economic and legislative conditions for EU entry; but, while detailing progress, failed to satisfy on key political conditions however.²⁴ In other words, the Dzurinda Government did not literally have to start from the beginning with bureaucratic preparations; and, the Ministry of Foreign Affairs in particular had meanwhile acquired useful expertise in EU affairs during the Mečiar years.

The first Dzurinda Government's European policy developed in two phases: the period up to the start of membership negotiations in February 2000; and the period since then. General policy will be discussed only briefly as context to the question of political conditions, which inevitably dominated concerns in the first phase as a prelude to opening negotiations. In the second phase, political conditions were less prominent but the focus was on their implementation,

¹⁸ European Commission/Slovakia High Level Working Group, *Final Resolution: Conclusions* (8 September 1999).

¹⁹ G. Pridham, "Complying with the European Union's Democratic Conditionality". Transnational party linkages and regime change in Slovakia, 1993-1998", *Europe-Asia Studies* (November 1999), p. 1229.

²⁰ For instance, M. Dzurinda, who previously knew French, started learning English in 1996 while still in opposition. He continued with private tuition as Prime Minister whenever he had spare moments (interview with Miroslav Wlachovský, foreign policy adviser to the Prime Minister 2001-2002, Bratislava, September 2002).

²¹ E. Kukan, *The Slovak Republic on its Way into the European Union*. Discussion Paper C40. (Bonn: Zentrum für Europäische Integrationsforschung 1999), p. 5.

²² Interview with Jan Wiersma, Brussels, February 2001.

²³ European Commission, *Enlargement 98, Commission Report, Slovakia* (Brussels: 1998) p. 6.

²⁴ *The Slovak Spectator* (14-20 September 1998).



which in some cases proved difficult, in parallel with the adoption of the *acquis communautaire*. As Foreign Minister E. Kukan put it at the start of 2000, the first year in government was "the year of poetry" culminating in the decision at the Helsinki European summit to open negotiations but this would be followed by "the year of prose": "this will be the less exciting part of our road to the EU, very boring I would say, because we will have to change legislation, a lot of bureaucracy, a lot of hard work. Nice political statements about our political orientation is all a matter of yesterday, and now we are expected by our partners to support these statements with concrete results."²⁵

As mentioned above, the Commission procedure did not view political conditions as satisfied definitively. Indeed, they arose during this second phase both routinely in the annual regular reports of the Commission as well as in other EU documents like the EP annual reports on Slovakia and in meetings of Association bodies like the JPC (where the condition of the Roma has, for instance, been a frequent theme). Also, occasionally, political conditions have been a matter of domestic dispute as over the new language law in 1999 and the question of constitutional reform in 2000 – 2001. This leads straight into, finally, a discussion of the domestic arena and various problems that have arisen here.

During the first year and more of the Dzurinda Government its European policy acquired a dynamic which carried up to and beyond Helsinki and well into the subsequent negotiations. Thus, some success has indeed been achieved in "catching up" after the Mečiar years of growing blockage and then exclusion. This flurry of activity was evident in the speedy development of coordinative structures within the Slovak government machine, the increase in two-way visits between Bratislava and Brussels and the production of a series of plans and reports in readiness for negotiations. In February 1999, an Action Plan for intensifying Slovakia's integration with the EU was passed, followed in May by a revised NPAA and then a report on Slovakia's preparedness for EU membership covering the period to June, an assessment of medium-term economic policy priorities and, in September, a supplementary report on Slovakia's progress with integration into the EU.²⁶

Already in the middle of this intensive year of activity there were more positive signs about Slovakia's prospects for opening negotiations. An EU delegation to Bratislava in June praised Slovakia's economic recovery programme and hoped the country would join other CEE countries after Helsinki in negotiations.²⁷ At the same time, the Government stepped up contacts with EU member states which could be influential with many bilateral visits paid them by Dzurinda and Kukan in the first half year of office.²⁸ In the final weeks before the Helsinki summit in December there was a further round of diplomatic visits to key EU member states to firm up support for Slovakia's case.

The positive outcome at Helsinki was almost predictable given the Commission's second regular report (published in October 1999) had praised Slovakia for doing its utmost to meet the Copenhagen political criteria. It noted in particular the occurrence of both municipal and presidential elections (after changes in respectively the electoral law and the Constitution), the

²⁵ *The Slovak Spectator* (10-16 January 2000).

²⁶ V. Leška, "Will Slovakia enter the EU at the same time as her neighbours?", *Perspectives: The Central European Review of International Affairs* (Summer 2000), p. 82-84.

²⁷ *The Slovak Spectator* (14-20 June 1999).

²⁸ V. Leška, "Will Slovakia enter the EU at the same time as her neighbours?", *Perspectives: The Central European Review of International Affairs* (Summer 2000), p. 83.



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involvement of opposition parties in parliamentary committees, the signing of a charter on local self-government, steps to strengthen the independence of the judiciary, anti-corruption measures and progress with protecting civil and minority rights.²⁹ Although it was also made clear that much still had to be accomplished, especially in implementing measures, there was relief and delight in government circles only cautioned by the fact that a decision on negotiations had to wait for two months. The previous month the Council of Europe's Parliamentary Assembly had proposed an end to the monitoring procedure of Slovakia welcoming "the progress which has been made...in particular after the parliamentary elections of September 1998 to consolidate democracy and the rule of law, to promote respect for human rights and to bring both law and policy into line with the principles of the Council of Europe." It encouraged the Slovak government "to further pursue its policy towards European integration."³⁰ The same trend of Slovakia's determined response to democratic conditionality was also noted by the USA, which had been very critical of Mečiar's policy. There were signs from Washington early in 1999 that Slovakia was back on track for qualifying for NATO membership.³¹

There were various motives behind the Government's drive towards EU negotiations. Most of all was the European pressure to prove Slovakia's democratic credentials after Mečiar. The 1998 election was a good start but it more raised hope of change than proved it had taken place. Then, there was the intrinsic pressure of commitment to Europe and democracy on the part of the coalition parties. This was the one area where these parties were most in agreement, so that – except when differences over other issues impacted – a fairly clear line was followed. In addition, the Government benefited from having a constitutional majority of three-fifths of the seats in the National Council (93 out of 150) necessary for passing constitutional legislation to accord with certain EU requirements.

However, this coalition has been a particularly difficult one to manage partly because of policy tensions between some of its member parties but also as the party of the prime minister has been unstable and fragmented. These tensions surfaced within a few months after the government took office over the new language law, illustrating once more how EU influences interacted with domestic political pressures. Brussels had made it clear that this law was a political sine qua non for opening negotiations and, by the time this issue came to a head in the spring of 1999, it was presented as the final obstacle to be removed before membership negotiations could be opened. European pressure on the Government was therefore intense and this certainly helped to force agreement in the end, but this took some months. In the end, the law passed guaranteed the use of minority languages in official contacts but the Hungarian party (SMK) was not satisfied as it had pressed for this use in other areas of public life. The matter was finely balanced as Slovak parties were also aware of nationalist feeling in some parts of their electorates.³² Sometimes these internal tensions have been a cause of concern in Brussels, notably in the European Commission's regular report of 2000 on the previous year; and, they continued to afflict the Dzurinda Government in the period of membership negotiations itself.

²⁹ European Commission, *Enlargement 99, Commission Report, Slovakia*. (Brussels: 1999).p. 11-18.

³⁰ Council of Europe, Parliamentary Assembly, *Honouring of Obligations and Commitments by Slovakia*. (Strasbourg, 6 September 1999), p. 3.

³¹ e.g. statement from Madeleine Albright, US Secretary of State: "A year ago... I feared Slovakia could become a hole in the map of Europe. Today, after just three months of the new government, such fears are rapidly receding." (*The Slovak Spectator*, 1 February 1999).

³² *The Slovak Spectator* (12-18 July 1999).

EU Negotiations and the Politics of Accession: the Dzurinda Government, 2000 – 2002

One should remember that the situation which emerged in relations with the EU after 1998 was rather different from that facing Mečiar. This became apparent once the government implemented political but also economic and other conditions and especially once membership negotiations commenced. This different situation illustrated only too well the complex dynamics, with domestic constraints as well as European pressures, notwithstanding the dynamic behind the Government's European policy which continued during these negotiations.

The second phase with EU negotiations have seen a repetition of internal coalition battles over issues central to Slovakia's accession, such as administrative reform, an issue that dominated government policy discussions from the early autumn of 2000. The matter was linked with constitutional reform, necessary for bringing about this and other changes required by the EU. At this time, the referendum on early elections proposed by the opposition HZDS made for extra uncertainty until its decisive defeat in November. In February 2001, the Government agreement on constitutional reform albeit with the closest of votes was hailed as a major breakthrough. But administrative reform remained a difficult issue because it is intrinsically complicated and as it is linked with party vested interests. It lay at the centre of the most serious coalition crisis of this government that erupted in the summer of 2001.

Undoubtedly, the relentless pressure of negotiations with Brussels made for political and bureaucratic problems in Bratislava. The amount of legislation necessary for implementing the *acquis* was overwhelming. Yet, the coalition's commitment to seeing through EU negotiations was so strong that it acted as a counter-influence to domestic difficulties, not to mention it has been a factor in keeping the coalition together although the SMK threatened several times in past months to leave the Government.³³

Some political issues had a habit of being dramatised, such as nuclear energy plants but the most regular example is the conditions of the Roma. This is an issue to which Brussels pays special attention under the heading of political conditions. It is clear the EU is the Roma's main support for domestic motivation to rectify matters is not strong despite occasional press coverage. The Slovak authorities have however responded assiduously to EU requests for improvements, although changing the Roma's social situation is not easy. In February 2001, European Commissioner Verheugen was given a tour of Roma communities while visiting the country; and, the next JPC was arranged to take place in Košice in eastern Slovakia where there are many Roma communities. European Commissioner Verheugen publicly recognised the efforts of the Slovak authorities over this question and subsequently indicated that he did not expect it could be completely resolved prior to accession.³⁴ There is a substantial degree of mutual understanding on both sides that was missing in the Mečiar years.

³³ This was demonstrated during the coalition crisis in the summer of 2001 when the decision to defer the solution for a month (a classic example of a cooling-off tactic) followed soon after various statements from EU and NATO leaders warning about the consequences, cf. comment by Béla Bugár, SMK chairman, a year later: "Perhaps we would have been able to get more out of such a situation [the coalition crisis], but in terms of foreign trust in Slovakia, both the country and the SMK would have lost points. Because of the country's integration goals we had to step back from our party requirements" (Interview in *The Slovak Spectator*, 2-8 September 2002).

³⁴ At the next Joint Parliamentary Committee a few weeks later, Verheugen welcomed the Slovak commitment to improving the conditions of the Roma minority. While stating he did not expect a complete solution to this problem before accession, an effective strategy was required (EU-Slovak Republic Joint Parliamentary Committee, Minutes of the 11th. Meeting on 5 and 6 March 2001, p. 2). In effect, he was saying that Slovakia had to be moving in the right direction as a condition for accession, cf. his comments just after his visit to Slovakia in *Sme* (24 February 2001).



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Among domestic factors, one problem that remained deriving from the recent past. An official in Verheugen's cabinet remarked in early 2001 that there is "still this fear that [Slovakia] might drift away" after the Mečiar years – "they [the Slovaks] have to be more careful because they had the Mečiar years."³⁵ Mečiar's negative reputation in EU circles is strongly rooted, and this goes for member state embassies in Bratislava too. On the other hand, Slovak leaders and officials are perhaps less obsessed with Mečiar. If anything, the awareness of Mečiar who remained leader of the HZDS opposition during these four years tended to increase government determination to make a success of negotiations, all the more as the HZDS was consistently the most popular party in the polls. It was an unspoken link that the deadline of the next elections, due in September 2002, would probably coincide roughly with the final push in negotiations for EU membership. It was evident a different coalition following that election would raise some questions in Brussels about Slovakia's position although this did not have to be absolutely detrimental to the country's EU membership. There are two domestic factors to consider here.

Firstly, elite consensus was not yet sufficiently solid to guarantee European policy continuity in the event of alternation in power. Formally, there was cross-party agreement on EU accession as expressed in the vote in the National Council on 16 February 2000 at the start of negotiations: there were 114 deputies present and 113 voted in favour with no votes against and one not voting. This formal consensus nevertheless helped to account for the high level of public support for EU accession, given opinion research has shown regularly that this is most influenced by the positions of political parties and their leaders.³⁶ But beneath this formal consensus there were signs of some real differences of approach. These were also later evident in the party programmes for the 2002 election both over the future of European integration (invariably a test of Euro-enthusiasm or not) as well as in some cases their omissions or vagueness as on monetary integration. Both the HZDS and SNS supported a Europe of nation states, and the SNS strongly so to the point of rejecting a federal Europe, while the SDKU was in favour of institutional change, i.e. more European integration, and the KDH emphasised applying the principle of subsidiarity, i.e. securing national or local autonomy over some issues.³⁷ Judging by its campaign publicity, the SDKU came across easily as the most pro-EU of the various parties.

There were some signs of the HZDS in opposition having strengthened its support for accession. During the first phase from autumn 1998 to early 2000 there were serious disputes within its parliamentary party but these settled down around the start of negotiations.³⁸ This first phase also saw increased questioning of the benefits of membership on the part of both HZDS and SNS.³⁹ But Mečiar announced in March 2000 his party's guarantee that Slovakia would become a member of the EU and of NATO.⁴⁰ In effect, this recognised the changing reality for in opposition the HZDS lost control over the European agenda and its parliamentary party had to adapt to the course of negotiations and in doing so acquire more EU expertise. In the autumn of 2001, Mečiar admitted some mistakes made by his government and reaffirmed his party's commitment to Euro-Atlantic integration.⁴¹ Other opposition parties also supported EU accession

³⁵ Interview with Kristin Schreiber, Cabinet of Gunter Verheugen, European Commission, Brussels, February 2001.

³⁶ O. Gyárfášová – M. Velšic *Foreign Policy Orientations in Slovakia* (Bratislava: Inštitút pre verejné otázky 2000), p. 10.

³⁷ *Parlamentné voľby 2002: Zahraničná politika SR vo volebných programoch politických strán* (Bratislava: Slovak Foreign Policy Association 2002), p. 34.

³⁸ Interview with Oľga Keltošová, HZDS parliamentary deputy, Bratislava, October 2000.

³⁹ O. Gyárfášová – M. Velšic *Foreign Policy Orientations in Slovakia* (Bratislava: Inštitút pre verejné otázky 2000), p. 6.

⁴⁰ *SME* (20 March 2000).

⁴¹ Interview in *The Slovak Spectator* (22-28 October 2001). He also admitted here that "we are trying to win acknowledgement for this [change] abroad, but doubt still remains."

but there were some doubts about the depth of their commitment. Smer was in favour but Fico's populism and opportunism, as well as statements about renegotiating some EU chapters, aroused uncertainty in the event of his gaining national office. The SNS was a different party for its anti-West attitude, expressed in hostility to NATO, also suggested underlying reservations about European integration.⁴²

Secondly, negotiations with Brussels have gradually been creating new realities through the adoption of the *acquis* (and in some cases its wider policy effects), accompanying measures like constitutional change and administrative reform (leading to devolution of some policy powers), advances since 1998 in economic transformation with privatisation and further progress in democratising government notably the freedom of information law passed in spring 2000. This all means that, together with continuing exposure to EU political practices, Slovakia is now in some respects a rather different country politically compared with four years ago. Accordingly, some important constraints have been created on governance in Slovakia whatever parties hold executive responsibility at the national level.

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In conclusion, patterns in domestic politics since the 1998 election tend to buttress rather than detract from Slovakia's accession chances. This is indeed significant for the adoption and implementation of the EU's political conditions has had different institutional and procedural effects but will also have an influence eventually in attitudes and, ultimately, with some consequences for the modernisation of political culture. It follows that the accession process has had a major effect in pushing forward democratic consolidation in addition to the major part played by government policy during this time. Bearing in mind too that this process may have also indirect impacts favourable to democratisation, such as through the pluralistic effects of economic marketisation and in discouraging nationalist rhetoric (which has somewhat diminished in Slovakia since 1998), then we are witnessing decreasing chances of democratisation being reversed.

Conclusion

Developments over the past four years since the change of power in Slovakia in 1998 indeed suggest this event was a turning-point both in the country's relations with the EU and in its own democratisation path. This represents a marked turnaround from the period of the Mečiar Government and points convincingly to a qualitative change in relations since then with the EU. At that time, these relations descended to an unprecedented low and the succession of demarches tended to put Slovakia into a special category in part precisely because it was a Central European country and not located further south in the Balkans, where international expectations of democratic quality have tended to be somewhat less stringent. For a time, there was discussion in academic and also public affairs circles of a possible "Slovak way" of regime change not leading clearly to liberal democracy but involving a special form of creeping authoritarianism,

⁴² The SNS chairwoman expressed opposition to European federalism, supported government policy so long as Slovakia entered the EU "as an equal partner" but criticised the EU's political conditions for being "subjective" (Interview with Anna Malíková, chairwoman of the SNS, Bratislava, May 2000).



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and yet one not so identifiable with patterns of regime change in the more troublesome Balkan countries and some former republics of the Soviet Union.⁴³ There was even speculation that somehow Slovak political culture was divergent from commonalities among the new democracies in East-Central Europe.

The problem with this interpretation is that it was hypothesised on the basis of current trends. This is risky in the context of regime change for it suggests a certainty which cannot yet exist. It is not untypical for contrary patterns to run together during democratisation, especially in its earlier stages. They may not run in parallel and they may well not harmonise; but rather they suggest options for regime change outcomes subject of course to further developments which may favour one option over others. This allows scope for different influences, some of which may be external; and, it is in this respect that the EU becomes so important. Given the opportunity that arose with the result of the 1998 election, the way was opened for EU influences to develop all the more as the new government was fully committed to EU accession and its consequences.

This kind of domestic change highlights the main general lesson: much depends in the first instance on political will, i.e. the determination of individual governments in applicant countries to embark on and stay the course of accession. This means, among other things, accepting the conditions and obligations required by Brussels. Such political will is perhaps most effective in meeting the EU's political conditions. However, as also discovered, such determination alone is not sufficient for the complex dynamics of domestic politics usually intervenes. This may well occur on matters of implementation, including of some political conditions, but it is particularly evident once membership negotiations commence. In this situation, domestic constraints surface; but more significant is how these interact with European pressures. Thus, contextualising domestically the question of democratic conditionality does provide insight into, as well as explaining, the problems of its implementation into reality – and, hence, its true impact on democratisation.

Altogether, therefore, there have been many opportunities for EU influence on developments in Slovakia. This has occurred despite the unhappy past of the Mečiar years and the continuing absence of a firm elite consensus on Europe. However, the combination of elite commitment to accession at the governmental level, the pattern of strong public support on this question and EU pressure as well as support mechanisms have been enough to neutralise these difficulties. And, the outcome of the parliamentary election in 2002 contributes much in helping to secure the benefits of EU accession for posterity. ■

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⁴³ e.g. A. Duleba, "Democratic consolidation and the conflict over Slovakian international alignment", In: S. Szomolányi – J. Gould *Slovakia: Problems of Democratic Consolidation*. (Bratislava: Slovak Political Science Association and Friedrich Ebert Foundation 1997), p. 221-222.



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